



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **6<sup>TH</sup> DAY OF SEPTEMBER, 2017** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish and Fritz, 4

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Denis Vannier, Deputy City Attorney; and Elia Saolele and Adam Cuellar, Sergeants at Arms.

Item No. 985 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

		<b>Disposition:</b>
<b>COMMUNICATIONS</b>		
<b>976</b>	Request of Scott Fernandez to address Council regarding public health (Communication)	<b>PLACED ON FILE</b>
<b>977</b>	Request of Ann Kasper to address Council regarding Eliot Sewer Street Project (Communication)	<b>PLACED ON FILE</b>
<b>978</b>	Request of Jeff Cook to address Council regarding high school scholarship funds and traffic safety improvements (Communication)	<b>PLACED ON FILE</b>
<b>979</b>	Request of Sarah Hobbs to address Council regarding Out of the Darkness Walk (Communication)	<b>PLACED ON FILE</b>
<b>980</b>	Request of Katherine Smith to address Council regarding issues with the police (Communication)	<b>PLACED ON FILE</b>
<b>TIMES CERTAIN</b>		
<b>981</b>	<p><b>TIME CERTAIN: 9:45 AM</b> – Appoint Leslie Hilbrunn, Eduardo Puelma and Eve Connelll, and reappoint Ozzie Gonzalez and Brenda Meltebeke to the Board of Directors of the Regional Arts and Culture Council for terms to expire June 30, 2019 (Report introduced by Mayor Wheeler) 15 minutes requested</p> <p><b>Motion to accept report:</b> Moved by Fish and seconded by Fritz (Y-4)</p>	<b>CONFIRMED</b>

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<p><b>982</b></p>	<p><b>TIME CERTAIN: 10:00 AM</b> – Adopt the recommendations contained within the Growing Transit Communities Plan (Previous Agenda 898; Resolution introduced by Commissioner Saltzman) 1 hour requested (Y-4)</p>	<p><b>37314</b></p>
<p><b>983</b></p>	<p><b>TIME CERTAIN: 11:00 AM</b> – Appeal of the Hayhurst Neighborhood Association against the Hearings Officer’s decision to approve the application with conditions of Vic Remmers, Everett Custom Homes, for an 11-lot subdivision at 5920 SW 48<sup>th</sup> Ave (Previous Agenda 896; Findings introduced by Commissioner Eudaly; LU 16-159330 LDS EN) <b>Motion to deny the appeal and uphold Hearings Officer’s decision and adopt findings:</b> Moved by Fish and seconded by Fritz (Y-4)</p>	<p><b>FINDINGS ADOPTED</b></p>
<p style="text-align: center;"><b>CONSENT AGENDA – NO DISCUSSION</b> <b>Mayor Ted Wheeler</b> <b>Bureau of Planning &amp; Sustainability</b></p> <p><b>984</b> Consent to the transfer of Weitzel's Garbage &amp; Recycling, Inc. residential solid waste, recycling and composting collection franchise to Portland Disposal &amp; Recycling Inc. (Ordinance)</p>		
<p style="text-align: center;"><b>Commissioner Dan Saltzman</b> <b>Bureau of Transportation</b></p> <p><b>*985</b> Authorize application to the Oregon Department of Aviation for a Critical Oregon Air Relief program grant in an amount of \$123,000 for the Downtown Portland Heliport Modernization Project (Ordinance)</p>		
<p><b>986</b> Amend Transportation System Development Charge 2007 Capital Improvement Project list (Ordinance; amend Ordinance No. 171301)</p>		
<p style="text-align: center;"><b>Portland Fire &amp; Rescue</b></p> <p><b>987</b> Authorize contract with Burlington Water District to pay \$120,546 for fire prevention, suppression and emergency response services for FY 2017-18 (Second Reading Agenda 958; Contract No. 30004731) (Y-4)</p>		
<p style="text-align: center;"><b>REGULAR AGENDA - Morning</b> <b>Mayor Ted Wheeler</b> <b>Bureau of Police</b></p>		

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<p><b>988</b></p>	<p>Authorize application to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for a grant in the amount of \$385,515 for the Edward Byrne Memorial Justice Assistance Grant Program FY 2017 Local Solicitation to assist the Portland-Metropolitan area law enforcement and criminal justice community to prevent and reduce crime and violence (Second Reading Agenda 961) (Y-3; N-1 Eudaly)</p>	<p><b>188587</b></p>
<p><b>Office of Management and Finance</b></p>		
<p><b>*989</b></p>	<p>Pay claim of Mahlon Vance in the sum of \$6,000 involving the Portland Police Bureau (Ordinance) 20 minutes requested (Y-4)</p>	<p><b>188589</b></p>
<p><b>*990</b></p>	<p>Pay claim of Lori Weagant-Ray in the sum of \$47,250 involving the Portland Police Bureau (Ordinance) 20 minutes requested (Y-4)</p>	<p><b>188590</b></p>
<p><b>*991</b></p>	<p>Provide a Residency Premium of 5% to the base wage of all Non-Represented Command Staff in the Portland Police Bureau who reside within Portland City limits (Ordinance) 25 minutes requested (Y-4)</p>	<p><b>188588</b></p>

At 11:50 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **6<sup>TH</sup> DAY OF SEPTEMBER, 2017** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish and Fritz, 4.

Commissioner Fritz arrived at 2:02 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Heidi Brown, Senior Deputy City Attorney; and Adam Cuellar and Elia Saolele, Sergeants at Arms.

		Disposition:
<b>REGULAR AGENDA - Afternoon</b> <b>Mayor Ted Wheeler</b> <b>Portland Housing Bureau</b>		
<b>992</b>	Approve and terminate limited tax exemptions for properties under the Homebuyer Opportunity Limited Tax Exemption Program (Resolution) 20 minutes requested (Y-4)	<b>37315</b>
<b>*993</b>	Accept and appropriate a grant in the amount of \$3,400,000 from the Office of Lead Hazard Control and Healthy Homes of the U.S. Department of Housing and Urban Development for lead hazard reduction and healthy homes activities (Ordinance) 20 minutes requested (Y-4)	<b>188591</b>
<b>Commissioner Chloe Eudaly</b> <b>Office of Neighborhood Involvement</b>		
<b>994</b>	Amend Marijuana Regulatory License Procedure and Requirements business regulations (Ordinance; amend Code Chapter 14B.130) 30 minutes requested	<b>PASSED TO SECOND READING SEPTEMBER 13, 2017 AT 9:30 AM</b>
<b>Commissioner Nick Fish</b> <b>Bureau of Environmental Services</b>		
<b>995</b>	Amend price agreement with CMTS, LLC for on-call temporary engineering and technical support staffing services by \$4,000,000 for a total not to exceed \$5,500,000 (Ordinance; amend Contract No. 31000896)	<b>PASSED TO SECOND READING SEPTEMBER 13, 2017 AT 9:30 AM</b>

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<p><b>996</b> Authorize a competitive solicitation and price agreements for construction management, inspection and project support personnel for an amount not to exceed \$25,000,000 over five years (Ordinance) 10 minutes requested</p>	<p><b>PASSED TO SECOND READING SEPTEMBER 13, 2017 AT 9:30 AM</b></p>
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At 3:25 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 7<sup>TH</sup> DAY OF SEPTEMBER, 2017 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish and Fritz, 4

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Lauren King, Senior Deputy City Attorney and Jim Wood and Adam Cuellar, Sergeants at Arms.

	<b>Disposition:</b>
<p><b>997</b>      <b>TIME CERTAIN: 2:00 PM</b> – Adopt the Central City 2035 Plan; amend the Comprehensive Plan, Comprehensive Plan Map, Transportation System Plan, Willamette Greenway Plan, Willamette River Greenway Inventory, Scenic Resources Protection Plan, Zoning Map and Title 33; repeal and replace prior Central City plans and documents (Ordinance introduced by Mayor Wheeler) 2.5 hours requested for items 997 - 999</p> <p><b>Motion to accept Wheeler Package of Amendments to the Central City 2035 Plan dated August 29, 2017:</b> Moved by Wheeler and seconded by Eudaly.</p> <p><b>Motion to amend Morrison bridgehead height:</b> Moved by Fritz and seconded by Wheeler.</p> <p><b>Motion to amend green roof code section 33.510.243, subsection B, number 1 to replace 60 percent with 100 percent:</b> Moved by Eudaly and seconded by Wheeler.</p> <p><b>Motion to amend proposed zoning on properties with ID numbers R553371 and R612387 from High Density Multi-Dwelling Residential (RH) to Central Commercial (CX):</b> Moved by Eudaly and seconded by Fish.</p> <p>No Council votes taken.</p>	<p><b>CONTINUED TO SEPTEMBER 14, 2017 AT 2:00 PM</b></p>
<p><b>998</b>      Adopt the Central City 2035 Plan Action Charts, Performance Targets and Urban Design Diagrams (Resolution introduced by Mayor Wheeler)</p>	<p><b>CONTINUED TO SEPTEMBER 14, 2017 AT 2:00 PM</b></p>
<p><b>999</b>      Adopt the Central City 2035 Plan Green Loop Concept Report (Resolution introduced by Mayor Wheeler)</p>	<p><b>CONTINUED TO SEPTEMBER 14, 2017 AT 2:00 PM</b></p>
<p><b>1000</b>      <b>TIME CERTAIN: 4:30 PM</b> – Amend the Central City Plan District to increase height and floor area ratio limits on the United States Postal Service site (Ordinance introduced by Mayor Wheeler; amend Code Section 33.510 and Ordinance No. 175163) 30 minutes requested</p>	<p><b>CONTINUED TO SEPTEMBER 14, 2017 AT 2:00 PM</b></p>

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

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**MARY HULL CABALLERO**  
Auditor of the City of Portland

A handwritten signature in blue ink, appearing to read "K. Moore-Love".

By Karla Moore-Love  
Clerk of the Council

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

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

**This file was produced through the closed captioning process for the televised City Council broadcast and should not be considered a verbatim transcript.**

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

**September 6, 2017 9:30 AM**

**Wheeler:** Good morning everybody, this is the September 6 a.m. session of the Portland City Council, we welcome everybody. Karla, please call the roll.

**Saltzman: Eudaly:** Here **Fritz:** Here **Fish:** Here **Wheeler:** Here

**Wheeler:** Let's see if I can summarize this. Number one, everybody please be respectful to people testifying. When people are at the microphone, people come here from a long distance to be heard, please let them testify without interruption, same for the city council. Please let us deliberate. In the event somebody disrupts the city council, or people testifying, they will be asked to leave. If people are asked to leave and they don't leave, they are subject to arrest for trespassing. Obviously, we don't want that to happen, so we encourage everybody – just make sure we work together to make this a safe and respectful environment for everyone. There is a couple of opportunities for people to participate. First of all, you can participate during what's called “communications,” at the beginning of the meeting. That's three minutes, you can talk on any subject that you want. Because those slots are limited, we ask people to sign up in advance with the council clerk, there are also opportunities to testify today on the first readings of any reports or resolutions or ordinances, and if people would like to testify, just see Karla prior to the item being discussed, and she will put your name on the list. We have a hard and fast rule that if you are testifying, please make sure your testimony is germane to the item being discussed, that's very helpful. If you are a lobbyist we need to know that per council rules. If you are representing an organization, we need to know that as well. Thumbs up if you like what you are hearing and thumbs down if you don't. That's sufficient, you don't need to scream or yell or boo or anything else. Plus, that just takes time. So, without further ado, we'll get to the first communications. Could you please read the first item, Karla?

**Item 976.**

**Scott Fernandez:** I have several comments today. My name is Scott Fernandez, I live in Portland. What we heard in August 2<sup>nd</sup>, there was much more than was Mr. Stir's comments on EPA/LT2 judicial ruling that need to be made public today. Critical LT2 science summary papers were written by me during the year before the trial in 2007 with the agreement that I would be turning them over to the Boston attorneys that we had incorporated. The documents were supposed to be, and are, privileged documents. At the 11<sup>th</sup> hour, the city and Portland Water Bureau reneged, telling me to make them public documents before the trial. I said “No,” because if they go to public documents, anybody can see them. These were privileged. So, I saved them for the case if we were ever going to appeal. The scientific truth would win, but the LT2 case was squashed by the city and by Portland Water Bureau. Due process was owed to the citizens of Portland as fair treatment through a normal judicial system, especially as the citizen's entitlement. Ultimately, due process was again squashed by the City and Portland Water Bureau. The whole premise of the lawsuit was based on science. EPA administrators, at that time and previous and after, determined that science would determine the ultimate outcome. The city and the Water Bureau had no intention of letting our LT2 case prevail. They sold us out. Point number two: The EPA protects drinking water by requiring laboratories to become certified

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to analyze the drinking water samples that they use analytical methods approved by EPA. Analytical methods applied in the watershed are not known to be certified. Portland Water Bureau analytical methods in the lab are still not known to be certified in the early months. No proficiency known to be demonstrated without certification. No certified oversight of lab techniques. No certification that there was, quote, "no contamination of the samples." Samples should be then rejected because of no certification. Point number three: We just got done dealing with the Bull Run water situation and the fire issues. Last night, I was notified that the Water Bureau's fire department consists of a pickup truck that consists of a tank in the back part of the truck. The Portland Water Bureau resolution to the solution of dealing with fires in the watershed: "Call the department. Call the fire department." We told you a few weeks ago that Canada has great technology to deal with fires, and we have done nothing at this point. And finally, my character has been, over the years, demeaned and disparaged with people saying in this council that I have no background in science and know nothing about microbiology or chemistry. I hope that stops, and thank you very much.

**Wheeler:** Thank you for your testimony.

**Fish:** Thank you Scott. Mayor can I just please. I want to just -- thank you Scott. Why don't you take your seat?

**Fernandez:** Okay, but if there is going to be a contradiction about me, I want to have -- I want to be able to defend what I have said.

**Fish:** No contradiction. Please take your seat. I am not going to refer to you.

**Wheeler:** Let's move onto the next item please. Thank you, sir.

**Item 977.**

**Anne Kasper** Good morning. I'm Anne Kasper, and I am coming here today on behalf of my neighbors on Sacramento Street. People complain of gentrification, but our street is actually really special. We're not gentrified! We have low income, high income, we have people with elevators in their apartments, and we have people like me living on 1,200 dollars a month. As well as the Volunteers of America Residential Treatment Center for Men, 54 people there, 30 people who work there, their visitors. So about 300 people, and I am here today because we actually just want to let you know that we have a message that we do not want the three planters that the Bureau of Environmental Services is offering! It will cause more stress on the street. We don't have enough parking as it is, and it doesn't fit the culture of our street, because they have not taught us the importance of having plants on the street and using it to help the storm water. There are alternatives to do. It has been a little bit difficult working with the bureau. Our neighbors - we have, and I have sent Nick Fish -- we've talked with Liam last year, and we've talked with Elliott, and I think that you have seen the email that correspondences with other neighbors, not just me, for more than a year.

**Fish:** Right. That's one of the reasons we made changes including changes about parking and configuration, but go ahead.

**Kasper:** Oh, no, that's ok. And we still need more talks. And also, because we have people from Somalia, Ethiopia, Eritrea, and there have been -- I requested last year and was told by Debbie Caselton June 6<sup>th</sup>, that there would be information in the languages Amharic, Oromo, Tigrinya, Somali, and Spanish needed. There's been nothing for more than a year and a half. So, our neighbors don't understand. Even Volunteers of America didn't know about this until last month, when I came to tell them when we received things. It went for a year without information from your bureau. And I understand that you don't have enough people or money to do the communications. We're trying to work with you! We want to help you! We need -- but there are alternatives that the city can do. Save the stress on our street. Save our parking. And you can take care of the storm water, which is

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a problem every 25 years, by making -- and we need more data, too, because when they came on July 10<sup>th</sup>, we did not get all the data we asked for. All of the alternatives. Our cost-benefit analysis is that it's not good for our neighborhood.

**Fish:** So Anne, let me just respond quickly. First of all, thank you for coming in. Is Debbie here? I asked Debbie to be here to have a chance to follow up with you.

**Kasper:** But she's no longer working on the case. Matt Gough is.

**Fish:** I understand, but she's the top person in the bureau.

**Kasper:** Oh.

**Fish:** So I'm gonna ask her to spend a few minutes with you. I understand that there are some neighbors that have concerns about bioswales, which, as you know is the centerpiece for how we manage storm water run-off. We have changed the design, we have added back some parking, I have looked at some of the back and forth, and here's my commitment to you: If there is more that we can do to address the legitimate concerns of neighbors we'll keep working at it. The bureau is deeply committed to working with the stakeholders. But Debbie is here to have a conversation. I can't resolve it today.

**Kasper:** Okay, so, I am going to ask you, too, on July 10<sup>th</sup>, Matt Gough came out and did talk to us with the, who is it, the project manager, and they couldn't answer our questions. In fact, their data and graphics were incorrect. So, we just want the correct information. We were asking you to look at...

**Fish:** This is not the place.

**Kasper:** Why isn't it the place?

**Fish:** Debbie is here to review whatever your concerns are. And you have a set of unique concerns that you have raised about this project. And I want to make sure that they are dealt with at the highest level.

**Kasper:** That's great. We started a petition, and I tried to figure out how to do a petition, I've been calling legal people. It's really hard to figure out how to work with you guys, and so, it's a pre-petition. We got 30 people in an hour to sign it yesterday. And commissioner Fish I hope that we work with you. It's not been easy, actually, this process. And even, if we are going to be a sanctuary city, if people don't understand, when they are living here, what's going on, that does not make any sense either. So, we just -- we have alternatives. Why can't we do them?

**Wheeler:** Sure. So, we would like to see the petition before you leave today, if you could get copies to Karla, right there. She'll make sure that we get those.

**Kasper:** Yes.

**Wheeler:** It sounds like a representative of the bureau is here to meet with you as well. Thank you, ma'am, for coming in.

**Kasper:** Thank you. And, I am doing this on my volunteer time, people are working, you know, because I am on disability, I can come here. But the people in the neighborhood are - and also, we need education. Why is it important to have environmental things on the street? It would be full of garbage. Our street, even when the people from BES came to visit, the street is full of garbage. So, we're just going to have planters full of garbage, and the plants will die, and it doesn't make sense at this point. We need more communication.

**Wheeler:** Great. Thank you, ma'am.

**Kasper:** And I just wanted to add, too, it's not off the topic, I just remember, you know, the four people and baby who froze to death in Portland and it's not been mentioned very much so I hope you guys have processed that. I am still processing that, and thank you.

**Wheeler:** As are we. Thank you very much. Appreciate it.

**Fish:** Thank you, Ann.

**Wheeler:** Next item please, Karla.

**Item 978.**

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**Jeff Cook:** Good morning. Humble and honorable servants. It's been ten years since last I spoke to this body in this chamber. And I told you then that I would be back if the matter called for it. The matter calls for it. I recommend you open the packet I left for you immediately so that we can be on the same page. Nick Fish, we, the people, are holding you in our thoughts and prayers and I know that you know that you are stronger than disease and you can, and thus, will defeat this.

**Fish:** Thank you.

**Cook:** In this, the least churchd city, and the least churchd state in the union, competing only with Vermont for that ignominious title, our congregation, indeed our communion, is between the curbs. That is where we prove our love or our lack thereof. Accordingly, on August 19<sup>th</sup>, 2016, a 20-year-old Saudi Arabian national, a student here on a student visa enjoying the benefits of an education in America at PCC is alleged to have been driving his golden Lexus westbound on Southeast Hawthorne Boulevard at 3:00 in the afternoon at speeds up to 60 miles per hour. It is alleged that he struck and killed Fallon Smart, a 15-year-old girl. It is also alleged he left the scene only to return later and be arrested and held over for his initial hearing at which, behind the glass in the dock in the court, Abdulrahman Noorah, age 20, wept like a baby, more for himself, I dare say, than for the crime of which he is accused: Manslaughter. The bail was set at one million dollars. On September 11, 2016, the Saudi Consulate in Los Angeles handed over 100,000 dollars, 10%, that's all you need of this bail. Abdulrahman Noorah was returned to the succor and the comfort of his three roommates who were with him in the car at the time. In June of this year, just a week prior to his scheduled trial, Abdulrahman Noorah cut off his ankle bracelet and has fled the nation. You can call it a supreme irony, but I don't believe a supreme irony exists. We have yet to find [inaudible], there are so damn many ironies. Let's call it the powerfully poignant truth. Fallon Smart was born on September 11, 2000. Every birthday that she celebrated from age one was marred by the intersection of a national commemoration of a day of horror. Let August 19<sup>th</sup> now stand as a date that also shall live in infamy. We will never get her back. We may never get him back. But imagine, if you will, what 900,000 dollars could do. I propose that the Fallon Smart Memorial Scholarship fund to send our best and brightest, of which Fallon was one, to colleges anywhere within the state, and additionally, we could set aside a certain sum for traffic safety improvement measures, which, by the way, are already underway, and for which I actually congratulate you, well done. Nevertheless, it took the tragic death to put in a pedestrian safety island on Hawthorne. I urge you to stand and demand where it takes. Use your bully pulpit. There are one, two, three, four, five bully pulpits, all previously used, use that bully pulpit, talk to whoever needs to be talked to, and bring this money home. We, the people, don't seek retribution. Retribution would be asking for Abdulrahman's hands, which apparently the Saudis are good at cutting off. We, the people, demand restitution. Thank you.

**Wheeler:** Thank you sir.

**Cook:** Should I return, it will be a matter of great consequence. Goodbye.

**Wheeler:** Thank you. Next item please.

**Item 979.**

**Wheeler:** Good luck topping that, Sarah. Good morning to you. Good to see you.

**Sarah Hobbs:** I am on medication and that has me very tense. If get an extra minute or two if I need it, I'd appreciate it.

**Wheeler:** As usual, no problem.

**Hobbs:** Thank you. For the record, my name is Sarah Hobbs, and I'm a field advocate with the Oregon State Chapter of the American Foundation for Suicide Prevention. September is Suicide Prevention Awareness Month. It is easy to get overwhelmed when we consider

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the enormity of the issue. Oregon, out of 50 states, is number 13 for its extreme high rate of suicide out of all 50 states, and out of every city in the nation, Portland is number 18. The American Foundation for Suicide Prevention, for the past 30 years, has been working to address the issue through funding of research, strategic partnerships, including one with Portland's Dougy Center to address the needs of children and youth who are survivors of suicide loss. And the National Shooting Sports Foundation to address the issue of firearms harm reduction at the point of sale, among many others. I personally am proud to be locally partnering with the Police Bureau's Enhanced Crisis Intervention Team, Crisis Response Team, and the city's Youth Prevention Office. The big event that the American Foundation for Suicide Prevention has every year is our Out of the Darkness Community Walk, which will be this year, October 7, 2018, at the Veterans Memorial Coliseum. Either you all have personally told me, or members of your staff have told me, that I need to officially invite you to get you all to come, so please as of now, consider yourselves officially invited. As well, I was given the suggestion of thanking you all in advance for doing something like posting this flyer, say, in the window, by your office front doors or up by your main desk, to help us get out the word. I am very excited to say that in 2016, funding that came from the community walks, funded a 300,000 dollar, OHSU/V.A. research grant, looking at ways to identify Iraq/Afghanistan combat veterans who are at risk for suicide. So, I am going to thank you all in advance, I know I will see you all or someone from your staff, in October. Thank you.

**Wheeler:** Thank you Sarah! We appreciate you being here.

**Eudaly:** Sarah what time is the march?

**Hobbs:** The walk, I believe, starts at 10:00. 10:00 to 12:30. I know that we have already, you have already got commitments from officers from the Enhanced Crisis Intervention Team, Crisis Negotiation Team, people from Antoinette's Peace Collaborative are coming out too.

**Eudaly:** Great. Okay. Thank you.

**Wheeler:** Great. And we will post the flyer! Thank you. Next item please.

**Item 980.**

**Fritz:** Go ahead. Thank you.

**Katherine Smith:** Mayor Ted Wheeler, and commissioners, about a month ago, when I testified here mayor, you said that we have had multiple conversations about these police issues. One is about me asking you to talk to the police chief to transfer my case to a group of Portland cops who will investigate and prosecute. I don't have access to the police chief because his office employees illegally don't give him the certified letters and reports I have sent him. About 12, and most of the emails I sent him, about 23, because some Portland police illegally ordered them not to. Well no, we have not had any conversations about that. Me testifying here about three minutes once a month and you not even asking me any questions or making comments is not us having a conversation. I have sent you five certified letters and reports and never get a response from you. I sent you seven emails and only got two automatic general replies. I have put in four meeting requests, never getting a meeting with you, your meeting screeners saying you are "very busy." A Portland Police facilitation of attempted murder coverup should be one of your highest priorities to stop. When you pass the buck, and assume some employee of yours will resolve these issues and crimes when they don't or can't or won't, you are at fault. It is your place, your job as police commissioner, to address these issues. The last month when I testified, I made a few questions you should have or likely would have asked me if you did not have what appears to be a gag order on you. One was, if they shoot you remotely how do you know it's the Tigard Cops? Two: What do they talk to you with? Three: What's their motive? Today, question number four, you might have asked me is

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why do you call this an attempted murder case? Because eight to ten at least Tigard cops have been shooting me 20 to 24 hours a day for more than five years, and to my son at least eight hours a day when he's sleeping, they say, with microwave radiation weapons mainly, and often with ultrasound weapons. They are obviously saturating us with radiation to destroy our health and to murder us. They remind me several times every day, they are killing me and my son. These kinds of weapons are called "soft kill" or "slow kill" weapons, but you can keep shooting someone for a few minutes or seconds in the brain and give them a stroke, or to the heart and burn a hole in their artery or cause a heart attack to kill them very quickly. Attempted murder cases are supposed to be assigned to the homicide cops. Not to BHU. Question number five: You said some Tigard cops have hundreds of other targets in Portland. Why don't they come here to testify about this since most Portland police don't even try to stop these assaults, tortures and crimes? Because if those Tigard cops don't want one of their targets to testify here, or to ask for a meeting with you etc. – I just have a bit more – especially about these weapons, they have all kinds of ways to distract or threaten people from it. They can talk to them and make them think or write down the wrong testifying date. They can give them instant flu symptoms with microwave or ultrasound. They can torture them, then torture them again if they go. They can blackmail them. And other things. Even though it may seem nobody else has come here to testify about someone or Tigard cops shooting them remotely, some of their targets have testified about some crime or police excessive force or shooting. Some theft, a sickness or mental illness, some animal attacks, some super inappropriate actions or behavior that someone or some people did to them. Sometimes a cop, Tigard cop, made a comment to me saying that he or they did that, [inaudible] to happen. They love to brag about the violence, destruction, and trauma that they do to people. Even kids. It's no risk to admit it to me as you seem to know that they have many cops and others covering up for them.

**Wheeler:** I will need you to start wrapping up. Thank you. Commissioner Fish.

**Fish:** Thank you mayor. Mayor, I think it would be appropriate just to take one minute to give you and my colleagues and the public an update on the fires in the Gorge and the potential impact on our water supply. We have a number of people ask, given the proximity of these fires, at what point may it have an impact on the Bull Run Watershed and our water supply. Here's what I know. The city, through Eddie Campbell, who was an official at the Water Bureau, Director Stuhr, and others is part of a joint incident command that was established by the county, the state and the federal government. There's been an unusual amount of coordination among all the players. Those of you that know the Bull Run Watershed and know all the protected areas around there, know that it is largely federal land. But there is some state land. We work hand in glove with the state and federal partners who are the frontline firefighters. As it should be, because they have the expertise. We are allowing helicopters to draw water from Blue Lake. Blue Lake is not a body of water that we supply to you as customers, but part of our emergency plan is that water can be drawn and used for firefighting purposes. As of yesterday, there was a breach of the Bull Run by the fire. There is no imminent threat to, actually, the water supply. But we have two rangers and other professionals monitoring this closely. And here's the worst-case scenario: If, at some point, it is determined that because of the material in the air that's landing in the water, or because of landslides or any other potential risk to our water supply, we will convert to the Columbia well water system on an interim basis. And we may do it earlier rather than later out of an abundance of caution. As my colleagues know, we have the two largest supplies of good, clean water in the state, the Bull Run Watershed and the Columbia well water, so we can go back and forth. If we are required to go to well water, even if we do so on an interim basis, out of an abundance of caution, our capacity is slightly below what we're delivering through the Bull Run. So,

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there will be an appeal if we do that by the mayor and me for people to exercise prudence around conservation. If we switch, this would not be the greatest time to leave your sprinklers on all day, or to take your 15th bath, or whatever. But we are still going to be able to deliver close to 100 million gallons of fresh water, so it's not going to be an inconvenience to everybody, but that's the current news. We are -- the governor reached out to both the mayor and me a couple days ago to give us an update, we're getting regular updates, and we'll share it with the public as we know it, but as of today, our water supply is safe and protected, and if that changes, we will switch to well water on an interim basis. We are hoping for rain and we're hoping that the winds continue blowing the smoke and the fire away from our water supply. I wanted to give that update.

**Wheeler:** Thank you Commissioner Fish. And just briefly to add onto that, the city continues to work with our regional partners. We're in communication with the state regional partners. Portland police and Portland fire have had personnel on the scene. Some of you may have seen what is unfortunately becoming something of an iconic photo of a ladder truck over the Multnomah falls lodge, protecting the lodge. That was a Portland Fire ladder truck, and we have personnel on the scene protecting structures. The police have been helping with the evacuations. The Office of Emergency Management is up and running, I actually have Jennifer Arguinzoni from my office in the EOC in Troutdale. And we're in regular communications with everybody, and if there is a change in the situation, obviously we'll update the public. So, with that, and thank you for pinging us on that. I think it's appropriate that we did do that update. So, thank you Commissioner Fish. Next item, the time certain actually, consent agenda first. It's my understanding one item has been pulled by commissioner Saltzman back to his office per the Tuesday memo. That's item 985, has been pulled back to commissioner Saltzman's office. Have any other issues been pulled?

**Moore-Love:** I do not have any more.

**Wheeler:** Call the roll please.

**Eudaly:** Aye. **Fritz:** Aye. **Fish:** Aye.

**Wheeler:** Aye. The consent agenda is adopted. Please call the first times certain.

**Item 981.**

**Wheeler:** Commissioner Fish.

**Fish:** Thank you mayor. This is one of our happiest functions as a council. We get to welcome, thank, and ultimately approve new members to very important oversight bodies. And I want to invite Jeff Hawthorne, the acting executive director of Regional Arts and Culture Council to come forward. Jeff, do you want to bring our guest, Eve Connell, Leslie Hilbrunn, and Eduardo Puelma, who are three fantastically qualified nominees for service on the board of directors of RACC. Jeff, why don't you just take a moment to set the context? By tradition, we'll ask each nominee to say a few words about their interest in this position, and something about the arts they are passionate about, and my colleagues will no doubt have questions.

**Jeff Hawthorne:** Yes, thank you commissioner Fish. Mayor Wheeler. Commissioner Fritz. Commissioner Eudaly, good morning. Thank you for having us. My name is Jeff Hawthorne, I am the interim executive director for the Regional Arts and Culture Council. We expect a new director to be in place around January, after a national search that will get underway next month. In the meantime, I am here to bring three board members who have recently been adopted and voted on to the RACC board and ask you to approve them as representatives of the City of Portland. We have six slots on the board reserved for your jurisdiction out of 22 board members total. I am happy to report that 45% of our board members identify as people of color, and among the board, they are artists and small business owners, CEOs and program managers, arts advocates, consultants and

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community leaders. They bring skills including finance, grant-making, nonprofit management, public relations, facilitation, fundraising, evaluation, and so much more. But they also bring us important community connections, including communities of color, Native Americans, Asian, and Pacific Islander, Hispanic and Latinx, African-American communities, and disability communities as well. And so now, it is my pleasure to introduce to you the three board members that we are asking you to approve as representatives of the city of Portland, Eve Connell, Leslie Hilbrunn, and Eduardo Puelma.

**Fish:** Eve why don't you start.

**Eve Connell:** Yeah, sure! Thanks! Thanks for having us this morning. It's really terrific. I am an educator, a small press publisher, and an arts advocate. And I've been in Portland for about a dozen years, and somehow have managed totally all sorts of really cool arts-related activities including working with RACC over the last decade in various capacities. Serving on nonprofit arts organization boards like the IPRC and Art on Alberta. And I'm just a huge advocate for arts in our community, and my passion is around bringing arts experiences and opportunities to our children, our community members, artists, and arts orgs. So, I am really thrilled to serve in this new capacity with RACC. Thanks.

**Wheeler:** Thank you for being here.

**Leslie Hilbrunn:** I'm Leslie Hilbrunn. I am the director of the business customer group at Portland General Electric, which is, along with its employees, the largest donator for Works for Art, six years running, so I, along with many of my fellow employees are incredibly passionate about the arts and want to help to support it. I also grew up in the arts, and have been a writer and editor for most of my professional career, and just really value what the arts that I have grown up with has brought to me, and just think it's critical for us in Portland who want a vibrant community to support the arts. I've been involved with a few nonprofits here that are arts-oriented, and I am a supporter of arts education, and most importantly, the arts are really fun. And I just think it's – I am honored to be able to serve in a way that can help to bring that critical part and make us all well-rounded people and bring us together through the arts.

**Fish:** Thank you very much. Eduardo, welcome.

**Eduardo Puelma:** Thank you. Eduardo Puelma. I've been here just over ten years. In the time I've been in Portland, I have really come to appreciate the work that RACC has done for education and advocacy. I think it's very important that RACC has a strategy around inclusion and equity. And for that reason, I think that my experience as a Latino, as a gay man, would help to bring a little bit more -- bring my experience to the board to help improve the board and to build upon what the board has done so far. I grew up in the arts. My father, my uncle, grandfather were all artists. I have studied art in college. I now work with a lot of artists as well in my professional capacity. So, this is something that is -- has always been a passion of mine and I want to help this city and the region further the work the arts community can do.

**Wheeler:** Thank you. Are there any questions?

**Fritz:** I have a question for Jeff. You mentioned 6 of the 22 members are appointed by the city of Portland. Who appoints the others?

**Hawthorne:** We have slots for all of our major government funders including Multnomah county, Washington county, Clackamas county, and Metro, and then, the remainder of the slots are at large.

**Fritz:** And is the allocation of members proportional to the funding that each jurisdiction gives?

**Hawthorne:** Not directly proportional, but generally speaking, the city of Portland has six slots; those other counties that I mentioned have two.

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**Fritz:** That's something to put on your to-do list. The city of Portland has been a strong funder for RACC throughout its time, including during the recession, I think it's well over 3 million dollars at this point, plus the arts tax, so I want to make sure that we are encouraging other jurisdictions to pay their fair share, since it is a regional culture, and not Portland. So, whatever you can do in your professional, personal, and board capacity to encourage and help other jurisdictions understand why this is crucial not only for our hearts and souls, but also for our economy, and for jobs and businesses, I will really appreciate that. Thank you.

**Fish:** Mayor, I just want to observe that these three outstanding candidates are coming to the RACC board at a time of unprecedented activity. I think that it's safe to say the single most important decision you will make in your first six months as a board is that you will vote to hire the new executive director, and after 30 years of service to our community, Elouise leaves big shoes. You are doing a national search. My guess is this is going to be a very, very desirable job, and you will have the difficult task of selecting the next leader. So, that'll be, I think, at the top of your list. RACC is currently undergoing the first performance audit in its life cycle, something that both the RACC leadership and city have jointly embraced as an opportunity to sort of take the temperature of the organization and to be able to give this new leader a document that says, "Here's where we're hitting the mark, and here's what we may need to pay some more attention." We have a contract with the city that comes up later this fall. I think that the current goal, Mayor, I talked to the CAO the other day, I think the current goal, given the transition, is to extend that contract until you have a new leader, and then to sit down and negotiate it. That would be my preference. There is only so much that we can do at one time. Commissioner Fritz mentioned funding. It is, I think, the strong desire of this council not only to protect funding for the arts, and that's also funding at the federal level, but to encourage all of the RACC partners to pay their fair share. And I think that conversation about the regional participation is an important one and one that we'll want to tackle. Arts affordability is such an important issue currently as we are at risk of pricing out young creatives. And we are also at risk of making it impossible for our community-based arts organizations to continue to deliver great programs. It's something that commissioner Eudaly and I feel strongly about. She has a long-standing affiliation with the Independent Publishing Resource Center, which has been nomadic lately, having to, sort of, find affordable space, and that, multiplied by so many other organizations that do good work but are getting priced out, really commands our attention. We have a crack lawyer joining us today, who happens to be in the rotation as our counsel attorney. He is also the lawyer that argued the arts tax, and I've been practicing law for over 20 years, and serving on this council for nine. I thought it was the best appellate argument I've ever seen. And he wrote a brief, which, if anyone is ever interested in the arts tax, whether you love it or you hate it, he wrote a brief that explains the arts tax and the law on the Oregon constitution. And it's really a model of good advocacy, so I'm not trying to jinx you on the decision, but we are hoping sooner rather than later, to get a decision from the Oregon Supreme Court which will be the sixth and final legal ruling on the constitutionality of the arts tax. And then finally, I would be remiss if I did not say how grateful that we are for the steady leadership that Jeff Hawthorne is providing now. He stepped in, and we have not missed a beat. And it was a pleasure to work with Jeff when he was the deputy director, and a pleasure to work with him as the acting executive director and we are very fortunate to have his capacity there. And colleague Linda McGeady is here. Linda, would you raise your hand? Linda is one of the leaders of the RACC board, and thank you, Linda, for taking time out to be here for this event.

**Wheeler:** Very good. Public testimony on this item?

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**Moore-Love:** We have one person, Veronica Vernier.

**Wheeler:** Thank you. You can take a seat and we'll hear from one individual. It looks like we are going to have two, is my guess. Good morning.

\*\*\*\*\*: Is this your computer?

**Wheeler:** No, it stays with the table, sometimes people do power point presentations and whatnot. If you can state your name for the record. We don't need addresses.

**Lightning:** Yes, I am Lightning. I represent Lightning Super Watchdog X. I do approve of the appointments and the reappointments of all individuals. I think your qualifications are very good, and essential for RACC. One of the concerns that I have, though, with your organization is that I, myself, would like to see more of the artists be from the homeless community. I think you have a group of people out there with a lot of artistic talent, and they need to be given that little more incentive from groups such as yours to explore that talent a little bit more. And I think you have the ability to do that. I think that we have many shelters in this city which we're investing a tremendous amount of money into. I want to see more art on the walls created by the homeless. Such as you know, PNCA went into TPI and painted the doors. This has been very beneficial. It brings a light into the situations that is very positive. Art lifts the spirits of people, and I want to see the homeless community involved more, to whatever degree, any direction that they go, but have that opportunity to look at different things and different ways of doing things, and in different enjoyment that you can get from art. One of my first art pieces that I purchased was from the late Dr. Nathan Schlimm and Sylvia Schlimm. Great friends with the Schnitzer family. And I really enjoyed the art work. And those are lasting things that you can purchase through people and remember them. It's essential that you reach out to the homeless community and begin seeing the true inspiration from art that it can bring people. An example: In the past, I went to Dignity Village, and it was a Native American - we went out, got a piece of cedar tree. He carved an Indian chief, spectacular work. Absolutely amazing. He carved also, with a chainsaw, a salmon. People purchased that from him. An amazing artist in Dignity Village that was absolutely phenomenal. Reach out to the homeless community and offer more to them. They are in the most need of great art and the ability to make art. Thank you.

**Wheeler:** Thank you. Good morning.

**Veronica Vernier:** Good morning. Veronica Vernier, PSU Community Health and Safety and also Recreational Health and Safety in the parks and school health and safety. It's kind of a broad umbrella, but that's how we operate. My background is, I am a former MICU nurse working after retirement in the schools and recreation and parks. I do support the announcement of the people who came forward. I really commend them, and I notice there is Hispanics there and that's good, and also a broad cultural blend. I think one of the biggest arenas in the city are recreation and parks. The reason we watch them, Randy Miller, one of our best instructors from Portland State, was one who instilled in us the idea of participating with the children in an observatory point, and coming forward and supporting the kids while we watched them. We do look at parks, regional parks and arts and council in other ways, too. There is a Jones Gulch event coming up, I think it's on the 8<sup>th</sup>, and we'll be watching that, too. We would like to see the people get out and recreate and I think it's really important to support the rose – what is it? Schnitzer? Can't say that fast. The Schnitzer group and the Middleman Jewish Center, too, for their regional arts support in terms of our park and recreation department. The money is well funded, and all the time, when the kids go, you know, to the events, you know that they will be well covered and safe so that's the main concern. That's why we study it at Portland State, and I do support the idea, and I encourage future studies, too, because it's well worth the effort. Thank you.

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**Wheeler:** Thank you for being here. Colleagues, we'll entertain a motion.

**Fish:** So moved.

**Fritz:** Second.

**Wheeler:** We have a motion from commissioner Fish, a second from commissioner Fritz. Please call the roll.

**Eudaly:** Well congratulations everyone, and thank you for being willing to step up and serve our arts community and our city. Aye.

**Fritz:** Thank you very much. It's a big commitment of time and energy to do this. I vividly remember when Mayor Sam Adams and I went to a RACC event and started talking about the need for equity and inclusion in both the board and our community, and the people who get the money. And so, I really appreciate the fact that – what is it? Another five years on at least, probably six or seven, that the board has not only embraced that concept, but expanded on it, and it's definitely illustrated by each of your backgrounds and your willingness to serve. I want to give my thanks to Denis as well. Denis was also the lawyer on the paid sick time effort we did in 2012-2013. So, obviously, you've been involved in some very good things, and keep up the good work. Thank you. Aye.

**Fish:** Well thank you for your service. Please don't hesitate to let us know what you need to be successful. We are really excited about the prospect of a decision in the early part of next year of the new leaders that we will all have a chance to work with, so thank you. Aye.

**Wheeler:** Well, first of all I would like to congratulate Leslie, Eduardo and Eve for stepping up, and I would like to congratulate Ozzie and Brenda for being reappointed. As you have gathered this is an important board to the community. The service provided by RACC is one that we all notice and greatly appreciate, so we are so happy that you are willing to take the time to step forward. I feel like I should also congratulate the attorney, and I will just say that I am delighted to have an attorney in the room who isn't here because he's suing me for something or other. So, thank you for that. I vote aye. The appointments are all approved. Thank you for being here and thanks for sharing your stories with us. Next item please.

**Item 982.**

**Wheeler:** So, colleagues, this is an item by commissioner Saltzman. He is obviously excused today, but I believe we – oh, good! We have Brendan from commissioner Saltzman's office, is going to speak, and some representatives from PBOT are here as well. Brendan, should I turn this over to you first?

**Brendan Finn, Commissioner Saltzman's Office:** Yes, sure, thank you mayor. Good morning. Brendan Finn, Commissioner Saltzman's office. I feel like I need to congratulate Denis. [Laughter] Alright. Good morning. Well, first off mayor, before we dive into this item I wanted to -- while Dan is ill today, the fire commissioner is monitoring closely the situation going on with the wildfires, and since we're giving updates I thought that I would give a brief update on that, because I am watching the communications between him and the chief right now, and I want to be sure you are apprised of how we're coordinating. To build on what commissioner Fish was saying, the chief is out right now with the Sandy district fire chief, and they are touring the Bull Run Watershed. One of the -- while we are worried about the water supply, two of the other things that they're monitoring is the power lines that run through the watershed there as well as some of the stations that are located within the watershed, some of them are within the Bull Run and some of them without. And as you alluded to mayor, Portland Fire Bureau's two engines that were there basically helped to save the Multnomah lodge. Chief Williams has been out for 2.5 months fighting wildfires. He's our chief operations officer within the fire bureau. So, we do have two other trucks that are deployed on the scenes. We have two here ready to go as well. And I wanted you to know, commissioner Fritz, that we are coordinating with the Parks Bureau as well to

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make sure, if anything happens within our borders or anything close, that we are ready to attend to that. So, with that, that's the end of my update on that. The chief was supposed to go to Florida this morning, to go on vacation with his wife. You don't want to go to Florida right now, but he's here... [Laughter]

**Wheeler:** Not a chance. [Laughter]

**Finn:** And he's out right now surveying that situation. So, I wanted to make you aware, as well as the public. So, transferring to this item before you just briefly, Dan wanted to have this presented to you, the Growing Transit Community's Plan kind of represents a set of values that we have for our infrastructure investment around our transit lines that first and foremost represent equity, but safety is very important as well as our kind of efforts to address, to comply with, our climate action plan. So, with that, I will stop and turn it over to staff here who have been working hard on this for their presentation. Thank you.

**Mauricio Leclerc, Portland Bureau of Transportation:** Thank you. Good morning. My name is Mauricio Leclerc, Area and Project Planning Supervisor at PBOT. With me, I have I have April Bertelsen, Senior Planner at PBOT and the project manager for GTC as well as Jeff Owen, the senior planner from Tri-Met, who's gonna join us. There you go. We are very happy to introduce to you the GTC, the Growing Transit Communities Plan developed by PBOT with the community and recommended for city council adoption. This plan is important for us to consider because it helps to identify the most beneficial projects for improving access to transit along three bus lines, where we want to see the increased bus service. Additionally, as Brandan had mentioned, these bus lines serve equity and parts of east Portland. Many Portlanders plan on taking the work to get to work, school and their daily needs. Many more people would like to take the bus, but there are barriers that prevent this. They include: That the bus doesn't operate at the times that they need to get to work, or is not frequent enough, or it is difficult to get to the bus because of the sidewalks, safe crossings and bike facilities. If you recall, we were here July 13<sup>th</sup>, and we had a discussion about transit, and in that case, it was enhanced transit community corridors, we had general manager, Neal McFarlane, talk about the importance of transit and how vital it is to partner with the city to make sure that transit operates well for Tri-Met, but also for the customers. And then, GTC was focused on providing new tools for the bus system to move more efficiently. Now, with GTC, we are primarily working to provide access, safe access, to the bus and the final destination. So, with that we want to thank the community representatives who participated in the planning process and the development of the growing transit community plan. Your involvement was essential to developing the plans and that they reflect the community needs and the values. Thank you also to the ODOT Transportation and Growth Management Program for the grant that made it possible to develop this plan, and thank you to Tri-Met for your coordination with PBOT and support to help the development of the GTC plan. Partnerships with Tri-Met will remain important for the city of Portland and we hope to continue working together to improve the transit service and access to Transit. With that, I will pass it onto April Bertelsen, our project manager. Thank you.

**April Bertelsen, Portland Bureau of Transportation:** Thank you. Mayor Wheeler and members of the council, thank you for this opportunity to present to you the Growing Transit Communities Plan. I am the project manager for the planning process, but this really was a team effort. So, I do want to take a moment to acknowledge some of my team members that helped to make this plan happen. That includes Zef Wagner as well as Shane Valley and Kevin Donahue who are here in the audience as well as Francesca Patricolo, who is unable to be here. She is out of the office. And much of what you will see is also the fruits of their work. Just to ground us in what we are here for today, I want to inform you of the planning process and the plan recommendations in the growing transit

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community's plan. Then recommend adoption of the plan and you are providing the direction to PBOT staff to amend the transportation system plan, to incorporate the GTC plan recommendations and projects in the next update of the TSP. So, we would not be amending the TSP today, but there would be direction to incorporate the plan into it at the next update.

**Wheeler:** What's the time frame for the next update?

**Bertelsen:** I will defer too...

**Leclerc:** Well, we are thinking of a technical update, you know, like a keep up with the plans, 2018.

**Wheeler:** 2018. Thank you.

**Bertelsen:** Building a bit on what Mauricio was talking about in terms of the plans we're working on, the Enhanced Transit Corridors Plan that we were here previously giving you a midpoint check-in in July, that was more focused on the speed and reliability of transit operations. Today's plan is focused more on the safety and access to transit. And some on operations. We do believe that this is a part of the virtuous upward cycle of transit investment, positive feedback loop, if you will, that the more that we invest in access to transit and safety around transit, the more people can access it, the more the people will take it. And the more people are on the transit, that reinforces tri-met to add even more service so as they add service. So, as Tri-Met adds service, and we add improvements, these two can work together to then generate more ridership and more investment in transit for better service and onward. So, we wanted to keep that spiral going upward. In order to meet our city goals, really, including comprehensive plan the goals around providing a good public transit system, transit equity, and increasing the transit ridership and reducing the vehicle miles traveled. All of this is also built on a foundation of Tri-Met Service Enhancement Plans. And Jeff Owen here, with tri-met, will speak more to some of the transit service improvements at the end of the presentation. Tri-Met was a very close partner in the development of the plan, and in working with us from the beginning. Out in the community with us as well.

**Fritz:** Before you move on, does this map show, especially on the east side, is that where the city lines go? Or why are there big blank spaces?

**Bertelsen:** That is a graphic representation of the Tri-Met service area for the full region. I think that it's made a little blockish so that that might exaggerate the boundaries but that should roughly represent your service area.

**Fritz:** So that gap represents that we don't have much north-south in east Portland, is that correct?

**Bertelsen:** That's past east Portland.

**Jeff Owen:** Yeah. Sorry, this does include all of the city limits and all of the service boundary from Tri-Met. So, the only white spaces between any space is something outside of the Tri-Met service boundary.

**Fritz:** And outside of the city boundary as well?

**Owen:** Yes.

**Fritz:** Thank you.

**Bertelsen:** So, we are also building on previous model of our 122nd avenue partnership, which was really formative for what led us to applying for a grant and developing investment plans around additional corridors where we want to see increased transit service, and 122nd avenue is one of the first ones that we are currently implementing. Where Tri-Met has made commitments to making incremental improvements to service, and achieving full-frequency service along 122nd Avenue, and we are making investments on safety and access to 122<sup>nd</sup> and that is underway now.

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**Wheeler:** Can I ask you a question? This is a bit of a rabbit hole, so I don't intend you to jump in fully, but maybe just dip your toes into it. We had a presentation not too long ago related to the idea of separated bus lanes as being sort of a magic bullet type of solution. Is there any contemplation of that kind of a strategy as part of this overall planning process?

**Bertelsen:** Dedicated bus lines certainly could be one tool, but we'll be looking at multiple tools. In our presentation, we talked about our toolbox, and we have about 20 tools, and some of them are different lanes that give some transit priority as well as signal priority.

**Wheeler:** So that is under consideration as one of those tools.

**Leclerc:** Yeah, but primarily, the ETC, we were here in July 13<sup>th</sup>, introducing – you know, basically we need to do more to make sure that the buses operate efficiently so we can increase the service. Again, there are no silver bullets in transportation, but that's one of the key 20 tools that we can employ through the corridors, to increase efficiency. This is more about access, people walking to their destination, to the bus, and... We kind of, we have two tracks on which the city can actually improve the transit service.

**Wheeler:** I appreciate it. Thank you.

**Bertelsen:** Yeah. There is some overlap, so 122<sup>nd</sup> Avenue has been identified as a location needing additional safety and access improvements to get to the bus as well as operational improvements to help the bus move along.

**Wheeler:** This is more related to the safety and access points.

**Bertelsen:** Yeah.

**Wheeler:** Very good. So that's why you want this as a component of the overall plan. because the plan gets the actual transportation piece if you will?

**Bertelsen:** Yes.

**Wheeler:** Okay. Now it's all coming together in my head. Thank you. That's helpful.

**Bertelsen:** Yes. And there are some corridors that need both.

**Wheeler:** Okay. Very good. That's a helpful frame of reference.

**Bertelsen:** Great! You're welcome. So, kicking off more of focusing in on the Growing Transit Community's Plan, the overall goal is to develop investment plans for a few transit corridors to help support frequent transit service and multi-modal transit oriented development. And all of these help to grow transit communities. Our key role is: What can we do in our right-of-way to help get people safely to the bus as well as help the bus move along? Our planning process kicked off in the fall of 2015 and wrapped up in the spring of 2017. Over that time, we met frequently with our partners, including Tri-Met and ODOT, our grant manager, as well as formed a technical advisory group and community advisory group that we checked in with frequently at each step of the planning process, and then we engaged the broader public in the corridors and we're generally at key decision and input points with two open houses and two surveys and other efforts along the way, which has then helped us develop a plan and bring us here today. In addition to the open houses and the surveys, we had eight community advisory group meetings and presented to various committees and groups. So, we went out to the community as well as tabling at events in each corridor. And we tried to put an emphasis on reaching out to the communities who may most depend upon transit, or have a stake in it, including youth and people who have limited English proficiency, low income, or other underrepresented communities. Our community advisory group represented many groups that are listed here. Many of them were transit riders themselves, but also include OPAL, members from the Youth Environmental Justice Alliance or YEJA, which included two David Douglas High School students, JOIN, who serves homeless, transitioning them from the streets to homes, Rosewood Initiative, East Portland Action Plan, Oregon Walks, Street Trust, AORTA, Pedestrian Advisory Committee and various neighborhood associations, and I will invite a

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couple members from our committee advisory group to testify at the end. The first step in our planning process was to select transit corridors, and we used criteria to help us do that, starting from: What are the bus lines out there today that don't yet have frequent service but are planned for future frequency or full-frequency service and Tri-Met service enhancement plans? So, what can we then do to help support that and encourage more service added? We started with various candidates that are mapped here, and then evaluated them with our selection criteria, which really focused on: Where is their comprehensive plan zoning in place and land use patterns that would be supportive?

**Fish:** This particular slide is – do we have the hard copy of this?

**Bertelsen:** Yes, this is pulled from the report as well. From the plan.

**Fish:** Yeah. I was just saying that, for some reason the -- it does not really come Across very well, it's hard to read the chart. Could you tell us at what that chart is if anyone is looking at home?

**Bertelsen:** Yes, so, this was a table that shows each of the corridors listed in rows. And then, the columns represent our criteria, and then the pie chart, sort of a consumer report style, a full circle if it was fully meeting the criteria.

**Fish:** On the norther horizontal line, what are in those five shaded gray boxes?

**Bertelsen:** Yes. Opportunity, Residential Density, Mixed Use Land Patterns, Access, and Equity, which are also the bullet pointed items on the side there, given it's hard to read. Yes.

**Fish:** Thank you.

**Bertelsen:** So, we evaluated each of the corridors on this as well as looking at where is there a strong need for additional planning, and a diversity of corridor types so this could serve as a model if we wanted to apply it in other places and we could learn from different contexts. That led us to selecting these three corridors. Notably all of them serving east Portland. This includes a segment of the Line 87, along Airport Way east of 205. Northeast Halsey between 47<sup>th</sup> and 126<sup>th</sup> along the Line 77. And outer Stark to Burnside at 82<sup>nd</sup> along the Line 20. And then, we looked at a buffer around each of these corridors, of roughly a half a mile. In each of these corridors, then we moved to an existing Conditions and Needs Analysis where we built upon looking at past plans as well as looking at remaining deficiencies in existing conditions, and certainly, community input. We then evaluated all of the projects in order to try to prioritize and identify the most beneficial projects, and really relied on a data-driven process so that it was not just a popularity contest based on who showed up. We used criteria and measures for prioritizing the projects, and we got input from the community on what criteria were most important and double-weighted those criteria. We then evaluated, scored, and compared the projects, and took that back out to the community. The top criteria that we double-weighted included transportation safety, so we looked at: Where are there issues? Crash data as well as factors that increased the possibility of crashes. We also looked at where could it make it easier to get to the bus stop specifically, and equity measures. The other measures that we looked at include making it easy to get to the other key places, if it was identified in a plan, or prioritized previously. If there is a network connectivity benefit for getting around by walking or by biking, and where would it serve the most people nearby, and whether it could improve bus speed and reliability, and if there was public support. To help us understand the connectivity benefit, we did get a little wonky and innovative, I would say. We built a routable pedestrian network in our GIS mapping software to help us to simulate what it would be like as a pedestrian along the corridors and I am trying to simulate where it is difficult to cross the street or walk. So, the model was sensitive to speed limits, number of lanes, and whether or not there was a crossing treatment, a signal, or whether or not there were sidewalks, for example. And then, we modeled each of the pedestrian projects

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on this network to score their increased access for people, and then used that in the overall evaluation. Just this, zoomed out, shows you, so it's red where it's more difficult to cross, for example. So, this is the model showing, trying to simulate the pedestrian environment. In addition to our measures, we have other considerations that helped us in selecting and recommending the projects. That included community support, funding opportunities, cost considerations, and technical feasibility, and then we looked for ways to bundle projects for implementation. That led us to developing corridor investment plans for all three corridors, identifying and prioritizing the most beneficial transit supportive projects, most of them are pedestrian and bicycle and access-to-transit projects as well as transit stop improvements and then a few transit operational improvements. In summary, our Tier 1, top priority improvements, we identified nine bikeways, 13 sidewalk projects and 13 traffic signal projects, three corridor safety projects which would include many improvements within them, four trail projects, 38 crossings, 20 pedestrian improvements on local streets, and 10 neighborhood greenway projects.

**Wheeler:** Can I clarify the 38 crossings? Do you mean crosswalks? What do you mean when you say crossings?

**Bertelsen:** Enhanced crossings. And so, the treatment may depend upon the street and what our engineers determine is the appropriate level, but it could be an island, or rectangular rapid-flash beacons, or our hawk signal, so something that enhances the crossing to make it safe for people to cross, and mark it so it would be a marked crossing.

**Wheeler:** For pedestrians.

**Bertelsen:** And cyclists of course.

**Wheeler:** And cyclists. Okay. Thank you. Commissioner Fritz, did you have a question?

**Fritz:** Yes, I did. Thank you. Was this constrained by any kind of funding dollar amount? Or is this everything that you could possibly want in these corridors?

**Bertelsen:** It is not constrained to a specific dollar amount, but it is trying to be somewhat constrained in that it is not all of the needs. The needs are greater than this. But we tried to find the most beneficial among them.

**Fritz:** And if we were to do all those tomorrow, do you have any kind of estimate of what it would cost? Or, if you get into that, I'll just wait. Thank you.

**Bertelsen:** Um, give me a moment and I'll get to that, yes. [Laughter]

**Fritz:** Oh that's alright! Commissioner Eudaly's got a question as well.

**Bertelsen:** I will come back to that. Um, just really quickly, these are maps from the plan. Yes?

**Wheeler:** Commissioner Eudaly has a question.

**Bertelsen:** Oh, yes! Sorry.

**Eudaly:** Uh, could you go back to the last screen?

**Bertelsen:** Absolutely.

**Eudaly:** So, on the sidewalk projects and the crossing projects, I am assuming that all of these involve curb cuts if they don't currently exist and if there is a curb to cut?

**Bertelsen:** Absolutely. When our engineers designed them, they would look to see if, where the curb wraps are required. And if a curb wrap needs to be rebuilt.

**Eudaly:** Okay.

**Bertelsen:** So, the next three slides are just maps that are taken from the plan, from each of the corridors to represent the, where the projects are recommended, and where some of them are clustered around stations or stops. So, the Halsey, Outer Stark, Burnside, and Airport Way. And the plan also - we looked at each corridor and tried to identify the projects that bundled together well, in part by proximity, or how they could benefit each other. And then, within each bundle, identified Tier 1 and 2 priorities based on scoring and public input and feasibility. And then, there is a profile for each of those bundles in the plan

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and I just pulled some clips from one of those bundles to show. It includes a map, a picture, and a table with the individual projects that are part of the bundle. And then, some text around that. Each of the projects with the potential funding sources. This one here is the Stark Washington couplet through the gateway area with the changes that we recommend. In addition to the corridor investment plans focused on capital projects, the plan does include other recommendations, and so, I just want to highlight those. The first one is recommending some future public connections across what is today private property. We identified four locations, where it would really provide benefit and more direct access to transit if there was a future walkway or ped/bike connection through here. These are most likely to happen through the development review process at the time that the properties redevelop or add improvements in working with our development services staff. And we wanted to identify these so that they could be, so others could be aware of it. And all of these sites currently do not meet our connectivity policy, and standards. There are additional recommendations in the plan that are more programmatic, or other initiatives, and I just want to highlight some of those examples, one would be an info kiosk at the Youth Justice Center, and other transportation demand management strategies, particularly around education and encouragement. And as well as better lighting and other crime prevention through environmental design strategies, better lighting was a recurrent theme, and that's something that we would want to integrate into most all of the capital projects. Others include murals or other livable streets and place-making elements, and the Transit Youth Pass, which was a priority of our two youth members of the community advisory group.

**Fish:** Can you go back one slide for me?

**Bertelsen:** Yeah!

**Fish:** So, we are going to be having a big discussion, this year, about the Transit Youth Pass, including how to pay for it. And I understand that what is before us today is aspirational. We don't actually have a source of funding to pay for it. And any of this. Is it listed as a recommendation because you have been tasked with looking for some new revenue source or new way to cover that cost?

**Bertelsen:** No, I would defer to my colleagues and the bureau who are working more on this. We identified it as something that was important to the community members and reinforced it as a recommendation to pursue.

**Fish:** Okay. Therefore, they're not really unique to this particular plan? Because it's a, a broader conversation?

**Leclerc:** Yeah. But at this plan, talking to the community supported the argument that we need to work on this. There is a need out there, in east Portland.

**Fritz:** But by accepting this plan, are we accepting that we have a responsibility to help either pay for it, or figure out how to pay for it?

**Leclerc:** That would be a separate action I think for now.

**Bertelsen:** That would be a separate action. This would be more recognizing the value, and recommending to pursue it.

**Leclerc:** To explore it.

**Bertelsen:** To explore it.

**Fritz:** And this is a non-binding resolution, right?

**Leclerc:** Yes.

**Bertelsen:** Correct.

**Fritz:** Thank you.

**Bertelsen:** And given that we couldn't do everything through this planning process, we did identify four future studies that we'd recommend pursuing in the future with additional funding. That includes the Outer Stark Corridor Plan to look east of Gateway more closely.

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**Wheeler:** I am sorry to interrupt. My brain is on slow mode today. With regard to the prior slide, I just want to make sure that it is included in the record that we already have an extensive public record around the youth pass. And whatever we do here today, I want to make sure that we are acknowledging that public record exists, and a lot has been said on that subject.

**Bertelsen:** Thank you.

**Wheeler:** None of which has changed by anything we discuss or vote on today. Thank you. Sorry to interrupt.

**Bertelsen:** Yes. Back to the future studies. So, the first one being the Outer Stark Corridor plan, to look at the roadway east of Gateway, and what are the opportunities there to improve the safety and access. The Burnside and 82nd Avenue traffic circulation study, which we would want to look more closely at this area, together with ODOT, to see if there is a way that we can address a missing link in the bike lane along Burnside, approaching 82nd. In addition, an 82nd avenue streetscape plan focused in from Northeast Holiday to Schuler, which is approaching the 82nd Avenue MAX Station in that area, and in addition, an Airport Way, an I-205 transit study to look at ways to get the bus out of the congestion and delay that is happening near that interchange. We do have a few early implementation achievements that I am happy to report. And we are making some progress. We do have some funding that we have been awarded and secured for a few capital projects. Some advancement on the Transit Youth Pass which we'll defer to other days. Tri-met service increases on the Line 20, 77 and the 87, which Jeff will talk more about, and new funding for transit service, and the state transportation bill, which creates opportunities for more. As some of the funded projects that I'm gonna highlight, we have 5 million dollars of both local funds and regional flexible fund allocation for the Halsey Street safety and access to transit, and that funding would become available in 2019 to 2021. It was ranked the number one recommended project in the region, through the Metro process for selecting projects, and I want to give props to my colleague Zef Wagner, who prepared that application and really hit the ball out of the park on this, so we are happy to see this funding coming. This is a map that identifies those funded improvements, they are focused around access to the 82nd Avenue MAX Station, and include a separated bike lane where there is not one, two ways on the Halsey overpass, as well as a shared path along the south side of Halsey, and a pathway to connect to the west of 82nd Avenue and some crossings and sidewalk access to bus stops. We have a concept of a mini-roundabout. It could be in this project at Halsey and roughly 80th. This is adjacent to the JOIN day space, which were members of our community advisory group and very involved from the beginning, and helped us see some of the safety issues for people coming to and from their sites. And we do think that this will make improvements for all, and help slow down traffic. The overpass bike facility and the pathway along the Jonesmore and Halsey. In addition, we have some funding for making some improvements along Outer Stark. Through our Fixing Our Streets program, there 220,000 dollars to provide enhanced pedestrian crossings, and we have, based on the Growing Transit Communities Plan recommendations, selected two locations at 146 which will serve the Four Corners school and at 119<sup>th</sup>. And in addition, through our Vision Zero team, 500,000 dollars funding for additional safety improvements, and this plan can help inform the selection of those improvements that are still could be scoped. But an opportunity to fund. And that is what I have. And for now, I am going to turn it over to Jeff Owen to talk about the transit service.

**Owen:** Great, thank you. Just wanted to take a real quick minute to mention a few improvements that have recently gone into service for bus service improvements that are related to this plan.

**Fritz:** Could you remind the people who you are and who you represent?

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**Owen:** Absolutely, thank you. Jeff Owen, working at Tri-Met in our Planning and Policy group, so I'm a senior planner, working on these types of plans and other similar related efforts. So, this, what we see on the screen is just a snapshot of some improvements that have gone into bus service. So, the Line 87, March of last year, '16, and more buses were added. March of this year, a few months ago, Line 20 also added more frequent buses on weekdays. So, these are just some of the types of improvements. Just this week, September 2017, saw improvements for the Line 77, Broadway and Halsey. And then in March of '18, just six months ahead of us here, Line 87, in this service area, will also be improved, split into two different bus lines, to better match the demand and the conditions on the streets. So again, just a quick sample of some of the improvements. This type of an arrangement that we referred to here is very powerful for Tri-Met, and for riders all across the region, and in the city, to really help bus improvements go hand in hand with physical infrastructure improvements. That's not, of course the only way that bus service improvements get added, but these are a few highlights that really point to the great partnerships between agencies.

**Fish:** Can I ask you a couple of questions? So, I am interested in just identifying examples of where these kinds of changes result in faster times for buses, you know, better service for the people we serve. And I think sometimes, it's useful to point out what is currently working, what's the model, either here or some other city. I will give you a couple of examples. I went on a Best Practices trip, I think a year or two ago, to Denver, and one of the highlights of that trip was taking bus rapid transit to Boulder. And what was cool about it is the whole thing was dedicated lanes, dedicated infrastructure, it was convenient to access, it was fast, it was affordable. But a lot of money, obviously, went into building up that system. But I thought that was sort of state of the art. Obviously, we have on I-5, we have a dedicated lane going north, so on certain hours, we encourage certain kind of use there. Downtown, we have a dedicated transit lane where we have essentially taken a couple of lanes and said "This is for light rail and buses," so that seems to be kind of a model... What are some other examples both locally or perhaps in peer cities that you look to that reflect sort of the future we are working towards?

**Owens:** Absolutely. One way to think about that is – Mauricio mentioned a minute ago, kind of the ETC efforts, sorry for the acronyms, but enhanced transit, would be very close to the things that you're mentioning, a wide range of tools in a toolbox to dispose, that could help transit be faster and more reliable. This effort, today, is mostly just accessing the bus stops, but along with your suggestions, I have been on that BRT between Denver/Boulder. There are definitely a number of applications that something like that could be applicable on. There is also a number of other solutions such as signals that most people don't exactly think of as often that can really help the buses get through intersections and serve a stop on the other side of the intersection, for example, and really a whole list of possible improvements that range from lower investment to higher investment. So, it's really a pretty complex bucket of solutions out there, especially for this city and around the region. These -- today's point was really just to highlight a few slight improvements for bus service just to this corridor.

**Fish:** I appreciate that, and so, just looking forward if there are examples both regionally or in peer cities where you think we hit the right balance where it is convenient and accessible, where the service, you know, people can get on a bus to their destination in a timely manner and the like, I would be interested in learning more about that. So, I would encourage you, if you had the time, to send out an email with some examples of homework that we could take a look at, and just better understand where is this working, what are the kind of infrastructure investments that have proven to be the most successful,

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and how does that apply to the choices we're going to be making in Portland in the next ten years?

**Owens:** Absolutely. There will be many topics definitely coming back touching on those items, so thank you. That'd be a good idea.

**Leclerc:** As part of ETC, we'll be looking at what other cities are doing and we have, for example, a great example in Seattle to the north, the Rapid Ride Network... In a way, you want to do two things: You want to continue to invest in key corridors with BRT lines and dedicated bus lanes, but also, you want to invest in the workhorse of the system, the buses and some of the improvements, some of the 20 tools that we have. They all work, you know, and we go out there and we look at the data and what the operators are saying, and we begin to look at the opportunities, maybe a traffic signal priority here, and maybe a pro-time lane so we remove parking in the peak times, so the bus gets through. These are complicated, congested areas. So, I think that we want to have a flexibility for how we implement that. In some cases, it may be incremental. In some cases, we want to look at the whole corridor and see the potential and go ahead and make a transformative project out of it.

**Bertelsen:** Some other example cities that we're looking to besides Seattle: San Francisco, New York, Minneapolis is even doing some things. So, we're certainly out there looking. And we'll try to collect some more information and then share it. Thank you. And I, too, hope to go visit, this month, the Denver to Boulder line.

**Fish:** Well when you go to Boulder, make sure you stop at E-town. My cousin, Nick Warner, who has a radio show out of Boulder. But that line actually is extraordinary. And, again, I know they spend a fortune investing in infrastructure. But boy is that state of the art.

**Bertelsen:** And we want to look at investments on all levels, both spot improvements throughout the network as well as larger capital projects.

**Fritz:** A question for Tri-Met: When are you thinking you might be able to do north/south service on 148<sup>th</sup> and 162<sup>nd</sup>?

**Owens:** So those are referenced within our service enhancement plans, the graphic, early on, that gave us a little bit of trouble. I don't have the exact dates in front of me at this time, but they are part of those processes that are adopted by our board, and are full of community input. So, I don't have the exact answer with me today, I'm sorry.

**Fritz:** Is it soonish or not soonish?

**Owens:** Um, it's definitely soonish. It is part of the improvements that we can be looking forward to in the years to come.

**Fritz:** Great. Thank you.

**Bertelsen:** I understand there are plans for one start, that improvement starting in March of 2018, I believe it is, to introduce a new service on 162<sup>nd</sup>, not full-frequent, and weekdays only, so I know there's interest in extending that to the weekends. But this would be a first step.

**Fritz:** That's a good start. Thank you. So, I know we want to get to public testimony. When you come back after testimony, if I could know the number for the total estimated cost of this, not now though. And then, also, could you tell me where it references Youth Pass in the report? Because I haven't been able to see it.

**Bertelsen:** I can answer both of those now. The total cost of the capital project improvements is roughly 75 million, and the Youth Pass recommendations... One moment.

**Fritz:** You can tell me later, that's fine. I'm sure we'll have other questions. In that 75 million dollars now, I'm speaking to chief of staff Finn as well, I would like, in the budget presentations from PBOT, to understand how you're going to allocate the new money we're going to get from the state via the increased state gas tax, the 16 to 30 million

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dollars that was referenced, and then all these other things, how do you make the decisions? And does Council have any input into the decisions on how projects are prioritized? But again, I know we want to get to public testimony.

**Bertelsen:** Thank you. And the Youth Pass is on page 88.

**Fritz:** Thank you.

**Bertelsen:** You're welcome.

**Wheeler:** Very good. Karla, do we have people signed up for public testimony?

**Moore-Love:** I think she had someone invited for testimony first.

**Wheeler:** Oh, we do!

**Bertelsen:** Yeah, I actually, thank you for the reminder. I would like to begin by inviting two members of our community advisory group to testify, and that includes Jim Howell, and Kim Marks. So, if they would like to come up.

**Wheeler:** Very good. Thank you. And gentlemen, if you could introduce yourselves, again, for the record, we would appreciate it.

**Bertelsen:** And I will say that there are others who planned to attend to testify, but were unable to this morning, and so they have submitted written testimony and letters. Two of those include JOIN as well as Oregon Walks, so I think you have those letters, or they'll be coming to you shortly.

**Wheeler:** Wonderful. Thank you. Good morning!

**Ken Marks:** Good morning Mr. Mayor and commissioners. My name is Ken Marks, I am the director of Transportation Equity at the Rosewood Initiative. I'm here today to support the Growing – I'll try "the GTC," because I'm not going to be able to say that – Plan today. I would like to ask you to adopt this plan knowing full well that there is no money right now to actually implement this plan. We look forward to working with you and PBOT to find funding for the projects listed in the plan. This plan will help create better access to transportation by creating crosswalks and other infrastructure improvements that will help people in east Portland access transportation, and I would note that east Portland has both the most reliant number of people for the system, as well as the highest proportion of people of concern. I will be remiss if I didn't also address a couple things that commissioner Fritz asked about north-south service as an aside. The gap between north-south service in east Portland and west Gresham is 2.9 miles. Tri-Met is planning to start service on 162<sup>nd</sup> in March of 2018, but I would note that that service is only going to be Monday through Friday, and it will only have headways or the gap between buses will be 45 minutes. Sadly, I would not characterize that as a good start. It's more of a disappointing start because the reality is, people will not use that service as it currently exists. That service will have two purposes. One, to get people to the corridor so they can reach family wage jobs. But the other is also to make connections to the east-west lines, and that will be very difficult for people to do with those types of headways. Tri-Met has said that they would be willing to look at increasing frequency if 162<sup>nd</sup> had improvements. That would be primarily north of Halsey to Airport Way along 162<sup>nd</sup> and 158<sup>th</sup>. We're working to try to get that portion on to the regional transportation plan. And if we can do that, that would be a good access to funds. I would also note that 148<sup>th</sup> is also in the same situation where there are extensive investments needed to actually get Tri-Met to put service on that road. It is going to be -- it's the same situation. It's Halsey, heading north, that the improvements are needed. I would – sorry, I didn't prepare my comments today. So, those are necessary. Oh, the last thing I wanted to point out is that the recent transportation bill in HB 2017 has a requirement that Tri-Met and other agencies are supposed to focus their new revenues on communities with high percentage of low income people. That means for this area, east Portland. We all have to work hard to make sure that Tri-Met actually fulfills that obligation. Partly through their service enhancement plan

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but also through other investments like 148th and 162nd. Thank you.

**Wheeler:** Thank you.

**Fritz:** Yeah, thank you for that. I want to comment, though, that I go on the 44 in Southwest Portland. Much of that line does not have improvements along the way so the suggestion you have to wait for improvements before you get the bus service is not proven by that. Secondly, the 44 is great during the week, and it's every 15 minutes, but you're saying every 45 during the week even? because every 45 is what the 44 runs on weekends. And it's really quite useless. If you miss it, you have to walk a mile or more if you're fortunate enough to be able to walk. So, seriously, it's obviously going to be a longer conversation, but I want to support what you and the others in east Portland are advocating for.

**Marks:** Thank you very much.

**Wheeler:** Thank you. Good morning.

**Jim Howell:** Good morning. My name is Jim Howell. I'm here to ask you to endorse the Growing Transportation Communities Plan. I was asked to be on the advisory committee to represent the interests of those along Airport Way. As you know, no one lives along Airport Way east of I-205. And the people that ride the bus, I think, probably are too busy to go to meetings. So, that was given to me. I'm representing AORTA, I'm a former transit planner with Tri-Met. So, the first thing I want to do is, I wondered why there's so little ridership Line 87. It's a U-shaped route, and part of the route is a cross-town line on 181<sup>st</sup>, which is a needed route, it needs a lot better service, and then there's a section along Airport Way, and then it doubles back on the 102<sup>nd</sup> and 105<sup>th</sup>, back there to the Gateway Transit Center. I went out there to see what was going on. One way of knowing what's needed is, look at traffic. And you go out there at 4:00 o'clock in the afternoon, and you can see cars queued up for over half a mile on Airport Way going westbound, trying to get on the northbound ramp to General Jackson Bridge. Probably 90% of the license plates are Washington license plates. So, a lot of the people working out there are Washington residents. Well, do they have a transit alternative? And the answer is no. There's no way that this line connects to anything that goes across the Glen Jackson Bridge to Washington. And so, consequently, the congestion problems that were mentioned as a problem of getting buses through the congestion are largely due to people trying to get to their jobs with no transit. I pointed this out and made some slight route change suggestions and connectivity suggestions. I was informed that that was beyond the scope of this project, which I understand it is, but those are the things that have to be addressed. And I haven't seen either Tri-Met or C-Tran or ODOT or WashDOT addressing these issues. And consequently, I-205 backs up for miles every day. Again, for traffic trying to get across the Glenn Jackson Bridge. And a lot of it has to do with these two onramps, one from Airport Way and the other from Sandy, clogging up those lanes. And sometimes, there's a fairly simple bus solution to what is a fairly -- to a problem like this. I notice ODOT just going to fast track a \$30 million dollar widening of I-205 further south, which is kind of like, I'm sure you've heard the story of the drunk under the lamp post, but they are addressing the wrong locations. But in any event, I hope you support this plan. It does a lot of good to help access transit. Thank you.

**Wheeler:** Thank you, appreciate your testimony. Did you have any more invited testimony or can we move to public? Very good. Karla, how many are signed up for public testimony?

**Moore-Love:** We have seven.

**Wheeler:** Seven. Can people try and keep that within two minutes each? I won't be hardcore about it, but we're running a bit behind here. Thank you.

**Moore-Love:** The first three are Terry Parker, Terry Dabinsky Milton, and Allen Kessler.

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**Wheeler:** Very good. Thank you. Come on up. Terry, do you want to start?

**Terry Dublinsky Milton:** Okay. Terry Dublinsky Milton. I will be speaking mostly on behalf of the Coalition of Southeast Uplift, where I'm currently co-chair. I was elected in July with Reuben Deumling from Sunnyside. If I could have an extra minute or so, just to cover that, because we are a large coalition.

**Wheeler:** Very good.

**Milton:** I live 61<sup>st</sup>, 6111 East Burnside. And I would like to thank the city council and particularly PBOT for this. The Growing Transit Communities Project, we haven't endorsed it as a concept, but we've endorsed multiple projects because Southeast Uplift feels this will be transformative to the northeast quadrant of our coalition, particularly the Washington bike lanes, which received funding, will access the outer 20 with the Jade District in Montavilla. The 60<sup>th</sup> MAX Station and the North Tabor Access, as part of this, was first identified in 2007, and has never been adopted by city council. But the 60<sup>th</sup> MAX Station is one of the least utilized MAX stations when it comes to bike and pedestrian access, even though it has great connectivity through the MAX system, because it's hard to get to! One of the intersections that would be covered would connect the pocket of North Tabor, which has no north-south connections out of it because it's disconnected by geography. And so, create a crossing on Glisan. And this creates all sorts of needed transit improvements, both the 77 and the 20, particularly Northeast Halsey. We have been endorsing this for several years to the improvements. I would like to thank Zef Wagner in particular for the follow-through for about three or four years' worth of meetings on this, to get the Halsey improvements federally funded. So, all of this would create a whole conductivity around Montavilla and North Tabor that we don't currently have for active transportation. Now personally – and I want to move into my personal opinion right here – not only do I find this absolutely necessary and as a model, but we also need to move to more dedicated lanes. I like the fact that people have been speaking up on council for dedicated transit lanes. 82nd, Sandy, MLK, all of these are good options. And to think a little further on this project, it improves a lot of improvements to the frequent bus line, an outer Burnside on the Line 20, but between 41<sup>st</sup> and 71<sup>st</sup>, we have that dangerous pro-tem parking, which is three lanes of travel where the parking disappears and then reappears. It's not discussed here. That's project 70010 on the Transportation Systems Plan. And, when you improve all the access in the outer 20, it's gonna create more safety problems on the inner neighborhood, in the 60s, 50s, 40s. So, I really would like to thank PBOT and city council on this. I guess I spoke fairly fast and I don't need much more extra time. So, I would like to plug one more project, the 60s Greenway, which – and this project ends at Davis. If we could continue it all the way to Lincoln, that would encourage income equity to access Mt. Tabor Park, because right now, there's not good MAX access. But this would encourage access to the 60<sup>th</sup> MAX station, so people from east Portland would be able to access the park we have put a lot of money into with the parks bond, which commissioner Fritz knows. So, thank you, commissioner Eudaly, Mayor Wheeler, Fritz and Fish.

**Wheeler:** Thanks Terry. Appreciate it. Good morning.

**Alan Kessler:** Good morning mayor. I want to thank council. I'm Alan Kessler here with the Portland Bus Lane Project. I want to thank the fantastic questions that we got from the panel today. It seems like you're all focusing on a need to improve transit, especially in the eastern part of the city, a need to get the improvements that will improve service now, and need to dedicate space so that our buses work. We support the plan, we fully support the plan, but think we should go further. The last two pages of the GTC plan, which talk about future study, were really what we honed in on, and those are right line with what the questions you were asking. I just want to quote from page 89 of the document. It's talking about two options for the Outer Stark Corridor plan. It says in the middle paragraph, while

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Option 2 would provide a much higher safety benefit than Option 1, it would also have a greater impact on traffic operations, and would be a more transformative project for surrounding neighborhoods. I would argue that when you came at the ETC and ordered PBOT to be aggressive in implementing policies, these sort of transformative projects are exactly what you were asking for. So, I would ask you to amend the resolution today and fully fund, or at least order PBOT to go back and give you a proposal to fully fund this Outer Stark Corridor Plan, which will add dedicated lanes to the center and clear up a huge spot of congestion. We feel the same way about the transit way and I-205 transit study, which is on the last page of the document. Again, funding the studies that will show us how to dedicate space to give priority to transit will have the best impact the best return investment. In terms of ROI, we should be thinking about how we can leverage our money to free up money for Tri-Met. So, we saw some presentation from Tri-Met staff that certain routes will have increased headways. And one of the headways in particular is going to be decreased down to 20 minutes. May I have just a little more time?

**Wheeler:** Sure.

**Kessler:** Okay. Will be decreased down to 20 minutes. That's not good enough! If you're relying on transit and a 20 minute headway, you have to watch your watch, you have to have an app, you have to know when the bus is coming. If you get those down to ten or fifteen minutes, you don't. All of a sudden, you just show up, and the bus is there. And that's what we need to be aiming for. To get Tri-Met the funds that they need to make those headways possible, we need to get out of their way. You, as the city, dedicate the space, and Tri-Met isn't asking you very well for the space that they need, to get to that city. I think you should show leadership, and you should say "We want a city where the buses work well, we want a city where transit works well. We need to get cars out of the way so the buses can go fast and we stop burning money in congestion," and we can get those 10 or 15 minute headways across the city to have that sort of equitable city that we want.

**Wheeler:** Thank you. Appreciate it. Good morning!

**Terry Parker:** Good morning. My name is Terry Parker. My comments are strictly related to the Halsey plan, and I have written it for three minutes. Starting with Halsey Street Ramp over 82<sup>nd</sup> Avenue, it's too narrow to accommodate both a two-way bikeway and travel lanes wide enough for driver safety. This is especially true at the pinch point of the collapsible crash barrier at the top of I-84 entrance ramp. At 80<sup>th</sup> and Halsey, a roundabout proposal would have drivers and bicyclists coming from all directions and angles, making the street anything but safe. With an I-84 exit at 68<sup>th</sup> and Halsey, an eastbound bike lane on the south side of Halsey will ridicule Vision Zero by creating more safety conflicts between drivers and bicyclists. 68<sup>th</sup> is also the most direct route to Fred Meyer from the neighborhoods north of Halsey. With offset intersections on Halsey and most cross streets on the north side only a block long between 67<sup>th</sup> and 80<sup>th</sup>, a far safer outside-of-the-box option would be to construct a two-way, multi-use path on the north side of Halsey, directly connected to the 82<sup>nd</sup> MAX station with an easement on the fringe of the old Elmer's restaurant parking lot. Since the westbound peak travel lane on Halsey, between 65<sup>th</sup> and 60<sup>th</sup> was removed, morning peak period traffic backs up six blocks or more, due to drivers waiting to turn left at 60<sup>th</sup> for access to I-84. Far more conflicts between vehicles and pedestrians are also taking place at 60<sup>th</sup>. One of the top priorities of the Rose City Park Neighborhood Association is for PBOT to install a left-turn turn signal at this intersection. If a bicycle crossing is constructed at 61<sup>st</sup> and Halsey, it must be designed to not interfere with the ability of drivers to pass stopped vehicles in a protected left turn lane at 60<sup>th</sup>. Additionally, two peak period motor vehicle lanes, each direction, need to be retained between 60<sup>th</sup> and 57<sup>th</sup> to accommodate traffic making the Halsey jog. The neighbors on my

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street and myself also want to make sure on-street parking on Halsey is retained between 66<sup>th</sup> and 63<sup>rd</sup> so that overflow from the Providence Home Services' 215-space parking lot that can only be accessed from Halsey will not engulf curb space on the residential streets. There's also concern from within the Rose City Park neighborhood about lane reconfiguration on Halsey, between 57<sup>th</sup> and the Hollywood district that would remove peak period motor vehicle lanes and off-peak parking. A bike route is already established two blocks north, between Rose City Park and the Hollywood Business District. My read of the Growing Transit Community Plans is that it is more of an expensive special interest bicycle infrastructure scheme that will increase congestion, add emissions and actually slow down transit as opposed to a plan that will augment transit connectivity. Finally, the plan impacts scores of working-class, single-family properties in the northeast 60<sup>th</sup> MAX Station area. Updated infrastructure needs to be in place before new development occurs. To complement PBOT's plan to widen sidewalks on 60<sup>th</sup> between Halsey and the MAX station, a vision is being brought forward to make this street a place making gateway of connectivity with the installation of pedestrian-scale, ornamental -

**Wheeler:** Terry, are you close? You're 3 ½ minutes here.

**Parker:** One line. a grant has been applied for to start this vision with a demonstration project. Thank you.

**Wheeler:** Thank you, sir. Thanks to all three of you for your testimony. Next three, please.

**Moore-Love:** Bob Richardson, Matt Ferris-Smith, and Luke Norman.

**Wheeler:** Good morning. Thanks for being here. Would you like to start?

**Bob Richardson:** Yes. Thank you. I'm Bob Richardson. I own a home on 60<sup>th</sup> Avenue, which is about 700 feet from a MAX station serving three MAX lines. It's directly on a bus line and short walk to two more bus lines. I encourage you to review the attached images while I read along. All of these are taken within a block or two of the MAX station. We have owned this property since 2002 and have been involved, off and on, in numerous neighborhood and public planning efforts over the past fifteen years in an effort to improve pedestrian and bicycle access and safety in the Rose City Park neighborhood, including the 68<sup>th</sup> Avenue Station Community Project in 2011 and the Sullivan's Gulch Trail Concept Plan in 2012. Many ideas from these efforts are reflected in the middle Halsey portion of the Growing Transit Communities Plan. I would like to point out that this proposal will not only bring much needed and decades-delayed infrastructure to the neighborhood. In our immediate area, it will right a wrong, which was committed by the city in the mid-20<sup>th</sup> century when the sidewalks on 60<sup>th</sup> were narrowed to a substandard 3.5 feet and the planting strips were removed in an effort to modernize the street for auto and truck traffic. That's correct, the street was constructed with the sidewalks, which would meet today's guidelines, but were later stripped away in light of views, at the time, about progress. Too often, I've watched accidents and close calls as pedestrians have to step into the street in order to pass each other. Wheelchair users often navigate in the roadway as the sidewalk is too bumpy or too narrow to pass any other users. That's why I'm here today to urge council to approve this plan and to ensure that the funding mechanisms eventually are in place to make it happen. This will not only improve the daily lives of thousands of residents, not only help meet our climate goals and increase walking and biking, it will right an historic wrong and provide relief to those who need it most. Please vote to approve the Growing Transit Communities Plan. Thank you.

**Wheeler:** Thank you. Good morning.

**Matt Ferris Smith:** Good morning. My name is Matt Ferris Smith, members of city council, thanks for giving me the chance to speak today. As someone who uses our bus system in Portland – I also bike and walk – I'm a strong supporter of the Growing Transit Communities Plan. The GTC plan is important to me because it will help provide residents

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in Portland with safer and more reliable transportation choices. And the things that GTC calls for, things like making crossings safer, filling sidewalk gaps, adjusting traffic signals, these changes are not flashy, but they are changes that will make life better and safer for Portland residents day in and day out. And while the GTC makes many good recommendations there are two items in the GTC that I think deserve priority for funding, and these are essentially identical to what Alan was talking about earlier. One, I would love to see city council and PBOT prioritize funding to support bus reliability for people who use Line 20 on outer Southeast Stark Street. The second thing, please also prioritize funding to support bus reliability for people who use Line 87 on Northeast Airport Way. Lines 20 and 87 are both critical for people getting to work, school and social services. Yet both lines 20 and 87 are suffering from major slow-downs caused by people driving private vehicles which are the lowest priority mode under Portland's comprehensive plan. Thank you for supporting the Growing Transit Communities Plan and for doing what you can to prioritize funding to support the reliability of lines 20 and 87.

**Wheeler:** Thank you for your testimony. Good morning.

**Luke Norman:** Good morning. I'm Luke Norman. I want to thank you, mayor and commissioners, for taking the time to listen to our comments today. I'm also here for the Portland bus lane project. As you've heard we fully support adoption of the Growing Transit Communities Plan. In particular we really want to – we're asking council to prioritize and fund the future studies that were mentioned toward the end of the plan, specifically the Outer Stark Corridor Plan and the Airport Way and 205 Transit Study. These studies will look for ways to increase transportation connections and reliability for east Portland residents, particularly looking at ways of prioritizing buses and looking at bus lanes. Something that a number of you have mentioned, even though this plan is focused mainly on connections it's also looking for the future, and saying "If we're doing all this work to get easier to the buses it doesn't help if people can't rely on them, if you can't make it to a job, if you can't make it to pick up a kid." So I just want to personalize, a little bit, what those benefits would bring. If you look at outer Stark right now, there are 10,000 residents who are commuting somewhere else during the day to get to work. Many of those rely on Line 20, even though it's just a couple blocks away from the blue line MAX, at some of the stops over 800 people a day get on or get off. However, this line Tri-Met and PBOT have identified as one of the most severely congested in our whole network, so the study there would look at how to provide bus lanes and other priorities. Similarly, Airport Way attracts 20,000 workers a day there. This provides many wage jobs that allow people to continue to live in our city. As Him Howell mentioned, the congestion there is severe, so severe it prevents the bus from turning left and getting over to the Gateway Transit Center where people can transfer to other parts of the city. So, for both those, we're asking council to fund to go to PBOT and say prioritize these studies and fund them. One additional piece, I would say, when this plan started, we didn't have the State Transportation Package. This has totally changed the game. This is allowing Tri-Met to bring significant new investment. However, if we don't want these new buses stuck in the same traffic that buses face today, the city needs to take leadership and look at how can we, as a city, work with Tri-Met to make buses reliable and dependable. Thank you.

**Wheeler:** Thank you for your testimony. All three of you, thank you.

**Moore-Love:** Last is Sabrina Gogol.

**Wheeler:** Last but never least. Good morning.

**Sabrina Gogol:** Good morning. My name is Sabrina Gogol, I live in the Rose City park neighborhood. And, like you heard from testimony from Alan and Matt and Luke, I'm also in support of fully funding those two studies that are in the last part of the growing -- GTC plan. And, I have sort of a personal reason to support those two studies. I just volunteered

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for Sunday Parkways in east Portland a couple weeks ago, and this is my first transit volunteering activity, this is new for me. So, I thought people would be really upset. Like, we're in east county, we're blocking lanes, and I was with the Portland bus lane project, and we're talking about buses actually taking the lane. So, I was prepared for people to be angry. And a few people were, but I was there for four hours, and I personally talked to over 40 people in those four hours, you know, groups of people, and most of them were really excited. And they are on their bike and most of them on a car. But they still thought that it would be a good idea. I own a car, I primarily take the MAX or bike to work, and bus is the last resort, so for these kinds of progressive studies to really prioritize transit first and create a bus system that me and other east Portlanders can rely on that has headways of, you know, ten minutes, would make me not take my car, and ride the bus a lot more. And from the people I talk to on Sunday Parkways, they seem to be really excited about that too. So, thanks for considering fully funding a really aggressive transit system with right of way for buses.

**Wheeler:** Thanks for your testimony and for your volunteerism. That was the first time in outer northeast and I thought it went really, really well. It was a lot of fun. I was there with my wife and daughter. Despite the heat people were having a fantastic time.

**Fish:** Can we get Brendan back for a second?

**Wheeler:** Yeah, why don't we have staff come back up, please. Thank you for your testimony.

**Fish:** So Brendan, we're poised to, obviously, adopt this resolution. We have had a number of people call out -- wanted to put some attention on some studies that are in the referenced in the report. Could you just give us guidance on that?

**Finn:** Well, by accepting the report, I mean, what Dan wanted to hear was from commissioners and the council right now to say this is the right path to be heading on. We want more study in these areas. So, we would be diligent in following through on that with planning staff. Does that answer your question, Commissioner?

**Fish:** I think so.

**Finn:** [Laughter] I wanted to quickly touch on Youth Pass. Just because it came up, and so, I looked at the reference and got briefed on this because I have been dealing with this issue for 10 to 15 years as well so I understand the lay of the land on it and I just wanted to - I think, obviously this is nonbinding policy but I wanted to get clear for you what exactly it means and the reference that's made within the plan, which I believe is consistent with council's current record on where we stand with it, which basically says that PBOT supports state investment to provide and expand transit access for youth. So that's the only thing that touches on any of the issues around the funding issue, which is one that we have debated and talked about for many years. I wanted to make that clear. And kind of, what this -- the genesis of this during this process was that a lot of the groups that were involved in kind of the outreach and public process said the transit youth pass is good for encouraging transit. For youth. That's about all we're saying here. So, we're not saying whose responsibility that is, because I know that we already have an established record of that. So I just wanted to make sure that was crystal clear for council.

**Wheeler:** Thank you. Any other questions for our team? Very good. Karla, please call the roll.

**Eudaly:** Well, thank you for the report. And everyone's hard work. And thanks to the people that came to testify today. I have never lived outside of the central city, and my life is rather circumscribed. I take a very limited loop every day, so I'm heartened to see the level of outreach and engagement and comforted by Terry and Alan's testimony and excited to see some of this happen, which, I realize this is a nonbinding situation, but... Baby steps. Aye.

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**Fritz:** Thank you all for your work. This is tremendously helpful with the amount of community engagement you've had, in that this area of town in particular, there are so many needs, so it's really important that we prioritize, that we go through the criteria. I thought it was fascinating how you chose both the criteria and then the projects. Sounds like it's done very well with Ken Marks testifying, I know east Portland and the action plan has been informed along the way. I agree with everything in it. And the Youth Pass language is fine. And I support what it says. I also look forward to better transit service especially north-south. I would caution that you can't really call it a pilot project if you've only got 45-minute headways. Because there's hardly anybody riding the 44 bus on the weekend because you can't rely on it, as was said. So, I think we should be prioritizing service where it's most needed, and if that means giving up some of the service in southwest in order to help east Portland, as one transit rider, I would be happy to do that. Obviously, I have to have more conversation with folks, but we do need better transit everywhere. And that's going to be one of the ways that we're going to really tackle climate disruption. I read something today that said that, yes, the kids throwing fireworks were those who started the big fire. And we're all responsible because of climate disruption. It's very rare that at this time of the year, we haven't had any rain for over 60 days. That was very sobering to me. And this is part of how we're going to help guide the city through that. Aye.

**Fish:** Well, it's an excellent plan, terrific report to council. Thank you. Appreciate all the testimony. I learned a lot. For 20 years, I lived in northeast Portland and the Northeast Halsey Street stuff really speaks to me, because there's tremendous challenges along here, and I appreciate the creative solutions that you're proposing. And now we'll lean in and find the money to fund it. In absentia, I want to thank commissioner Saltzman for his leadership on this project. Aye.

**Wheeler:** I thought it was a great staff report. I appreciated the testimony. I was pleased to see there was something of a consensus, or at least, certainly, a large majority opinion with regard to the possibilities created by separated bus lanes. Creating more bus service that simply dumps more bus into already fully congested streets really doesn't entice a lot of new riders, so if we're serious about this transformational approach to transit we need to be serious about separation as well. I'm glad that that is on the table as one of the many tools. Like commissioner Fritz, I can also get my arms around the language here with regard to the bus pass, but I didn't want people to forget that we had a number of very intense conversations about this during our most recent budget process. So, I agree. I support it. I vote aye. The resolution is adopted. Thank you.

**All:** Thank you.

**Wheeler:** Next item, please.

**Item 983.**

**Fish:** Mayor, I move to adopt the findings.

**Fritz:** Second.

**Wheeler:** I wanted to make sure commissioner Eudaly didn't have anything else to add on this.

**Eudaly:** No.

**Wheeler:** Please call the roll.

**Eudaly:** Aye. **Fritz:** Aye. **Fish:** Aye.

**Wheeler:** Just to clarify, we are moving that the council deny the appeal and uphold the decision of the hearings officer and adopt the findings. I vote aye. The motion is accepted. Next item.

**Item 988.**

**Wheeler:** Any more discussion, colleagues? Seeing none, please call the roll.

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**Eudaly:** I really wish we had had more community turnout for this item. I didn't hear from constituents. I have some questions and concerns about how these funds will be applied, so I'm voting no.

**Fritz:** This is something that we do which does bring funding for programs often to help women in crisis and it's also a mechanism to ask the federal government for money which we believe we should get. Aye.

**Fish:** Aye.

**Wheeler:** Aye. The application is authorized. Next item, please.

**Item 989.**

**Wheeler:** So, I understand we have one person coming forward to provide testimony on this.

**Eudaly:** Oh my gosh.

**Wheeler:** We're going to skip 989 and 990 while Mustafa tracks down our individual. Can you please move to 991.

**Item 991.**

**Wheeler:** Colleagues, the city has a strong interest in the Portland Police Bureau's commanding officers living within the city they serve. The city currently pays a 5% premium to lieutenants who live within the city of Portland. This ordinance expands the premium to all captains, commanders, assistant chiefs and the chief of police to encourage our command staff to live in the city in which they serve, which of course is a National Best Practice and it is on the list of many people's top items with regard to police reform in terms of building communication and trust between the people of the community and the police officers who serve that community. We also, as everyone knows, have a new police chief coming to Portland from Oakland, California in the first days of October, which makes this, I believe, an ideal time to extend the residency premium to non-represented command staff in the police bureau. Again, to encourage these high-ranking police bureau staff to live within the city they serve. People have asked me what is the estimated fiscal impact of this from the police bureau based on the number of commanding officers who live in Portland now. Assuming that Chief Outlaw resides in the city, the cost of the premium would be less than \$40,000 per annum. I don't know if anyone has any further thoughts or questions with regard to this item. Is there any public testimony on this item?

**Moore-Love:** Nobody signed up for 991.

**Wheeler:** Very good. Please call the roll.

**Eudaly:** Well, I'd love to see us explore a residency premium for more public employees, and as the mayor mentioned, this is going to have a fairly minimal fiscal impact. Aye.

**Fritz:** I concur. The estimate is about 30 thousand to 50 thousand. And if it encourages more command staff to live in that city, that would be good. It also seems strange that the rank and file officers have this premium, and the commanding officers don't. Aye.

**Fish:** Aye.

**Wheeler:** Aye. The ordinance is adopted. That leaves us with 989 and 990. Do we have people here to testify?

**Item 989.**

**Wheeler:** We will obviously vote on these separately.

**Randy Stenquist, Risk Management:** My name is Randy Stenquist, I'm the Liability Claims Manager in Risk Management. With me today is Karen Bond, she's one of my senior claims analysts. One of these claims belongs to her. One of them was handled by myself. Ms. Vance was the first on the agenda so I'll let Karen speak to that.

**Karen Bond, Risk Management:** I'm Karen. Good morning. So, this ordinance will settle the bodily injury claim that Mahlon Vance presented against the city resulting from an auto accident. A rear end auto accident with a Portland police officer that happened on March

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18 of 2016, over on I-205.

**Wheeler:** Very good. I'm stalling, because we need commissioner Fish back to actually take the vote.

**Stenquist:** Would you like me to talk about the next one?

**Wheeler:** Please do.

**Stenquist:** 990. Do you need to introduce that, Karla?

**Moore-Love:** [reads title]

**Stenquist:** Okay. 990 is another motor vehicle accident involving a police vehicle. The claimant was driving on I-84 back in December of 2014, quite some time ago, and the officer rear-ended her with enough force to push her into the vehicle ahead of her. So, the ordinance settles her claim that was brought by her attorney as well as her insurance company. All had a piece of the accident and we're looking for resolution of it. So, this settles that.

**Wheeler:** Very good. Now, do these types of claims that the city pays, and therefore the taxpayers pay, do they lead to changes in policy? Do they lead to different practices and procedures? How do we take into account what we have learned as a result of having to pay out these kinds of claims and operationalize it in terms of training?

**Stenquist:** Well, in terms of the operations of the vehicles by the police bureaus or any bureaus frankly, all of those are left up to the decision-making processes of the individual bureaus. So, for every fleet accident involving a Portland police vehicle there is a collision review board, and they go over all of the accidents involving Portland police officers and they analyze it and make a determination as to whether it was found to be preventable or nonpreventable. And depending on what the outcome was, steps are taken at the bureau level in terms of what they are going to do next with the officer. My office, of course, provides reporting on the number of auto claims that come in as well as all of the claims. But we can tell them what sort of claims are coming in. They get reports from us every month about new claims that have come in in the last month. They get a report for all of their open claims every month. So, they can see at a glance exactly what sort of claims they have in terms of meeting with them for policy changes. We do have our loss prevention team working with the bureaus for their safety, driver training issues, and things of that nature. So, we partner with the bureaus with our loss prevention team. My team, the liability team, is primarily involved in making the people who are the victims, if you will, making them whole, getting their vehicles repaired and getting them paid for their injuries.

**Wheeler:** Great. Anything to add to that?

**Bond:** He said it all.

**Wheeler:** Any public testimony on these items?

**Moore-Love:** No one signed up.

**Wheeler:** Call the roll on 989, please.

**Eudaly:** Aye.

**Fritz:** So, my understanding that is at least one of these was to do with a distracted driver, the officer looking at their in-car computer. And just this week, the Portland Police Bureau tweeted out that you're six times more likely to be in an accident while being distracted by a cell phone as if you were a drunk driver. That's a significant percentage. I know that in the future, we hope all the police's computers will be audibles as well as visibles so they don't have to look away from the driving to look at their computer to find out where they are going next. And it's a good lesson to all of us. I think it was an AT&T rep who came to us and said, "Just put your cell phone in the glove compartment. That way, you're not tempted to use it while you're driving. Aye.

**Fish:** Aye.

**Wheeler:** Aye. The ordinance is adopted. Please call the roll on 990.

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**Eudaly:** Aye.

**Fritz:** Thank you for your work in making these folks whole. Aye.

**Fish:** Aye.

**Wheeler:** Aye. The ordinance is adopted. There being no further business, we're adjourned.

**At 11:50 AM Council recessed.**

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

This file was produced through the closed captioning process for the televised City Council broadcast and should not be considered a verbatim transcript.

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

**September 6, 2017                      2:00 PM**

**Wheeler:** Good afternoon everybody this is the Wednesday September 6<sup>th</sup> I can't believe it's September already, September 6, 2017 afternoon session of the Portland city council. Karla please call the roll.

**[roll call]**

**Wheeler:** Just a quick reminder everybody public testimony takes place at the microphones, typically three minutes a person. There will be a green light while your three minutes is going. When it turns yellow that means you have 30 seconds left. Red means your done or close to it or wrapping up. We request that people state their name for the record. It's not necessary to give your address. If you're a lobbyist we need to know that per council rules. If you're here representing an organization, that's helpful to know as well. Interruptions of people testifying are absolutely not tolerated. Interruptions of council deliberations likewise. Let's all endeavor to make sure that everybody has their opinion heard whether you agree with it or don't agree with it. Let's go ahead and call the first item.

**Item 992.**

**Wheeler:** Colleagues the Portland housing bureau administers the city's affordable housing property tax exemption programs. The home buyer opportunity limited tax exemption program provides a ten-year limited tax exemption too low to moderate income home buyers, making homeownership more affordable for families in Portland. The Portland housing bureau approves builder applications. This resolution includes 15 properties that are being approved for the program. Homes with exemptions must sell below an annual sales price cap and property owners must continue to live in the home during the ten-year exemption period. The housing bureau staff conducts quarterly compliance monitoring to ensure that homes are lived in by owners during the ten years of the exemption. When developers sell a home over the price limit or to a buyer over the income limit the exemption is removed. If a home is not owner occupied, the exemption is likewise removed. Nine properties are having the exemption removed because the property owner was either over the income and the property owner was no longer living in the home. That's eight. Before an exemption is removed owners have the opportunity to appeal the decision made by the city. So with that I'll turn this over to the housing bureau. Kurt?

**Kurt Creager, Director, Portland Housing Bureau:** Thank you very much Kurt Creager, director of housing for the city of Portland. With me today is Andrea Matthiessen who's responsible for homeownership programs and our home retention programs. This is routine item but she can describe the details.

**Andrea Matthiessen, Portland Housing Bureau:** Thank you, mayor, commissioners Andrea Matthiessen Portland housing bureau. As director Creager alluded to, this is a routine administrative action. We bring this list of properties for both the ten-year activation and compliance terminations before council for review and approval on a quarterly basis before then forwarding these on for further action to the Multnomah county tax assessor's office. We have as the mayor detailed a list of both the activations of builder applications and the compliance terminations for a handful of the properties that were no longer owner

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occupied. We have made agreements as the city with our Multnomah county partners for ongoing compliance that's frequent and rigorous in nature so that we can ensure these valuable foregone revenue resources are actually supporting the intended outcomes. Happy to answer any questions that you might have about this ordinance.

**Wheeler:** Colleagues, any questions? Any public testimony?

**Moore-Love:** No one signed up.

**Wheeler:** Please call the roll.

**Eudaly:** Aye.

**Fritz:** Thank you for your work. Aye.

**Fish:** Andrea has been administering this program for a number of years both in terms of approving applications and ensuring that folks who get the exemption continue to be qualified. You do superb work. Thank you. Aye.

**Wheeler:** This program can only work with the accountability so I want to second that thank you Andrea. Thank you to Kurt for your leadership as well. Aye. The resolution is adopted. Next item, please.

**Item 933.**

**Wheeler:** Colleagues, this is what I believe is a straightforward item to accept on behalf of the city of Portland, a grant from the hud office of lead hazard control and healthy homes for the reduction of lead paint and healthy homes hazards in the amount of \$3,400,000. These federal resources have been provided to the city of Portland since 1998 and help address lead paint hazards in nearly 1800 homes and protect over 3 thousand young children from lead poisoning in our community. The additional allocation grant funds will be available to low income households city-wide and are expected to address lead and environmental hazards for approximately 195 families with small children. Resources will be provided as grants to assist households which will be administered directly by the housing bureau staff. Approximately \$900,000 in required match resources will be provided from the Portland water bureau to conduct education and outreach to households about lead hazards in homes and enroll them in the hud-funded grant program. Additionally, about 40% of assisted homes will be assessed for other environmental hazards such as radon, asbestos and indoor moisture issues that can cause or exacerbate asthma. Andrea Matthiessen is again here from the housing bureau in addition to bureau leadership should anyone have any questions.

**Fish:** I just want to make a brief comment. I'm proud that the water bureau will contribute as the mayor said approximately \$900,000 to support this grant. Since 2001 this is the sixth time the Portland water bureau has used funds as a local match to help the housing bureau secure a hud grant for the lead hazard control program. The Portland housing bureau's lead hazard control program is an essential component of the water bureau's requirement to comply with the federal lead and copper rule. The Portland water bureau is excited to continue our coordinated lead hazard reduction work with the Portland housing bureau serving those in our community that are most vulnerable to lead exposure from paint and dust in older homes.

**Wheeler:** Thank you, commissioner.

**Kurt Creager, Director, Portland Housing Bureau:** I would like to mention one other thing. Secretary Dr. Ben Carson --

**Wheeler:** I'm sorry who are you?

**Creager:** Kurt Creager, housing bureau director and thank you for the prompt. This is actually extremely good news because this is a discretionary grant. We compete for this against other cities across the country every year, and while we have been successful in doing so, this was one year where if I were a betting person and I'm not I would have bet odds on that we would not have received it. The fact that we did shows that the hud is not

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retaliating against Portland, which I think is important for you to know. It's also the single portion of the hud budget that secretary Carson persuaded omb to increase partly because he recognizes that lead, elevated levels of lead in the blood are problems for children learning and cognitive abilities. So we have our work cut out for us because this is a lot of money that needs to be deployed quickly and Andrea is responsible for that.

**Wheeler:** Thanks, Kurt. Thanks, Andrea. Any further questions? Any public testimony on this item?

**Moore-Love:** No one signed up.

**Wheeler:** Please call the roll.

**Eudaly:** Always nice to get good news out of the federal government. Aye.

**Fritz:** I'm glad both they and we are doing the right thing in this particular instance. Aye.

**Fish:** Nice work. Aye.

**Wheeler:** Aye. The ordinance is adopted. Thank you and good luck with implementation. Next item, please.

**Item 994.**

**Wheeler:** Commissioner Eudaly.

**Eudaly:** Thank you. So as commissioner charge of the oni I'm committed to making sure that Portland's cannabis regulations are flexible, fair and provide certainty for cannabis business owners. I'm also committed to making sure that Portland has the tool it needs to stand up for our neighbors, communities and the legal and regulated cannabis industry. The proposed changes to Portland's cannabis regulations are intended to give cannabis businesses more certainty to allow business owners to get licensed more quickly and allow staff to more effectively address concerns with unregulated cannabis market. There are three main changes in this ordinance that oni staff will present to you today. While these changes are meaningful they do not reflect the entirety of the work of our office. The mayor's office and the offices of my colleagues, the office of neighborhood involvement, fire bureau, bds, and other city bureaus who have been working on this issue for the last several months. We have made it our collective priority to collaborate more closely between city bureaus and to be more responsive to the needs and concerns of cannabis business owners. My office and oni staff have attended and convened dozens of meetings with cannabis business owners, trade groups, neighborhood groups, city bureaus and elected officials from state and federal government to make sure we are listening to and acting on the concerns by those affected by both the regulated and unregulated cannabis industry. The city of Portland and the state of Oregon have a lot of work to do moving forward. As the cannabis industry continues to grow and thrive there is and will be more that we can do. From supporting efforts to help correct the inequities created by the war on drugs to providing options for consuming legal cannabis in safe and legal places outside of the home to providing education and support for small business owners and protecting the legal and regulated cannabis industry from unregulated cannabis market. So I want to thank my colleagues for your input and support. I want to thank bureau staff in particular Brandon Goldner, and Christina Coursey, who are here today to present this update. Also mitch Nickolds from bureau of development services and Paul Jennings of the Portland fire bureau have been really invaluable in this process. To members of the cannabis industry who have also devoted a lot of time and energy to this process in helping us improve and ensure that Portland's craft cannabis industry is strong, safe and reflects the values of our community. Now I'm going to turn it over to Brandon Goldner, program specialist with the cannabis program, to give a presentation about the proposed changes and in the interests of time we did keep this very brief but he's certainly prepared to answer any additional questions that may come up. Thank you. Brandon.

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**Brandon Goldner, Office of Neighborhood Involvement:** Thank you very much for the record my name is Brandon Goldner, I'm the program specialist at the city of Portland's cannabis program.

**Christina Coursey, Office of Neighborhood Involvement:** Christina Coursey, program assistant.

**Goldner:** Just to start by thanking each of you, your office and your staff, commissioner Eudaly, commissioner Fritz, mayor Wheeler and commissioner Fish the time your offices and staff have spent on this issue I really appreciate it and look forward to working with you in the future. So as commissioner Eudaly said I want to keep this as brief as possible. We're going to talk a little bit about the cannabis program background and what we have done in the last nine months. I'm going to spend the bulk of my time on the specific changes before you today and then talk a little bit about the future of Portland's cannabis regulations. We are charged with many different tasks, the way that I try to frame it is that it's a balance between trying to get business owners licensed as quickly as possible, balancing that with public safety and livability. We want to be a resource for the industry and for consumers and for our constituents. We want to provide clear guidelines and expectations. One thing I have learned is that business owners don't have a clear sense of the rules and how to follow them. It makes it very, very difficult to make investments, support their staff and their businesses. To make clear too that as we learn more about what the impacts of local cannabis regulations are and the state cannabis regulations and as the industry changes my hope that is we do continue to adapt and change and that's something that has guided my work in this program for the last two years and I know has guided the work of commissioner Eudaly's office, so I just want to make that point clear. Since January, we have been working very hard to collaborate more closely with the cannabis industry, with our neighbors and with other city bureaus. We have updated our website, made it easier to navigate. We've added a blog the bureau of development services released a cannabis industry facilities code guide that was helpful to make sure people trying to get their businesses permitted have a clear and consistent way to do that. We've also been convening meetings with individual cannabis business owners, with trade groups and have also convened meetings with consultants and business owners, minority cannabis business owners and consultants trying to think about ways we can better correct inequities caused by the war on drugs and begin one on one meetings with licensees and applicants to ask them what about this process was difficult, what was tricky, where were there sticking points and what can we do to be better. Specifically we have met with the Oregon cannabis association, organ retailers, craft alliance, business alliance and others, provided guidance to temporary events which included consumption of cannabis which we know with senate bill 307 in the last legislative session it didn't pass but that is something coming on the horizon and really again as I said trying to coordinate better between our program and our bureau and with the bureau of development services, the fire bureau and other city bureaus that touch on cannabis issues. So with that also I don't want to gloss over bds began weekly meetings to help specifically with permitting of cannabis businesses. Those meetings were designed to help business owners know exactly how to move forward in their permitting processes and those have been going on for several months now.

**Fish:** By the way go back if you would for a second. What's been your experience with those weekly meetings? What's attendance like? What has been your sense about the effectiveness, and for those of us who have bureaus that have our own specific issues and challenges where we deal with small businesses, what lessons are we learning about the value of that kind of approach?

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**Goldner:** Yeah. I think that would be a better question for representatives from bds, who are convening those meetings. My understanding, to answer your question directly, I'm not sure those meetings have been attended very robustly. Those meetings are available for people to request. My understanding is that over the last few months there haven't been many of those meetings requested by the industry. I think part of that perhaps if we had had something like that in place a few years ago before some of the businesses got started we might have seen that utilized more is my sense, but I think for specific questions about that you can --

**Fish:** If I was starting a business and I wanted to come to a weekly meeting and do a one-stop shopping and have all my concerns addressed, that's the goal right?

**Goldner:** That's the goal right there for the permitting specifically. So as we're going to talk about some of the changes to our program's requirements with respect to permitting, you're correct, if I were a new producer or new processor I would go to the cannabis program blog and read more about that or go to bds's website, sign up for that meeting. One stop shop with fire, life safety and other permitting experts to help business owners do that process. That's correct.

**Eudaly:** Commissioner, mitch couldn't be here today although he -- oh. I was told you couldn't be here. Okay. Maybe we'll hear from him a little bit later.

**Fish:** I would love later because we for example the bureau of environmental services has a program called fast oil grease program. It has its chair -- the fog program. It has its share of critics in the restaurant industry. We're always thinking about what's the best way to interface with people. What's the most efficient use of our time, their time and how do we help people learn about not only how to get through all the regulatory hoops, but learn about our discount programs, our financing programs, other kinds of things. I look forward to hearing some more later from your experience.

**Eudaly:** We set these meetings up to just address immediate concerns and issues with the cannabis industry, but we're also bringing back the small business liaison at bds to help some of the folks that you're talking about.

**Goldner:** Thank you. All right, let's go into the changes and there are three major changes. There are also minor definition cleanup that is not substantive to keep consistency with olcc. The three major changes are delineating between processor license types, allowing retailers who are open and licensed to remain open and licensed if a school moves within their 1,000 foot buffer, and allowing the cannabis program the ability to inspect applicants and not just licensees. Before I chat about the first change which I believe is the most substantive I want to make this very clear any change we make to our program or frankly whether or not our program exists at all in no way affects the requirements and policies of the fire bureau, of bds, of Oregon's structural code or anything else. So when we're just talking about the cannabis programs licensing requirements. So delineating between processor license types, the olcc has four types to break down what type of processing is that business doing, topical, edible, concentrates and extracts. Extracts are the processes that may use substances like butane, hexane or propane that can be dangerous and carry significant level of potential risk. In order to reflect that that risk is greater with that particular kind of processor what this change would do is it would allow for processors of topicals, edibles or concentrates to get a license with us before all of their building permitting and associated trade permits have been final. They still need to show those permits have been applied for, to show they are in process of getting them and it's also true that upon renewal a year later all of the folks have to show that the permits have been finalized out. So what this does is allows the kinds of processors that carry a relatively lower level of potential risk to get licensed with our program a little bit faster this is similar to the change that you all considered, well a different council

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considered in December when it removed retailers, dispensaries and wholesalers from that permitting requirement for the same reasons, because they carried an different level of potential risk and we wanted to get those folks licensed faster and I want to repeat that this in no way changes the requirements from the fire bureau or bds, and just affects our program's licensing requirements. Do you have any questions?

**Wheeler:** I have just one. I know Chris has been more engaged with you from my office on this, but my recollection is last time we talk talked about this this was conceptual. I'm curious to know the response of the industry to delineating between the different types of processors.

**Goldner:** Yes. Thank you, mayor. We do have some business owners from the cannabis industry signed up to testify on these changes and they can give you their feedback, but my sense is that most folks appreciate the change again because it does reflect that those kinds of processors carry lower level of potential risk and will get them licensed faster. My sense is that they will appreciate that.

**Wheeler:** Very good thank you I appreciate that.

**Fritz:** so I have a question about the house that blew up by Peninsula park, was that a cannabis processing business?

**Goldner:** No, it was not. That was a residential home. It was someone who was processing with cans of butane to the best of my recollection, they were puncturing the cans in a process called open blast processing, which is extraordinarily unsafe, not condoned by the state, not condoned by the city. That was not a business that was --

**Fritz:** It was somebody trying to process cannabis?

**Goldner:** Yeah, it was an individual attempting to process cannabis in a dangerous way but they were not a business.

**Fritz:** Which of the four categories if they had been doing it --

**Goldner:** They would have been an extract processor, so they would have been at the highest level of potential risk. I want to make clear from what I have seen, the business owners are using closed loop systems which are much, much, much safer but it's still true that because they are using those dangerous substances we want to keep those folks in a higher level category of risk, which is why they are not included in these changes.

**Goldner:** Any other questions on this particular change? Okay, moving on, changing our rules to allow for retailers to continue operating if they have gotten licensed and a school opens within a thousand feet of their buffer. This is a change that has already been made in statute at the state level and so the city would like to follow suit. There are two exceptions to this rule. One if you're a retailer who has been essentially grandfathered under this provision and your license is revoked for some reason and you need to reapply you would not be allowed to continue operating within that buffer and similarly, if there's an ownership change of 51% or more, as with the state also requires you need to apply with a new application and therefore would not be grandfathered. This allows business owners who have made investments in their businesses, infrastructure investing, staffing investments, to continue operating even if after they have been licensed a school opens up within their buffer, again this is a change to match how the state is approaching this particular issue. Any questions on that? Okay. Finally, allowing the cannabis program the ability to inspect applicants, not just licensees. Right now part of our process to get a license with us is you have to get an inspection of your facility to make sure it's safe and you have met our code requirements but this will also allow the program to have a little bit of an easier time with inspecting folks who may be operating as a cannabis business outside of that regulation so we can protect the industry from that unregulated activity. I want to make clear that this change would not allow staff to come into your business without your permission. What we have in existing code language, is if that were the case,

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we would request to inspect someone's facility and they didn't want to let us in we would have to obtain an administrative warrant and go down that route, but again, this does reflect that if someone is performing activities as a cannabis business or have applied with our program it gives us the authority that says our code language allows to us to request to inspect your facility. Could you please let us in. That's the third change.

**Wheeler:** I'm sorry to jump around, could I go back to the prior slide? So first of all to be very clear I support this proposed change and I appreciate the fact that you have grandfathered in operating businesses. I'm a little more squeamish about the second part of this. Which is should there be a change in ownership and if a school locates within 1,000 feet, they are required to reapply, but in practicality, they are not going to get a license to operate now that there's a school within 1,000 feet. Has this cleared some legal threshold? I assume that since the state already enacted this, at some point the legislative legal counsel chimed in on this. This doesn't constitute a taking?

**Fish:** Mayor, I'm not the lawyer on this but because it's a grandfather a benefit accrues to the person who would otherwise be subject to the hardship. A new owner is in effect a stranger to that hardship and would come in with eyes open and could make that judgment. So there's no taking, but the idea is a grandfather -- focuses the benefit on the party that has an inequitable outcome because of something they didn't foresee.

**Wheeler:** You can't sell a business that won't have a right to operate. So it's not actually the new owner who bears that financial risk, it's the current owner who we have already grandfathered in who bears that financial risk or do I have that wrong?

**Eudaly:** Mayor, I shared your concerns. I don't believe we have a choice. I think this is as per state --

**Goldner:** I want to make two points here. I called the olcc again this morning to quadruple check this, yes, if their ownership at the state level changes like 51% or more they also would not be allowed to continue operating if a school had moved into their buffer that's the first point. The second point would be that if folks sell their business the license in the transferred with that, so if I'm a business owner and I get a license with oni, I can certainly sell my business but that new own would have to reapply with the program, the people associated with that business would have to declare who they are, things of that nature. It would be treated much like a new application.

**Wheeler:** I want to be completely transparent, though. If it's a new application we're going to deny it, right?

**Goldner:** Correct.

**Wheeler:** Under this rule. The rule states very clearly that we would deny it under the circumstances.

**Goldner:** Yes. The rule really is really for the benefit.

**Wheeler:** In part we're trying to make this in sequence with state law?

**Fish:** We deny the license for that location, mayor, even if we had a change in zoning and someone had to move to a different location. We don't guarantee a zip code. That does not prevent you from operating a business.

**Fritz:** I think the city attorney may have a comment.

**Heidi Brown, Senior Deputy City Attorney:** I was just going to comment that prior to this the state of the law was that it was a crime, state crime to have -- to grow marijuana within 1,000 feet of a school. So the issue came my understanding is the issue arose when people started a business then a school moved into the location and then all of a sudden they don't have a business any more. So I think the law was changed to allow for existing businesses but unless and until state law changed to then allow for a subsequent purchaser of that business to also act within 1,000 feet of the school then they have that issue of violating state criminal laws.

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**Wheeler:** Interesting. Okay.

**Brown:** That's where that change came about. Why the change came about initially and what you're facing.

**Wheeler:** Realistically there's a test to be had here, right?

**Brown:** Right?

**Wheeler:** Isn't that the truth somebody at some point has to test this.

**Fish:** I'll state a contrary view. I'm a little squeamish about having one of these businesses a thousand feet from a school. I have a middle schooler. There are reasons we have buffers from schools for certain kinds of activity, but it seems to me in an inequity to say to someone who has played by the rules and a school moves in they would otherwise be subject to criminal sanction or forfeiture. I appreciate the idea of grandfathering that person and if there's a subsequent change in law we can come back and decide whether we want the benefit to extend beyond the party who is grandfathered.

**Wheeler:** Good. Thank you.

**Fritz:** On the same topic follow-up question. What is happening as far as education because my understanding is from some parents in middle schools and high schools there's a lot of use by youth and the state was supposed to be doing some education, our program was supposed to be doing some education. What's the status of that?

**Goldner:** We have collaborated in the past with Multnomah county and their public health division, non education and really the county has taken much of the lead on the education component. I think we can do a better job of that education outreach here in Portland and that's something I'm very open to discussing and to putting into action.

**Fritz:** Since we're on camera right now people under 25 are really strongly recommended not to use cannabis because of the brain damage that can happen for people up until that age. So there's good scientific evidence behind it. I hope parents, teachers and the community as a whole will be having more discussions about this. Thank you for helping with that.

**Fish:** I have a question off the next slide. You're going to feel like you have whiplash. I didn't quite follow what you said about not having the authority to perform an inspection without consent then the need to get an administrative subpoena. I guess I just can I have – I'd like to know a little bit more about the legal rights we're seeking to protect there.

**Brown:** Normally you wouldn't have a right to search as you know of course the personal - - you could go into public areas but no private areas without consent of the owner. Generally we'll come up with a process where we'll get an administrative warrant if we feel there's some reason they are violating one of our policies or codes that would apply to them.

**Fish:** What qualifies as private space? Someone's home?

**Brown:** So for example the area that may not be open to the public. If we have the front area where I'm selling things that's open to the public, you can look around all you want. Say there's a back area where you are packaging things or things of that sort the public wouldn't have access to it therefore we wouldn't just automatically have access to it.

**Fish:** I see. Thank you.

**Goldner:** Any other questions on that slide? Okay. So just to wrap up, there's a lot crammed on to this slide. I want to take one moment. The future of our program having a public involvement process the cannabis policy oversight team which in the past made up of community and industry members I'm looking forward to getting that back up and running now that oni has a new director and with her input and the input of the commissioners office getting that back up and running we supported senate bill 307 which would have created a regulatory framework for social consumption which I believe is something that will perhaps be considered by the legislature next session and we would

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continue to advocate for as well and along with the meetings with minority cannabis business owners convene meetings with women owned business owners and consultants to talk about the challenges they face in this industry because frankly when you look at who is benefiting from this new legal industry it's dominated by mostly white males and what Portland can do to change that is something our program cares deeply about. We want to seek to meaningfully lower barriers to entry to make sure the people have the education, resources, the coordination, the convening power, everything they need to be successful as a business owner to protect our legal craft cannabis industry in Oregon and in Portland and to disincentives the illegal cannabis market and again, just to end I want to thank you for your time. I know these issues can be tricky and it's a tough balance to strike and we're trying our very best to strike that balance appropriately. If you have any other questions either myself or Christina would be happy to take them.

**Wheeler:** Very good. We'll go to public testimony and you can cool your heels for a while. Thank you for the presentation. How many do we have signed up?

**Moore-Love:** I show seven.

**Wheeler:** Seven very good, three minutes each. Name for the record. We don't need anyone's address.

**Wheeler:** Good afternoon if you'd like to start.

**Al Ochoa:** Good afternoon my name is al ochoa, I'm the director of licensing and corporate relations for cure cannabis. We're an olcc licensed processor and wholesaler with multiple facilities in the city of Portland. First off, thank you, commissioners and mayor, and especially the team at oni for bringing this forward. As a company, as an industry we definitely appreciate all the efforts in helping alleviate some of the pressures that a lot of the folks in the industry have been having. I have actually had as director of licensing I have had an intimate relationship with oni, and with bds. Been here since day one back in 2015 dealing with a lot of the licensing issues. I actually would have been here to testify back in December when the retail and wholesaler ordinance was passed but because of that snowstorm wasn't able to come in, but I have been advocating as a company and me personally for an amendment like this. I have been to several cpop meetings over the last year and this was one of those things I have always pushed because I always felt there should have been some sort of delineation between the different types of processors. In California, for example, they actually have a manufacturing license where they split it up between volatile versus nonvolatile. A lot of the hydrocarbon based solvent extractors down there are considered volatile whereas everybody else from the people that mix cannabis oil with chocolate or that fill cannabis oil into vaip cartridges those are considered nonvolatile. I think this is a good step forward for the industry. It's going to allow people to get licensed faster. I know there's a lot of people that have been struggling to pay bills and things because of the delays at bds. I'm glad these things are happening and I do hope that we go ahead and pass this ordinance again to strike the balance between business longevity but also public safety and the safety of cannabis employees as well. So again, this is a good step forward but there's still lots of things to do. I definitely urge you to look at the approval of this ordinance.

**Eudaly:** Thank you.

**Wheeler:** Good afternoon.

**Casey Houlihan:** Good afternoon. My name is Casey Houlihan I'm here on behalf of the Oregon retailers of cannabis association, we're a trade association that represents over 200 cannabis businesses across the state of Oregon, many of whom are located within the city of Portland. I serve as the groups executive director. As you know many of our folks in the city are directly subject to the policies created by the city and the office of neighborhood involvement, our members include retailers, producers, wholesalers,

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processors as well as a slew of other ancillary businesses operating in the state's fastest growing economic sector. A great many of our members who are not located inside the city Portland have also felt the impacts of the city's policies indirectly and it's with that statewide impact in mind we reach out to you about some of the issues facing our industry and our members. Portland based business play such a major role in our statewide cannabis economy that some of the licensing delays from some of the processors have resulted in major short ages of processed and value added products from our store shelves which in turn has driven up the wholesale price for what few products are available. More than not snags in city licensing these businesses are hitting make it impossible for them to begin operating and generating revenue so many are bled dry of initial financing until they are forced to close. The single biggest complaint that we've heard from folks navigating this process has been the capricious nature of it as they navigate the different agencies and find it to be so siloed and communication lacking between one and the other. We feel that today's proposed changes will help provide more certainty for then folks trying to starting out in the cannabis industry at present and allow so many to finally begin operating. By delineating between the license types for processors our agencies have the necessary discretion to allow these businesses to operate so long as there's no public safety concern presented by their operations. Previously the one size fits all approach to zoning and occupancy have been taken by agencies like the bureau of development services was cause for a great many businesses to be held up during licensing and this new way of differencing licenses and applicants based on the specific level of risk their model poses to the community is far more sensible. Additionally we strongly support the proposed change to update the city's licensing rules for cannabis retailers to allow a previously licensed facility to have its license renewed in the event a school moves within 1,000 feet of their location this technical fix was done by both the legislature and the olcc in recent years and we strongly urge the city of Portland to do the same. I would like to echo some of mayor wheeler's concerns about instances where a shop may change hands but I think this is the right track for us to be on moving forward and we may well have to wait for a test case to make itself known. Lastly one area where the cannabis industry very much still need help from the city of Portland is combating the impact of the illicit market. There are massive amounts of illicit market that can easily be found for sale through popular websites like craigslist and Facebook and this undermines our state license businesses that are playing by the rules. The reach of the illicit market here in Portland is ubiquitous and worse sellers are not checking i.d. to ensure customers are at least 21, products are not tested for potency or safety, taxes are not collected on those sales and where the money goes to profit drug dealers rather than our k through 12 education system, our law enforcement and our drug treatment and prevention programs. We really appreciate you taking the time to explore this issue, we strongly support the changes and I'm happy to answer any questions you all may have.

**Wheeler:** Thank you.

**Fish:** I have one question. You mentioned the illicit market. I'm curious, given some of the statements coming from the justice department in Washington, have any of at least the rhetorical level has any of that had any kind of measurable impact on your industry?

**Houlihan:** There are different illicit markets that the state has challenge with. The first being the out of state export illicit market.

**Fish:** I mean separate apart from the illicit market I'm talking about what our federal attorney general has been saying generally about cannabis. Has that had any chilling effect that you have discerned in your industry?

**Houlihan:** I think it's fair to say yes to some extent and certainly one of the things that's been a great sense of relief and comfort to folks in the industry has been that our governor

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and executive branch here in Oregon Kate Brown has made it a point to defend our regulatory system for cannabis businesses so robustly and to ensure the legislative fixes have been there in recent sessions to make sure we do have a strong seed to sale tracking system in place. So when we are having those conversations with the federal DOJ we can point to our system and show this is not causing leakage into the out of state illicit market which seems to be their primary concern.

**Wheeler:** Thank you. Good afternoon.

**Peter Racht:** Good afternoon. I'm Peter Racht, with Farmers Friend Extracts, LLC. We are a Portland based small business we're a cannabis processor with all of our endorsements. We were the first business to be actually licensed in the city by OHA, we were given the first initial medical processor license. We do differentiate we are CO<sub>2</sub> only so when you bring up processors or when one brought up processors between butane, propane, alcohol, CO<sub>2</sub> is definitely a differential in there. When we think of extract processors, not the three other topical, edible and concentrate processors, we think of extraction in a few ways and being bulked in with volatile chemicals for extraction is how we had to differentiate ourselves in order to operate in the city of Portland where at the time barriers were that high. For us to do every one of the endorsements we can never touch anything butane, propane, anything close to that. So in getting BDS, ONI, and the fire chief's office all on the same page with recommendation that CO<sub>2</sub> is not volatile that we use heat and pressure and not volatile solvents to chemically cut was a big victory. Everyone collaborated and said these huge fire extinguishers that we have to have per mandate for permitting on our walls is the same stuff we're putting in to actually do our processing. I hope that everybody realizes or accepts when you talk about the extractors, which are the highest risk when it comes to the processing types, that there's a differential between those and because we were CO<sub>2</sub> only we were able to navigate the system effectively and get our licenses and certificate of occupancy. We definitely see the differentiating of the endorsement types being nonorganic to say, it happened because we all went through the same process of learning together and saw what the market will and won't take. It wasn't a concerted effort by lobbying groups or small business owners to try to do this. One of the biggest failures and one of the things that Portland actually wants its great topicals, edibles, concentrate processors, it's the extraction that would pose the risk we're talking about here and I think that with the patience and the new updates in evolution the city guidelines are going to see those businesses come back in because there's that natural update to what processors are and what endorsements are needed. So we found we fully support this because it's naturally happening, it's who can first survive and get these things out of necessity and now what does the market want and how do we encourage businesses to come back in here and say we know the rules, we now have effective places to get information and collaborate and go through this process together. We all had to do it together and when everybody is coming from BDS, ONI, fire marshal, small or large business, there wasn't the opportunity for collaboration. It was more so let's do this together, let's stumble together and work with each other and I think now the collaboration is coming together between government agencies and business owners that wasn't there beforehand because we have all finally gotten our experience together. We look forward to more of that collaboration.

**Wheeler:** Thank you. Perfectly timed. This is really interesting. I had one question. What are the tradeoffs between using a CO<sub>2</sub>-based process as you do versus one of the more volatile processes? Why isn't everybody just using the CO<sub>2</sub>?

**Racht:** It depends on your cost-benefit profit analysis when you go into business. Scientifically when you can extract something using a chemical cut you may create a larger volume that you can use as margin. Let's give an example. If you're using a BHO or

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pho process on the same organic inputs you may get 20 to 25% of accrued yield from that. Using co2, only heat and pressure, not a chemical solvent to cut the extract you can only get so much of that, from 10 to less than 10 depending on the input types. So because of that, why wouldn't you want a 20% yield to be to put into more value for putting on the market versus getting a less yield if you can. That's a smart business that almost every other industry would say yes we want a larger yield and decide what we would like to do with it going forward and how to utilize this in our system. We saw the cost profit differently and said well we want to do it this way, we know that this is safe. It will be a food or instrumental grade process and we won't have to worry about the same risk factors that I think extractors that do the other part of the endorsements would find. It's just that's what we saw and we tried to look forward and not in the current moment which a lot of businesses didn't get the opportunity to do. We can either survive doing this or we are going to have to shut down and a lot of people yield matters and margin matters. We just found that it more pragmatic to look at it in one different way.

**Wheeler:** That's very interesting and I appreciate that. It sort of reminds me of volumes versus organics in the dairy business. It's an interesting differentiation.

**Racht:** Realistically as much as we don't like to talk about it marijuana will be treated as a commodity. We're going to be folded into the same cycle as any business as much as we're pushing boundaries and creating a new industry that will change the way everything happens I think most pragmatists sound business people say we're going to be folded in. It only comes with accepting what rules are there, how to operate within them and not having a chip on your shoulder. It's about starting fresh and going we want to learn processes we have never been subject to. Fortunately for us we weren't in the marijuana industry before that. We started fresh and we were seeing the opportunity for what it was and the value we could bring to it.

**Wheeler:** Thanks all three of you. Next three, please.

**Wheeler:** Good afternoon.

**Logan Leichtman:** Good afternoon. Mayor wheeler, commissioners, for the record my name is Logan leichtman I'm here on behalf of the merch law group just here in downtown. We represent cannabis industry across the board, retailers, processors, wholesalers, producers and some medical that still exists. I first want to echo the comments made with regard to oni with their tireless work, I represent clients all across the state and in no other jurisdiction have I seen the kind of positive interactions actually listening to the industry that the city of Portland through oni has accomplished. Most jurisdiction have gotten more regressive and I feel that Portland is completely the opposite allowing more participation in the industry from a broader range of participants. So I wanted to echo the support for the first proposed change regarding permitting. I understand that is a fantastic change on behalf of processors and it will benefit the industry over all. I wanted to echo the support with slight reservation about the second change and I think this mirrors some of your comments, mayor wheeler. The statutory language differs slightly from this proposed ordinance in that the statutory language is broader and requires an olcc interpretation to get at that -- the requirement that a new owner would not be able to take advantage of this grandfathering. It's not explicit in the statute there and so olcc could change that interpretation or could interpret differently based on the situation. So as you were saying I think that it would be appropriate in the language in the code language here to say that when a new application was required but tying it to the 50% requirement I think is -- it gets a little too specific in this instance where there are some situations I could foresee where there could be a change in 50% ownership or more that olcc would not require a new application where oni may not require a new application but if this language were codified

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it would trigger that requirement based on the objective and rather than subjective standard.

**Fish:** Can I ask a question I want to make sure I understand the context for this. Currently how many licensees are impacted by this change we're proposing? How many businesses are there that potentially can be grandfathered in? I'm guessing it's a very small universe?

**Leichtman:** The universe of licensees that could be impacted is potentially every licensee since this is for a future event, right? If a school moves in within 1,000 feet of your existing license, a school could move in within 1,000 feet of almost any existing retail license.

**Fish:** Okay.

**Eudaly:** Including charter schools and private schools and public schools.

**Fish:** Charter schools, public schools, private schools.

**Leichtman:** Essentially anything that meets the compulsory education requirement under state law.

**Fish:** So any change prospective potentially impacts a current licensee. You're saying that we can't quantify it because there's a number of scenarios where someone could do a satellite school, new school, whatever. By definition would not have been something a licensee anticipated because it happens sometime in the future.

**Leichtman:** That's correct.

**Fish:** Thank you.

**Fritz:** I want to further understand what you're saying. This state doesn't talk about 50% or more it becomes more of a discretionary review by olcc?

**Leichtman:** The language in the statute that references -- that was adopted as part of house bill 3400 that references if the eventuality if a school were to move in within 1,000 feet of a retailer does not specifically mention anything about a new application actually.

The way that this was interpreted is olcc pays particular attention to indefinite versus definite articles and statutes and so in this particular statute it says the retailer may continue to operate. So in those situations olcc typically interprets the retailer to mean the same retailer instead of a retailer.

**Fritz:** One question I'll have, commissioner maybe Brandon can be thinking about it, is if there's a couple who own a business they have three children they decide they are going to give it to the three children. That would then be a change in ownership according to this language that we have in our code.

**Leichtman:** Correct and the example I was using earlier when I was thinking about this was say the two of us go into business together. You're the 80% owner, I'm the 20% owner, you want to shift your role and basically we switch places. You become the 20%, I become the 80% owner. If this were codified with 50% requirement that would require a new application and we would lose that business.

**Fritz:** Thank you for explaining.

**Eudaly:** I'm not averse to changing the language. We just want to mirror state law. My concern is I want clarity for that potential buyer because if you buy a business, the location and lease is a significant part of the value of the business. You can buy the contents and you can -- the branding and everything that comes with it. That would be my concern right now. If we don't have clarity, someone buys a business, reapplies for the license, then is informed that they cannot continue to operate in that location. Do you have any thoughts on how we would walk that line?

**Fish:** Commissioner, I mean, this is a complicated subject and I think it requires us to do more than on the fly, but the point that you just made of someone changing the ownership mix either because of tax reasons, estate planning, changes within families, those kinds of things I would treat that whole category differently than the sale to some third party. To me what you just described that could be guided again by tax issues, family issues, disputes

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within families, long term planning, estate planning, I would look at that differently and would hate to see that there's a legal impediment to doing those kinds of things which may be for the long term health of the business versus the decision to sell to mayor wheeler, which I would want --

**Eudaly:** Plan b.

**Fish:** I would want to better understand that distinction. To me they feel different

**Leichtman:** Correct and to address both comments first commissioner Fish your comments, I think to some extent our hands are tied by state statute and by olcc's interpretation of same. If olcc will not give us a license then this exercise is moot basically. We could have all the oni licenses in the world without the olcc license the state would come in and shut us down. Commissioner Eudaly, to respond to your comments, I think that the key here would be as it says to mirror the statute as much as possible. In that way we could ensure that the city's interpretation and enforcement application is the same as olcc's then over all when we're talking about investment backed expectations of businesses, as part of due diligence, and we have seen a number of these transactions start to take place already, businesses lost their will to keep trying or just had a really short term exit strategy or various other reasons. But in the due diligence period we would determine whether this would be triggered whether we could get a new license because it would require the school to have moved in already. If I purchase then the school moves in then I'm now the licensee and I'm protected there. I think that that would be discovered during due diligence and would be easily discovered as long as we have clear statutory and ordinance language. Thank you for your time.

**Wheeler:** Thank you. Good afternoon. Thank you for your patience.

**Miranda Weigler:** Good afternoon thank you for the platform. My name is Miranda weigler, I'm the owner and ceo of little house foods a cannabis processing company in Portland and northwest Portland. Recently licensed by the olcc and I came today because I'm one of the businesses specifically impacted by this proposal and I wanted to come and say thank you for the conversation, thank you to oni for their hard work that they do and thank you to commissioner eudaly's office for the work that they've been doing, especially listening to businesses and trade associations when we brought up this issue. We are a processing company that uses no solvents whatsoever. It took six months to find the space that we use specifically because we recognize we cook, we need add type 1 hood. We have grease-laden vapors and that is the threat that we pose. So spending six months to find a space that is far from schools and in the right places and has all the security potential in it was already an odyssey, it was difficult when we came to compliant pieces trying to educate each successive individual within bds of the different pieces about the differences within processor types that we don't use solvents, that we don't use closed loop, that all we do is cook. As a result because of this confusion our process was longer, much more confusing and it's difficult to remain patient when you see her bank account just draining without the possibility of any income and seeing the illicit businesses continuing to profit, to pose a threat, to be a stigma on those of us trying to operate legally. So today I just wanted to say thank you for the conversation. Hugely in support of this differentiation within different processor types because we want to be safe businesses, we want to be contributing, we want to pay taxes, we want it to go to all the right places and make sure children are safe and we're doing this in an intelligent way, but that's really why I'm here. If you have any questions I'm happy to answer them.

**Wheeler:** Colleagues? Thank you. Good afternoon.

**Laura Valden:** Good afternoon my name is Laura Valden, I am a business owner here in Portland for the last three years. I own a licensed processing facility here in north Portland and I came to discuss with you guys just my support for this. I think I had a different

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situation than you did then you did. I started my -- when we arrived into this community three years ago and started our business we knew that we would have to deal with the permitting issues. So we really began the conversation with bds early on before the licensing even took effect. So our process with bds only took about ten months, which I think is not that bad for a regulatory body that didn't have a lot of education about marijuana. We make edibles and concentrates and we did have rare large machinery that is complicated and hard to explain although it does not use high heat or pressure, we do not use co2 and we use isopropyl alcohol and so we went through the concentrate issues with the fire department and with bds, pretty extensively. I did find that we could easily access and educate them through the gap in knowledge with the appeals and waiver process. So I think because we applied back in January 2016 for bds approval and final certificate of occupancy it didn't affect our licensing but I do think that if you're not starting that process early on you'll face significant impediments and that is a story I hear from people in my position as a board member for the Oregon cannabis business council. I participate as their board member and hear the membership constantly about impediments to doing business in Portland. I made phone calls and emails and its pretty excessive the problems that people are having and most of them are not extractors. It's important for council to consider that a lot of these people pose little to no risk. They are doing things like any other restaurant or catering kitchen or manufacturing facility in general and many do not process extensively or with machinery. You really are talking about a group of people who just want to do business and it's so important right now considering the great impediments in the Portland area. We want this industry to grow, we want it to be successful and the true issue and true gap in knowledge is with extraction machinery. Those are the things that bds does not have a lot of information about and needs to do more extensive looks at hoods and safety and electric and so those people should really I think be subjected to the longer waits and greater overhauls so we can have safe facilities. We need the public to be safe, so its very important to delineate that and keep that separate. Thank you for all your hard work. Thank you for listening to us and having us here today I appreciate it.

**Wheeler:** Thank you. Next three, please.

**Wheeler:** Good afternoon.

**Tony Birch:** Hey, there my name is tony birch I own a processing company here in Portland, Oregon. We have a concentrate endorsement, we're one of the first processors licensed in the city. So I'm here today to give a visual of concentrate piece of machinery. As the woman before me explained there's a gap in knowledge between concentrate equipment and extract equipment. This is a piece of concentrate equipment. It plugs into your wall, sits on your table, it's got heating pads here that are pretty much the same plates as on a hair straightener. These plates come together and it squishes out the oil and that's it, no flame, no pressure, no hydrocarbons, no chemicals, it's all natural. When we were going through the licensing process we were getting grouped into the same category as extractors, very frustrating, because they are comparing this to equipment that's exploding, that's combustible, flammable, you name it. This is clearly not that type of equipment, so I just wanted to give a visual of what this type of equipment really is and how low impact something like this is. The analogy, it's very rudimentary, so bear with me, it's kind of like a building. You're not going to have someone building a 100 square foot shed pull the same permits as someone building a large building in downtown. They are very different though they fall under the same umbrella of a building, they've got a roof, walls, but they are very different. This is very different than the equipment that is used with the extract but yet still falls under the same category because it makes a similar product. So I just here to explain the differences, I appreciate your time.

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**Wheeler:** Thank you. I appreciate that. Did we want to bring staff up?

**Eudaly:** Yeah I think we should do that. Mitch Nickolds is joining us after all. The big question is around aligning our language with the state language and the 1,000 foot exception.

**Goldner:** I can have a conversation with our city attorney contact just to chat about that particular issue and I can move back as quick as I can cause the intent was to be consistent with the state. There would be a separate consideration, though, because there are times when potentially the city code would want to go above and beyond what the state is requiring. That was not my intent, but if council saw it compelling that they would want limit that landscape to prevent that grandfathering, that may be a consideration you make but if your intention was the same as mine, to mirror what the state was doing, then yes I can work with the city attorney to change that to reflect that intent.

**Eudaly:** That sounds great and again, this is a nonemergency first reading so we can introduce an amendment next week.

**Fritz:** Is that enough time? The alternative would be to pull that piece out that's on the rest and bring it back later.

**Eudaly:** It seems relatively minor to me. Unless we think we're going to have a more in depth conversation.

**Fish:** I actually think this discussion and this is why we have public hearings. It's been a fascinating discussion and I think the issues have been framed very thoughtfully. I would urge us to move forward to a second reading if we have an amendment next week that's teed up we can slap an emergency clause on the whole thing and pass it. If it turns out there's a policy discussion, debate, then I think this is a very discrete issue that could come back for a surgical debate asap. I like the idea of getting this new regulatory framework in place then if we want to tweak it let's do it. I'm open to tweaking it. I heard some very thoughtful arguments today.

**Wheeler:** Why don't we do this, why don't we move it to second and that gives us a week to think about the strategy going forward on that particular issue.

**Fritz:** Just one question, how does it work for other nonconforming uses? Is the use grandfathered or is it just for the life of the current owner that another business would get grandfathered for another reason?

**Mitch Nickolds, Bureau of Development Services:** From a grandfather perspective and this is to the best of my knowledge, I'm not a zoning professional with the city, but from my understanding the use is grandfathered, the occupancy of the structure is grandfathered until such time as a change, a trigger, is enacted by virtue of a permitting process or licensing process or a zoning change in that area. So when we change we overlay, do an overlay of a zone and a new zone is created, the existing businesses or structures in that that are otherwise noncompliant are considered nonconforming, preexisting nonconforming and they are allowed to continue in that capacity until they are destroyed by more than I think 50% of the value of the structure or there's another trigger like a seismic upgrade or something to that effect is required for them to modify their building.

**Fritz:** But selling the property and continuing that use is not one of those things right?

**Nickolds:** That is typically it the grandfather stays with the property.

**Fritz:** So colleagues throughout our work on the cannabis business we have tried to treat them similarly as other businesses as possible. So I realize the state law on this particular one but to the extent that we can grandfather the use because if the school chooses to go there they shouldn't be just counting on eventually the business will change hands. They are go into the area with their eyes wide open.

**Fish:** I'm certainly open to the broadest possible grandfather based on this discussion. If legal counsel tells us the goal posts are narrower I'm particularly interested in not putting

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up impediments to people who are changing ownership structure based on things like tax laws or estate planning or other reasons because that seems to be form over substance.

**Goldner:** Just to speak to what commissioner Eudaly said a little bit ago about making sure that businesses know what the requirements are at the state and city level if we were to move forward with that piece of it that didn't have any clarifying language it just said you could be grandfathered we would have to do a good job of communicating with the applicant. If the state says you can't get licensed remember that you need that state license in order to operate in the city and I think that's just a communication issue that we can certainly address.

**Eudaly:** Thanks for clarifying on the grandfather clause because my favorite karaoke bar on Columbus boulevard is for sale and it's industrial. I know this is a serious issue it's industrial zoning with a restaurant grandfathered in, so good to know. I want to thank you all again. I want to thank everyone from the cannabis industry who came to give testimony as well. It's really helpful for us to hear this feedback and don't be shy about additional work or improvements that need to be done. I would also be remiss if I didn't thank Dave Austin from my office, who was my interim director at oni, and really put in an extraordinary amount of time and effort to the cannabis office. Sometimes much to my chagrin because I care about other parts of oni as well, but cannabis took priority and I understand why. I mean this is a new industry, there's a huge learning curve for all of us and we want you to grow and thrive. Thank you.

**Fish:** Commissioner if I could also say our tradition is when we go to second reading that most of you won't be here. So for the benefit of the staff that's here, it was a superb presentation. I think it was you who said the touch stones were flexible and fair. There are a number of us on council who would like to see a lighter touch on how we regulate the cannabis industry and it's clear you're taking time to listen to industry and kind of figure out how we can adapt to nurture what is turning out to be potentially the next great craft industry in Oregon, while also protecting public health and safety along the way. I really appreciate the work you've done and again, we're going to be thanking you next week with no one else here. It's important we say it when the people you're working with hear from us how appreciative we are.

**Fritz:** This continues the fine tradition of hearings on cannabis since September of '15. Having things come up at the council, the council being willing to listen, everyone recognizing this is a new industry that we all want to succeed and how can we proceed with as much speed as is prudent and cautionary. So thank you everybody for your work on it, thank you commissioner Eudaly and your staff.

**Wheeler:** Good discussion. I think we need to start the crowd sourcing for commissioner eudaly's karaoke operation. We'll be thinking on that as well.

**Fish:** Mayor, may I say I was reluctant to say anything about David Austin for the obvious reason we have to work with him every day. I did not want a more swollen head, but nice job.

**Wheeler:** This is a first reading of a nonemergency ordinance. It moves to second reading. Thank you. Next item, please.

#### **Item 995.**

**Wheeler:** Commissioner Fish.

**Fish:** Mayor and colleagues, I want to a welcome Sara Culp and Scott Gibson to the table. I have very brief introductory remarks. The bureau of environmental services has more than 400 active capital projects and a capital budget that is planned to increase over the next five years thanks to this council's support to repair and replace storm and sanitary sewers, drainages, pump station as and treatment facilities. To successfully carry out these projects bes requires temporary professional engineering and technical support

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services. These on call temporary staff currently represent about 16% of the bes engineering services total work force and includes classifications like engineers, inspectors, technicians and construction managers that we engage between three months and two years. The proposed solicitation will be a step we think in the right direction to achieve bes's equity goals of promoting inclusion, equity and a diverse work force at the bureau. The proposed rfp will ask respondents to present outreach and work force development strategies that complement the bes workforce diversity goals. They will address their interest and capacity in partnering with bes to develop an apprenticeship or work force training program to attract and train new contract staff from underrepresented communities in the construction inspection field. Now I would like to turn it over to Sara. Welcome.

**Moore-Love:** Before you start did you want to read both of these together?

**Fish:** I'm sorry? Yes.

**Item 996.**

**Sara Culp, Bureau of Environmental Services:** Thank you, commissioner. Good afternoon, mayor and commissioners my name is Sara Culp, I'm operations analyst at the bureau of environmental services. I'm with my colleague from the engineering services group Scott Gibson, who is our design division manager. I haven't been up here for many years. So the two items today we're talking about together related to our contracts for on call temporary staffing and before I go into each item I want to give big picture context. Some of this repeats what the commissioner said. These contracts support the design and construction of projects that are in or already adopted capital improvement program, cip. They provide us with supplemental personnel during peak load times. The supplemental personnel help with leveling workload and help us avoid overstaffing on a permanent employee basis. We have more than 400 active projects in the capital program at any time. They are all shapes, sizes, types, they are in different stages of design and construction and so there's a lot of variability across years. So on call temporary staff help us level that workload and supplement when we have peaks and valleys in the work and finally, these contracts provide opportunities and partnerships for work force development. Over the years we have used contracts such as this and we've seen many outstanding and diverse candidates, graduates from local schools like the university of Portland engineering and mount hood community college and other sources and this helps us because there's a national gap in the wastewater utility work force. So these contracts are one of several different entry points to bes work. Temporary staff can get experience, build skills then they often compete well when there are permanent city position openings. On the flip side these contracts also help us draw in regional and national pools of candidates with more senior level experience when we have temporary work needs for a large complex project and need someone with, say, tunneling experience or treatment plant facility experience. Just a little bit more context, quickly, that this is in the context of the ramp-up of our cip. The light blue line is where we have been. As of last fiscal year's adopted budget we were on a glide path of about \$110 million a year cip into the future and were minimally staffed and relied on a mix of staff, consultants and contractors to deliver that level. Now we're at the point where that dark blue line is taking off with new fiscal year's adopted budget in the cip we're ramping up and over four years aiming for \$140 million cip level. These temporary staffing contracts help us as we kind of adjust and right size to that new level of work, this is a 22% increase over what our past planned cip was. So the first item is amending the existing contract with cmts, llc, this contract is for temporary engineering and technical support. Cmts is a minority owned and disadvantaged business contract. They currently have a contract for us for three years for \$1.5 million. We're requesting an increase of \$2 million a year over the remaining two years in the life of the contract, so that

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would be \$2.5 million a year and not to exceed \$5.5 million. There's no impact to the budget of this action and this amendment. The budget is already in the adopted cip. It's built into individual projects budgets. Those include design and construction costs and that includes an assumption of using permanent staff, consultants or contract staff to do the work. This contract primarily supports our project design phase its the green box in our project life cycle there. So it's project managers, design engineers and technicians to get new projects off the ground and designed. We're requesting this amendment primarily because the original rfp and contract, which went into place over a year ago, was based on our historic utilization of similar services and based on our projections in 2015 about the cip trajectory we were on. There's been significant market inflation in the cost of engineering related personnel since our previous contracts for similar services. Now we're on this 22% higher glide path with our cip and the real key is bolstering our design efforts in the next one to two years so projects right now in the next cip will be taking one to two years to go through design. This also helps us through a period of unprecedented city position vacancies. Out of 180 positions in our engineering group we have been running at 16 to 20 vacancies for most of this calendar year so far. We're hiring like crazy. We have in the past 12 months hired or promoted 49 staff to permanent engineering positions, so we continue to work through that three to six-month h.r. process to hire and fill permanent positions as well as utilizing temporary staff to help. The second ordinance is to authorize solicitation for new contracts for construction management, inspection and project support. These replace two existing contracts we have that expire at the end of this calendar year. Our current contracts we have had in place for five years. They total \$20 million. The new solicitation will be for up to \$25 million for the next five years. Again, this has no impact to the budget. These costs are already built in to project budgets. To put that into context again this is related to our 22% cip increase and anticipating the costs moving forward of these staffing services and this solicitation in our project life cycle process focuses on construction and project close-out phases. So the new rfp will be largely consistent with scope and utilization of past similar contracts. A majority of the services we have used over the years understand these contracts are for construction inspectors. That's very seasonal, up and down work. Construction workload -- excuse me. Seasonal -- once projects reach construction phase it's costly to delay them at that point if we have staffing changes and turnovers so temporary staff help us keep things on schedule. As commissioner Fish spoke about one of the benefits of these contracts is we hope to or we plan to continue to enhance our bes work force development and diversity efforts so a couple of highlights of recent success stories in that regard, charazard the woman in the photo on the left she started with bes as a temporary contractor several years ago. She's now a permanent city employee having competed successfully for an social engineering position and she works as construction manager. Another success story is our past apprenticeship program for inspectors. This was many years ago or several years ago. The contractor at the time who was cmnts then recruited, trained and provided on the job experience to minority and women candidates in partnership with our bes inspection team so they could take advantage of job opportunities at bes. We had eight participants and five graduated, which is considered a high success rate for folks going through programs like this. Those five continued on to work as contract inspectors for us of the. Three are full-time city public works inspectors at bes, and one includes veronica the woman on the far right in the white hat. She started with the training program in 2002 and worked her way up the ranks as city inspector, senior inspector, she's now our inspection manager where she oversees a staff of about 40 inspectors. So as commissioner mentioned in the new solicitation we plan to build on strategies and partnerships and look to develop a new generation of this apprenticeship program. Then the last thought is just that both these

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ordinances are again in the context of right sizing our staffing for cip delivery at the new, higher level. I want to mention that we don't want to over-rely on temporary contractors. This is a concern we share with unions and we have made strides to add city positions to reduce our reliance on contract staff. With your support council has approved 11 of the new positions we have requested in the last three budget cycles to help adjust that staffing level and we filled all 11 of those positions and continue to actively hire with our other vacancies. So as we ramp up our cip work we're taking a cautious and conservative approach to expanding our city and temporary contractor ranks and will continue to closely monitor the use of contract staff over the long term. With that thank you.

**Fish:** You haven't missed a beat. Nice job.

**Wheeler:** Excellent.

**Culp:** Any questions.

**Wheeler:** Very good is there any public testimony on either item?

**Moore-Love:** No one signed up.

**Wheeler:** Any further questions? Very good. With regard to item commissioner Fritz did you have a comment?

**Fritz:** Just thank you.

**Wheeler:** Excellent presentation with regard to item 995. This is a first reading of a nonemergency ordinance it moves to second reading. With regard to 996, this is the first reading of the nonemergency ordinance it too moves to second reading. Without further ado we are adjourned. Thank you.

**At 3:25 p.m. council recessed.**

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

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

**September 7, 2017                      2:00 PM**

**Wheeler:** Good afternoon everybody this is the afternoon session of the Portland city council on September 7, and for those of you listening in the pettygrove and lovejoy room if for any reason the audio or the video does not work, please send somebody immediately to council chambers and we'll resolve that expeditiously, but we won't go on without you. I promise that. Could you please call the roll, Karla.

**[roll call]**

**Wheeler:** There's a statement of decorum we read at the beginning of each council session. I would like to abridge it if I could. Lots of people are going to testify. They may or may not have the same opinion as you do but everybody has a right to be heard to feel safe and to feel respected in this chamber, so when people are testifying or when the council is deliberating, we ask that people not interrupt. If you do interrupt that is a violation of council rules. You'll be asked not to do so. If you continue to be interrupting you'll be asked to leave and if you're asked to leave and you do not leave you're subject to arrest for trespass. Obviously we hope that doesn't happen and everybody feels respected and heard. If you are a lobbyist, you must state so as part of council rules. If you're here representing an organization that is also helpful. If you would like to sign up to testify there are signup sheets either in council chamber with the, there are also signup sheets outside council chamber. You'll have plenty of time to do that. When you testify could you please state your name for the record? We don't need your full address. When your time is 30 seconds from being up you'll see a yellow light come on, and it beeps when your time is up. The red light goes on and you'll hear more beeps and we ask people to please be to the point as much as possible. Given the very large number of people signed up to testify, we may not get to everybody today who would like to testify today, but there will be other opportunities. My game plan is it's a couple of minutes after two we're going to hear brief staff presentation, we're going to offer up some amendments. I'm going to read a statement from commissioner Saltzman we'll then go right to public testimony think two minutes per person. We ask you not to be repetitive, there are a lot of people here who probably want to speak on the same thing, its okay to say I also support x, or I agree with x. If you want you can give thumbs up if you support something. If not give it thumbs down, but again please don't shout out. With that I would ask first of all for Karla to read the first ordinance and the first two resolutions, please.

**Item 997.**

**Item 998.**

**Item 999.**

**Wheeler:** Colleagues, we're here today to talk about the future of Portland's central city. The planning and sustainability commission has forwarded a recommended draft plan. This plan is the first comprehensive update to the central city plan since 1988. The first update to the new 2035 comprehensive plan and our chance to lay the groundwork for central city that is even a more vibrant place than it is today. This is a once in a generation opportunity to influence the look, feel and function of the place where today 39,000 people live and 123,000 people work on a mere 3% of the city's total land. The future of the central city is obviously very important. For our economy more than 50,000 new jobs are

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coming in the next two decades. For our ability to address the housing shortage driving up housing costs, 26,000 households live here now. By 2035, this number is expected to more than double. For our supply of affordable housing it has the highest concentration of affordable housing in the region and 60% of the city's affordable housing units are located in the central city. This will grow with inclusionary housing and with projects like the redevelopment of the post office site. The 1972 downtown plan sparked resurgence of downtown as the economic and cultural center of the city. It spurred public and private investment, the transit mall and the Tom McCall waterfront park. The 1988 central city plan brought the Lloyd district and the central east side into the central city. Its promise was the success of the central city as a jobs hub dependent on more residential growth as well. So far that formula has worked well. The 1988 plan also called for integrating the Willamette river more into the life of our city. We have made progress in this area, but as you have heard me say on many occasions, I believe we can do much more. Today we start the hearing process for the central city 2035 plan. The city council has already endorsed many of its policies and proposals through its past work. City council has given direction on the central city concept plan. Policy plans for north, northeast, west and southeast quadrants and other work on the Willamette river. Scenic and natural resources in the inclusionary housing bonus. Over 8,000 Portlanders so far have participated in this process. Now, I would like to turn it over to Sally Edmunds to walk us through the agenda of today's hearing. Good afternoon, welcome.

**Sally Edmunds, Bureau of Planning and Sustainability:** Thank you very much, Sally Edmunds with planning and sustainability. Good afternoon we are very pleased to be here today for the first hearings on the central city plan. As you know the central city plan contains many volumes and here is the long list of those volumes. The record for this plan is over behind the city attorney. There are about 22 boxes and that record is in the room.

**Wheeler:** Half price right now. [laughter]

**Edmunds:** So I thought what I would do is start just to go over the overall schedule with you. We're here today for two public hearings. One on the main components of the plan, one on the post office implementation. I'll go through that a little bit later. Then on September 14th we have two more hearings, one on the new Chinatown Japan town historic guidelines and one on the scenic and environmental overlays outside the city that relate to this. Then we have four council sessions scheduled September 28th, October 18, November 2 and December 6th. Those are to work through any amendments you might have on the central city plan that you'll be hearing about through these hearings today and next week.

**Wheeler:** For those who don't get the opportunity to testify today assuming we run out of time when will they be able to testify next?

**Edmunds:** They will testify September 14th. We will just roll these over.

**Wheeler:** They could come to one of the later sessions as well. Is that correct.

**Edmunds:** They could certainly come to the later sessions.

**Wheeler:** It's our expectation we will get through it on September 14th if not today.

**Edmunds:** That's right. We have another hearing scheduled for January 18, 2018, and our intention for that hearing is to have that be on any amendments that council would wish to bring forward. So you can discuss them at the four sessions in the fall. We will package them all up so you can have a hearing on all of those on January 18th. We will then -- we may need to schedule another session to work through any other comments on those, but we would go for a council vote likely sometime in March. We can't go before March because the vote needs to follow the effective date of the comprehensive plan. That plan is still in the hands of the state, and we expect them to issue a decision and the plan to be effective, the comprehensive plan to be effective by March, so we would follow the

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effective date with a vote on the central city plan because this is the first update to the comprehensive plan. So then today as Karla read we have a hearing on the main the bulk of the plan, the main ordinance that she listed then a couple of resolutions and these items will be adopted as amendments to the new comprehensive plan once that is in effect and again that would be in march. We are currently expecting council discussion of any potential amendments on the things we hear today at 2:00 at 2:00 p.m. October 18th it's currently scheduled. So at 4:30 today we'll hear testimony on early implementation of some things for the post office. That ordinance would be adopted as amendment to the existing comprehensive plan. So council discussion of amendments or a second reading, a vote would take place on September 28th starting at 3:00 p.m. and that ordinance could then go into effect 30 days later.

**Wheeler:** Very good. If there are people not taking copious notes and want to review what you have just said in terms of dates, times and place where do they go to get that information?

**Edmunds:** One of the things that we could do is we could post this power point online. They can certainly -- we'll put out an e-news with more information on that. Moving to September 14th we have two more hearings. Again, at the top of the slide it says if testimony from September 7 hearings is not complete it will be heard first on 9/14. Sorry, go back. The third hearing will be on the new Chinatown, japan town historic design guidelines. That ordinance will also be adopted as an amendment to the existing comprehensive plan and that will come back to you on September 28th also for any potential amendments or second reading and then that would be in effect 30 days later because it's the existing comprehensive plan. Finally the fourth hearing on September 14th is on some amendments to the environmental and scenic overlay zones outside of the central city. That would be adopted as an amendment to the new comprehensive plan. Again it goes with the larger package in march. So that's kind of the rundown of the next couple of days of hearings. So mayor, back to today, the next step I think that's the end of the slides on, that thank you, Nicholas. The next step would be the amendments. Your amendments then the others that council members may want to introduce. We have invited testimony here from four individuals from the planning and sustainability commission, design commission, landmarks commission and forestry commissions. Then if there's other testimony from elected officials or others and then moving on to the general testimony.

**Wheeler:** Very good. Thank you. Colleagues, any questions? Very good. Thank you, sally. We appreciate it. Before we open the hearing there are some amendments I propose we put on the table now so the public can address them in testimony if they so desire. The amendments I'm introducing are minor text cleanups and clarifying language in the code. These include things such as how to measure the top of bank and simplification of the shadow study requirements. They were provided to city council and made available to the public last week. There's two amendments in these packages that I would like to highlight. First, I would like to offer up for discussion purposes the proposed view corridor of mount hood from salmon springs fountain in waterfront park. Here's a couple of reasons why I think we should put this on the table. Salmon springs and governor tom McCall waterfront park is a special place. It draws thousands of visitors every year. Today there is a view from salmon springs of mount hood and it seems to be something of a signature view in our city, but there's also an important tradeoff with preserving the view corridor. Protecting this view reduces height in a corridor that crosses directly through the central east side. There are impacts to the development potential of the properties that we should be considering. However, of the five potential views that exist from waterfront park, this probably has from one of the least impacts. I know that this was a particularly difficult

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decision for folks on the planning and sustainability commission. I'm inclined to accept the recommendation of the planning and sustainability commission, but I still want to hear from property owners, the public and my colleagues on this important matter before we as a council make a final decision. I have also included an amendment that extends the few corridor for the Japanese garden in Washington park. As we saw at a work session a couple of weeks ago, the view from the Japanese park pavilion to mount hood is iconic and it is important but the trees on the hillside are also growing and they are starting to block the view. Trimming the trees and potentially selectively removing a few may be necessary to preserve that view. I would like to hear the public's thoughts on that. Commissioner Fritz, I understand you also have – commissioner Fish.

**Fish:** Fish I'll second what we'll call wheeler one, a package of amendments.

**Wheeler:** Very good, there's more to Wheeler one and that is commissioner Fritz's addition to this particular package. Commissioner Fritz?

**Fritz:** This is on a different topic.

**Wheeler:** That's fine, so we have a motion then. Can I get a second?

**Eudaly:** Second.

**Wheeler:** We'll call that the package amendment dated august 29 as part of the central city 2035 so that the public can testify. We now have that on the record. People are able to testify when it comes up. Commissioner Fritz.

**Fritz:** Thank you, mayor Wheeler. I'll have more amendments next week there are still a few things Portland parks and recreation are working out with the planning and sustainability bureau. One of particular concern to me is to maintain the base height of 75 feet and remove the proposed bonus height increase of up to 250 feet for parcels at the Morrison bridge head on the west side of the Willamette river. This was a decision made by council last year which I would like the new council to look into. My main concern is the stepdown to the river allowing 250 feet right where everything around it is only 75 feet and the building behind is relatively new and less than 250 feet is not maintaining the stepdown to the river which is required in the comprehensive plan. It would also keep the same as the rest of the that strip would be a better urban form and would be more supportive, I believe, of the policy ce2, which calls for improving access to and from the central east side industrial district. One of the main reasons the rest of the council wanted to up zone those parcels was for redevelopment and that could include changing the on- and off-ramps for the Morrison bridge, which is not necessarily something we want to incent in my opinion.

**Wheeler:** We have a motion. I'll second it for discussion purposes.

**Fritz:** Thank you.

**Wheeler:** Any others colleagues?

**Eudaly:** I have a couple. First of all, I would like to propose an amendment to our green roof amendment raising the required area to be covered from 60% to 100%. We have consulted with bps and Portland's green roof information think tank. There's some persuasive arguments for increasing that number and I'm very interested to hear from the community on that.

**Wheeler:** I'll second that. That's Eudaly 1.

**Eudaly:** Thank you. The second one I'm proposing a zoning code amendment for the properties upland of the dock on the north end of the central city. The subject properties are upland of the best unused dock on the Willamette river in the central city and in order to use the dock to activate the river we would need to rezone that area to allow commercial activity.

**Fish:** Mayor, I'll second that.

**Wheeler:** Seconded by commissioner Fish.

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**Fritz:** I'm just wondering I'm not clear where the location is and what's the current zoning or proposed zoning?

**Eudaly:** Current zoning is residential, it's almost the entire river is -- sorry. It's right here. Karla, I'll need to enter this into the record. So it's near terminal 1 and it's my understanding that there's no actual lots still available for development, so we're not trying to change the residential area to commercial area, we're trying to provide commercial access to that dock, which cannot be achieved without changing the zoning.

**Fritz:** Thank you for the clarification.

**Lauren King, Deputy City Attorney:** Do you have a description -- is there a tax i.d. for the property on some of the documents you have?

**Eudaly:** I have a map, but I do not have the tax i.d. number.

**King:** Or address?

**Eudaly:** It's north of the Fremont bridge. It's east of Sherlock street. Jamey will track it down for you.

**Wheeler:** Very good. That was already seconded. Any further amendments, colleagues? At this point I would like to read a statement from commissioner Saltzman, our transportation commissioner. He could not be here today so he asked me if I would read the following. Quick announcement, unfortunately commissioner Saltzman is out ill today and as Portland's current transportation commissioner he asked me to make brief comments this afternoon. As we know many of you are here due to transportation items in our draft central city plan and specifically the Oregon department of transportation's i-5 rose quarter project. Many of you have already seen commissioner Saltzman's listed expectations regarding the project and he's provided copies of those here. They are also up on his website. I too have seen them and wholeheartedly support them as Portland's mayor. We must implement the one and only approach method for combating traffic congestion, value pricing sooner rather than later. We must build the complete project as outlined in the northeast quadrant plan. We must make sure funding does not decrease resources for other important city-wide objectives and we must respect the long history of this area and work to counter continued gentrification of neighborhoods around this area. Thanks again for all of you who plan to testify regarding this project's inclusion in the central city plan, but also do know commissioner Saltzman plans to bring a resolution to council specific to this project and the expectation both of us have expressed regarding it. We would encourage you to make your voices heard at the time as well and in coming weeks commissioner Saltzman's office will announce when that resolution will be scheduled for a council hearing. There is a letter in very fine print here and I believe copies are available of this letter here or somewhere close by here. They are certainly available on commissioner Saltzman's web page. Now, I would like as sally had indicated before to invite some of our citizen commissioners to come up to the table. Andrea Baugh from the planning and sustainability commission. Julie Livingston, a design commissioner, Kristin minor, who is a landmarks commissioner; and Thuy Tu, who is a forestry commissioner. Come on up. Greetings. Are there two commissioners in the building? They may be in another room. If they show up, great. Good afternoon.

**Thuy Tu:** Good afternoon. Nice to see you. Thanks for this opportunity. I'm Thuy Tu, a member of the urban forestry commission. On behalf of the policy committee chair who could not be here today I'll be presenting comments and thoughts on the combined efforts of the policy committee. As a caveat, content material from this letter has not yet been voted on by the full commission. This letter will be presented in the September 21st urban forestry commission meeting in which the full commission will vote and written testimony submitted at that time. Please accept the following testimony. The central city 2035 plan is an impressive document with aspirational goals, innovative designs and strategic thinking.

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We look forward to continuing to work with staff and others to adapt and implement all relative policies pertaining to trees in future developments, parks, plazas and other spaces identified in the central city plan as well as those related to the neighborhood master plans. Two important factors to point out as we move forward with the central city plan, number one, human health. Human well-being. Number two, environmental health which will require intentional planning to ensure new urban development benefit people and nature. We encourage intentional and innovative street design to accommodate trees. Please consider the following eight comments as you prepare to advance the version of the plan. Number 1, the plan notes that there will likely be code revisions, policy changes and new investments in tree planting, preservations and maintenance that will affect the two different tree target scenarios which is highlighted in the memo. We request that the urban forestry be informed in a timely manner regarding these targets, implementation practices and methodology used to track and evaluate progress. Number 2, given the priority and extent to which the new comprehensive plan calls for green infrastructure and trees for human and public health reasons, city council should act immediately to remove all title 11 exemptions from commercial industrial lands. Number 3, trees are often the last element of consideration during the design and development process. The city has an opportunity to change this pattern by ensuring that green infrastructure is brought into the intention hierarchy process under the flexible street design. Number 4, the goal for requiring adequate subsurface soil volume's for trees in conjunction with development and infrastructure projects is very important. However, it is not obvious how this requirement will be implemented. The plan offers guidance but the policy needs strengthening along with code provisions to implement it. Number 5, the plan distinguishes between different street character types and requires landscaping. If building setbacks are selected by applicants however the building setbacks will allow in some instances but appear to be generally discouraged. The plan should strongly encourage in more instances require landscaped building setbacks along sections of the green built flexible streets. I'm almost done. Number 6, we support the new central city master plan requirements as it will offer good opportunities to enhance canopy and associated livability benefits on larger city sites. Pertaining to the section we recommend the following. A, adding an approval criterion that focuses on inclusion of open area and incorporation of green infrastructure specifically trees. This is needed to meet the big goals defined in the comprehensive plan and provide a base for related tree requirements in the section. 6 b, increase the tree density requirements for medium and large trees from one tree per 3,000 square foot to one tree per 2,000 square foot. This is more appropriate for the tree size and area ratio especially given the limited amount of observation required on these sites. Number 7, existing and new parks, plazas and other open spaces present excellent opportunities to plant a diversity of species and grow the next generation of heritage trees. The city should take full advantage of spaces below and above ground and implement innovative designs that offer sufficient space for large trees. Number 8, we strongly support expansion of the greenway setback on the Willamette from 25 feet to 50 feet in the recommended draft city central. This expansion is critical to improving the ecological function of the greenway while working toward multiple tree goals for the city, increasing over all tree canopy, planting more large form native trees and improving air quality and reducing urban heat island effect in the central city. The city plan set forth a vision that will impact future generations. Trees planted today will take generations for human health efforts to be realized. Thank you for this opportunity.

**Wheeler:** Thank you. We appreciate you being here.

**Kristin Minor:** Commissioners, my name is Kristin minor, I'm the vice chair of the landmarks commission. Thank you so much for allowing us to have invited testimony.

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**Wheeler:** Thanks for being here.

**Minor:** The landmarks commission has several issues or concerns with central city 510 chapter recommended draft. I'm going to jump into those just as a matter of time although we really appreciate all the work that has gone into this and support much of it. The first thing I would like to talk about for a moment is historic districts. That's where our work differs quite a bit from that of the design commission. When we review new buildings in historic districts we have to take into account the cohesiveness of the entire district and a district really is a single historic resource. Because of that, we are seeking several amendments that would help us reduce conflicts and when an applicant comes to us, for instance, with far or bulk that can be transferred into a historic district, that may not create a compatible form. So one of the amendments that we are asking for is that 5.10.200 d1 strikes the clause transferred to a site except that far transfers into historic districts is not permitted. The other issue regarding heights in historic districts, heights is a very complicated issue. We certainly recognize that and height in an historic district really creates what in architecture school I learned as a palimpsest. In other words one of those wonderful places in a great city where you can recognize the disparities in scale between new and old, that there are traces of something that used to be and then next to it perhaps, say along the edge of the historic district, is where wonderful new buildings highlight those differences.

**Fish:** I can take a moment to acknowledge that's the first time in my nine years anyone has used that word at council? [laughter] you went to architecture school. So you had a slightly different definition. I remember it as the title of Gore Vidal's memoirs. Different school, different times. Anyway, thank you for using an interesting word.

**Minor:** You're so welcome. [laughter] in recognition of the difficulty of where we have arrived I think the landmarks commission is prepared to accept the heights in the maps as proposed with the recognition that they are not always compatible. However, in order to reduce the conflicts of applicants coming in front of us we ask for some simple notes to the height and far maps, that those maximum heights and fars are subject to land use approval. I'm not going to spend too much time on this now but we support the way that ground floor window standards work currently with modifications standards generally offering applicants good solutions and we generally find that those work for applicants. So I know that there are some amendments that the bureau planning and sustainability have offered. You'll be hearing about those and we got a chance to read them just prior to coming in here, but generally we support those. We do propose striking the clause relating to allowing five feet of landscaping at parking structures, however.

**Fritz:** Why is that?

**Minor:** Because allowing landscaping in place of a more urban solution seems like a step backwards. It's a very suburban kind of solution in general. So I would like to just leave you with the words from our own comprehensive plan policy 4.49, resolution of conflicts in historic districts. It reads in part, refine base zoning in historic districts to take into account the character of the historic resources in the district. So we ask for your help in achieving that.

**Wheeler:** Thank you.

**Julie Livingston:** Good afternoon, Mayor Wheeler, and Commissioners Eudaly, Fritz and Fish. My name is Julie Livingston, I'm the chair of the Portland Design Commission. You should have in front of you a letter from the Design Commission on Design Commission letterhead. The commission is asking for six amendments to the current draft of Central City 2035. The staff at the bureau have been incredibly receptive to feedback we have provided throughout the process. These are issues that the Design Commission thinks remain outstanding. Three of these are related to ground floor window standards. My

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understanding is that staff has been doing some work to revise language around ground floor window standards so they may not all be applicable still. So with that in mind our first and most important issue is minimum floor area ratios within the central city. Thankfully there are minimum ratios now proposed in the central city. They vary on a scale of one to one and three to one. This is new with central city 2035 and a step in the right direction. The commission, though, feels that these fairly low minimum fars don't go quite far enough. We would like to see the minimum fars represent a more significant percentage of the maximum far on any site. We believe this better achieves the goal of density that central city 2035 would want to achieve. We also believe that this would be compatible with several of our most important central city fundamental design guidelines, A2 emphasize Portland themes, A5 enhance, embellish and identify areas, C3 respect architectural integrity and C4 complement the context of existing buildings. That is our first request that minimum fars be increased.

**Eudaly:** Do you have a specific number?

**Livingston:** We have had much discussion in the hearings room whether it should be half of the maximum far up to 75 or 80% of the maximum far. That might be high. We do think that it should be something that's higher than what is typically allowed in the mixed use zones. One to one, three-one is common in mixed use zones. So second issue alliance with Kristin's testimony on limits on increased floor area and the no limit applied to fars that can be transferred to a site. The design commission does not review buildings in historic districts but the same guidelines apply to those buildings that apply to the buildings that we review and we do have a strong opinion on this. Maximum heights have been reduced in two historic districts but it's our belief those maximum heights are not consistent with the types of historic construction in those districts. The type of construction limits the height, the bulk, scale of the buildings. Having heights that are significantly taller than the existing fabric will really significantly impact the character of those neighborhoods. So we would request that the unlimited transfers into historic districts be eliminated or reduced to a scale that the landmarks commission finds to be compatible with the character of each district. We also have made note that required ground floor retail sales and service uses in the south waterfront sub district have been eliminated. This section of the code required ground floor commercial activity at three waterfront locations and six intersections in south waterfront. We understand that ground floor commercial activity is currently a bit of a hard sell in some locations in south waterfront, but that's the south waterfront of 2017. South waterfront of 2035 is likely to be a much more vibrant place with that type of retail activity at those intersections which have not yet been built out and specific locations at the waterfront. With respect to ground floor windows, I will touch on bike parking. I think that bike parking is something we talk about all the time in the hearings room. It's important to the city, to the design commission, to every single person that rides a bike. We want there to be plenty of bike parking, we want it to be easily accessible. What we don't want is for it to cause dead space on our streets. When bike parking uses that are adjacent to the exterior walls of the building are limited to storage space, it's not very active space. We want to have active streets. Bike use areas that support shop space for people that do bicycle repairs, that support bike wash stations, the commission has seen these regularly recently in both commercial construction, buildings and multi-family buildings so we are fully in support of active bike use spaces at our ground floors and would hope to see a revision to that code language so we don't end up with potentially quite a bit of just plain bike storage space at our streets. Finally, the ground floor window standards that are applicable to street facing facade closer than 20 feet to a lot line and also walls of parking structures that are exempted from ground floor window standards set back at least five feet and landscaped to the L2 standard, we believe these revisions represent a roll-back

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significant roll-back to ground floor window standards in the central city. They are contrary to central city fundamental design guidelines. We would like all buildings to be subjected to ground floor window standards so we can have conversations about what's appropriate or inappropriate in the hearings room. Thank you very much.

**Wheeler:** Thank you. Appreciate your testimony.

**Andre Baugh:** Good afternoon Andre Baugh, vice chair, planning and sustainability commission. I'm here to summarize Katherine Schultz' letter to the council earlier. The planning commission is pleased to forward the draft central city 2035 plan for your consideration. This is the first update since 1998 and our chance to lay the groundwork for the central city for the next 20 years. It will also be the first amendment to the newly adopted comprehensive plan. This plan represents years of work and public input starting with the concept plan, quadrant plans and a variety of studies. The psc has received more than 750 comments prior to and at public hearings. We considered amendments based on testimony, worked through several challenge initiatives before voting and recommending this package to you. Going to highlight some of the issues that we found in this plan. The plan includes a fully revised bonus and transfer system to support affordable housing, height and far increases in transit districts. Height decreases to protect iconic scenic views and integrity of our historic districts, mayor you had brought that up. Regulations to allow more next generation industrial businesses ground floor use improvements to support active and livable streets, a new environmental zone to help protect natural resources along the river. New green building requirements and new transportation projects to make it easier to walk, bike and use transit in the central city. The highlights I just mentioned align with the Portland plan, the comprehensive plan and the climate action plan goals and policies so this is really bringing all those to bear and implementing them. I'm going to take a couple of minutes now to highlight a few of the issues the psc found challenging and I'm sure you will find challenging too. [laughter] the first was protecting scenic views. As the mayor mentioned, he wants to look at that iconic view from salmon springs. That was a topic that we struggled with also. We received testimony about protecting the views of mount hood are important because of the iconic nature and kind of the postcard of Portland. We also received testimony that against protecting the view because of the negative impact on development in central city and central city is one of the hottest growing neighborhoods that we have for jobs during the recession it grew. So there was that tension there. We voted 7-4 not to support protecting the view of mount hood from salmon springs but looked at other views and like limiting height from the view from the Tillicum crossing and other public views to protect that mount hood view. So there with were some balancing there of protected views. The psc voted to limit heights in historic districts, height limits predate creation of the districts and do not align the character of older structures in these districts. Again, we deliberated on how best to balance historic preservation objectives with existing development allowances. Ultimately we decided to bring regulations into greater alignment with the objectives of the historic district designation and design protections applied to the historic landmarks commission. You have ahead about that already. Another significant item is the i-5 Broadway Weidler transportation system plan, tsp project. This project includes adding an auxiliary lane on i-5 to improve safety and reduce congestion, it also would make changes to overpasses to support active transportation and a future pedestrian and bicycle bridge. We discussed this in depth and voted 6-4 to retain the project because of its important freeway safety local street and active transportation benefits. But I want to make clear it was not open check it was clarified and really quantified to say it's contingent on inclusion of the bike and pedestrian connections, the development of an equity strategy to address the impacts to the african-american community, inclusion of low income housing solutions and

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encouragement of odot, pbot to evaluate congestion pricing and transportation demand management options among other things. This project has the opportunity to bring and connect the historic african-american community that was destroyed 60-plus years ago back. It also has an opportunity to -- it's a downtown project but it has an opportunity to help east Portland if you equitably invest in east Portland like you would downtown. I believe and these are my personal feelings, but I think six of the people believe because of these items that we can do both. Equity is not about a tradeoff. It's about doing both. We can bring and do things for the african-american community that was destroyed by a freeway a long time ago. We can bring prosperity, housing, a lot of other things in an equitable way and investment in east Portland in a very equitable way that makes them feel as part of Portland as they would downtown in this shiny penny investment. The psc supported green building measures in the plan. We recognize benefits these measures provide and how they will align with the comp plan and the climate action plan goals and policies but we're also sensitive to the increased costs including them in new construction. However, we ask asked for and we got results of a feasibility analysis showed the costs were nominal. So yes, there are costs, but they are not significant so we approved them. The psc deliberations were informed and thoughtful and one of the underlining things I think that when you read the comp plan and look at many of items in the comp plan the central city plan is this idea that because it's downtown you need to do something comparable in many instances in east Portland. So you're going to build a green loop. There's language that talks about what's the comparable in east Portland. You're going to do i-5. What's the comparable investment in east Portland? So it's not -- this plan is focused on downtown, its prosperity, its growth, but I believe we are transmitting to you the idea that when you do this, don't forget east Portland. Make the investments. Make the equitable investments in east Portland and keep equity, which is part of the Portland plan this council approved, the comp plan, its policies and these policies of the central city 2035 in mind when you do this because if you don't, it will be a downtown plan. It should be a Portland plan for all the residents. Keep that in mind. I want to thank the staff for their hard work. We asked a lot of staff to respond in addressing questions, concerns and the citizens that were raised by citizens to get to answers to make our decisions. They did a wonderful job. I think they just did great. I want to thank Katherine Schultz for being the chair. Leading this through. We have come a long way since 1988. It charts a new course for a prosperous, healthy, equitable urban core in the years to come and I think a greater Portland too. Thank you.

**Wheeler:** Thank you all for your testimony. Thank you for your service on our commissions. Do we have any other elected officials or commissioners who would like to come up first to testify? Very good. So here's what we're going to do. I'm sorry, come on up. Please.

**Fish:** We have two.

**Fritz:** The captions are not working so we'll wait until they are.

**Wheeler:** Come on up. If there's folks with small children or people with disabilities who would also like to go first, we'll certainly accommodate you. Please just let Karla know. Just as a reminder there will be about two minutes to testify. We'll take as many people as we can between now and 4:30. I'll repeat this in a minute. If you would prefer not to come back, if you're not called today, we'll obviously take written testimony and that testimony will be available until 5pm on September 15th. For those of you who may be tuning in we're waiting for our closed captioning system to come back online. It's a legal requirement we provide it and many require it to be able to understand what we're saying. Back up? All right. Good. We're back in business. We'll take as much testimony as we can between now and 4:30. For those of you who don't get called today you can come back again if you'd

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like to testify in person at one of the later hearings. If it's easier you can just submit testimony by email. You have until 5:00 p.m. on September 15th to do that. Two minutes each. Name for the record. After Chris gets his chance to testify and in a minute Karla will call the first names.

**Eudaly:** If I could just I want to give that tax i.d. number for the record.

**Wheeler:** Good.

**Eudaly:** This is in regards to the proposed zoning code amendment. It's r637100010. Thank you.

**Wheeler:** Good afternoon. Thanks for your patience.

**Chris Smith:** Thank you council I'm Chris smith I'm vice chair of the planning and sustainability commission. I'm required by city code to tell you I'm also a registered lobbyist and authorized spokesperson for an organization flying under the banner of no more freeway expansions, that's a group we formed in the last few weeks to highlight this issue for you and I'm going to focus my remarks on that. You're going to hear the phrase this afternoon I think urban freeway expansion does never solve congestion and we believe the i-5 rose quarter project in the central city plan the largest single public investment in the 20 years contemplated in the central city plan is ill-advised. You have a packet in front of you that has 24 comp plan policies that I believe this contradicts. I won't go through every single one of the 24 but I will highlight some of the major ones. The first and appropriately the first goal in the comp plan around transportation is safety. This is the encapsulation of our vision zero policy and it says we need to have laser-like focus on traffic related fatalities and serious injuries. This is the map from our vision zero work and at this scale it's not very useful. I'm sorry. What I do want to highlight is that the freeway corridor is not a high crash corridor. One of the motivations touted for this project is safety but in fact the crashes that happen on the freeway are typically rear end and sideswipe collisions that result in property damage or minor injuries. Vision zero demands we focus on fatalities and serious injuries. We had 44 fatalities in the city last year in 2016 and sadly we're on track to have the same number roughly this year. This investment is not addressing those. Many of those fatalities happen on odot facilities elsewhere in the city, places like 82 and outer Powell and we believe that odot should be spending their money in those places. Being environmentally sustainable and hitting carbon targets is another important part of our transportation policy. This contradicts those goals both for greenhouse gases and for air toxins. We believe that's a serious conflict.

**Wheeler:** You're a commissioner. Please go ahead.

**Smith:** Thank you I appreciate. Goal 90 asks us to focus on equity. I read in the tribune this morning that the city's incremental revenue for the transportation bill will be about \$30 million a year and highlights that's not sufficient to deal with our transportation investment gaps. The legislature has authorized 30 million a year for this project alone so we have an investment equal to the rest of the money Portland will see from the transportation bill focused on one area when we know our most deficient areas are in east Portland. I would argue this does not meet the equity hurdle because it's investing money not where it's needed most. I will skip ahead in the interests of time. We had a very strong mobile policy statement in the comprehensive plan that says we should be prioritizing walking, cycling and transit but in fact this project puts a huge amount of dollars, \$450 million, on the last priority in the system, which is single occupancy vehicles which are the primary users of this stretch of freeway. The comp plan does address the question of congestion and basically focuses in on congestion pricing as a solution to that, not adding capacity. So while we appreciate commissioner Saltzman's statement insisting on congestion pricing we believe it's irresponsible to design a project until you know what effect congestion price has had. We believe once pricing is implemented you won't need a construction project. A

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very important but wonky issue is the mixed -- multi-modal mixed use area, mma, something the comp plan calls for, basically the idea that odot shouldn't be involved in land use planning the central city. They have that purview because we want to make sure land use planning doesn't disrupt state transportation facilities, but I think there's sort of a deal that odot said if you do this project we'll give you the mma designation. I think that's a terrible deal for Portland. The mma designation is supported in fact by the central city plan that there's so much to meet the city's and the state's needs and has very good land use planning, that alone is justification for why we have earned the mma status and we shouldn't be boxed into a deal where we trade something that contradicts our policies to get that. I'm going to skip ahead here. I want to hit a couple of key ones commissioner Fish I want to highlight the impervious surfaces policy. This policy would represent almost two new lane miles plus shoulders of impervious surface. Somehow the storm water has to be captured and treated I don't know if we can do it in bio swales on a freeway, but somebody has to figure that out. And I will close with climate because that is in this week when Houston is under water and Oregon is burning I don't think any of us can deny climate change is a critical priorities and our investments must move our climate goal. Making a half billion investment that sends climate in the wrong direction is unsupportable in the current environment. So I will stop there and I am happy to answer any questions.

**Wheeler:** Thank you, colleagues any questions? Thanks Chris for your testimony. We appreciate it. Karla?

**Moore-Love:** First people disabilities and with small children. Sorry, we've lost captioning.

**Wheeler:** Have we lost captioning again? it's back up.

**Susan Lindsay:** I guess nobody is starting I will. Hi I'm Susan Lindsay. Well, I think it's very interesting the conversation I was listening to about the view corridors because I'm here to talk about the same thing in a different perspective. That is I would like to request a kind of a revisit on the allowable heights on southeast 12th and 11th looking west because many of us who have lived for a long time in the inner southeast actually enjoy the view of the Portland hills and the new plan will allow for a 125 foot hard limit. Right now there's a 50 foot there with -- talking about from southeast Morrison north to Burnside street. So if we could just -- I don't want to take up a lot of time here but it's a concern and unfortunately it was one I have had kind of an ongoing family tragedy this summer and I wasn't able to deal with it as much behind the scenes and I thought I would wait until council but we're very concerned about it. We're talking about 10, 11 stories right there across from a single story or historic neighborhood on the other side of 12th. I would like to revisit that height if we could. Thank you so much for your time.

**Wheeler:** Thanks for being here, Susan. Good afternoon.

**Heidi Moore:** Good afternoon. I'm Heidi Moore. I'm vice president at Altsource, a locally owned and operated custom software development company. We provide development protection and testing of computer software to other businesses. We're currently rehabilitating a building at 1120 southeast Madison to use as future headquarters. Our attorneys submitted a letter into the record and I wanted to offer some additional comments on the issue from our perspective. Altsource started in 2004 from our basement in northeast Portland and we have continued to double staff size every year and we're on track to double again. We currently employ over 90 full-time employees spread across three different buildings in the central east side district. The ability to expand our operation at the future Altsource headquarters is vital to the continued growth of this company as the inner southeast location is a key factor in recruitment and retainment of highly talented and highly compensated high-tech work force. Additional height restrictions may force us to restart a search for a long-term home, most likely outside of the city of Portland rather than expend additional money on improvements that will only serve the company's short term

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goals. For these reasons we strongly support the planning and sustainability commission recommendations. Thank you.

**Wheeler:** Thanks for being here.

**Moore:** Thank you.

**Wheeler:** Good afternoon, Philip.

**Philip Wolfe:** Hello Mayor and commissioners... For the record, my name is Philip J. Wolfe. I moved here in Portland almost 8 years ago. Ten years ago, I became the solo survivor of my entire family. My pouring love is right here in the city of Portland. I am a little man with a dream. I have wanted to help expand possibilities here in Portland, in many areas. Traffic reform is one of my focus... I strongly oppose the widening freeway and everything goes with it. It adds more problems than solutions... I believe that if we come up with a solution for example, Sky Tran, this approach is much cheaper, it carries 100,000 people per day much half than the people stuck in traffic congestion with addition to wear tear, gas price spiking, accidents, traffic crimes, and all that will be a lot something where we can look at a futuristic approach with much greener environment... this will provide reasonable accessible without compromising on stripping the character of Portland. I encourage all of you to look at expanding range of possibilities instead of widening lanes of impossibilities... Think about it, we can use the money to a good use. Who's with me on this?

**Wheeler:** Thank you, Philip.

**King:** Since the captioning would not capture this is there a way to save that document?

**Moore-Love:** I will. Thank you Lauren. That's all I had noted. We'll go to the regular list.

**Wheeler:** Very good, folks. Two minutes will go quickly. Thank you.

**\*\*\*\*:** It will.

**Terry Dublinski-Milton:** I'm Terry Dublinski-Milton testifying more myself. I am supportive of the central city plan I would like to offer a couple of amendments. First the Gibbs street overpass ends in a dead end three-story elevator. It's not good for large numbers of bicycles. It can be clipped off then an extension like a Copenhagen snake to connect to the west side waterfront path to handle higher levels. If we wanted to open the Ross Island bridge we could carry it over the river but I know that's aspirational. I'm highly, highly supportive of the green loop but we have to connect to the outer neighborhoods and have extensive high quality access all the way out to I-205. The Rose Quarter expansion. I am in support of it but because of several amendments, one particular one I think is important, I agree with Saltzman you're going to hear a lot about congestion pricing, it's important but we need to take this into account preparing for the big one, seismic upgrade. Okay, when the Cascadia subduction zone snaps 405 is going to be collapsed, all the overpasses will be gone and the Marquam is probably going to be standing in midair. If you look at the map what we need to do in my opinion is do a study of moving I-5 over to 405. Then removing the east bank freeway. This would allow for a redesign of all interchanges in getting to Lair Hill and South Waterfront. It could create a slip lane from the tunnels to the Ross Island bridge. You could create a max bypass connecting PSU to Goose Hollow which would cut 20 minutes off the commute from Clackamas town center to Beaverton transit and no transfer. Call it the purple line. Then we could remove the east bank freeway completely and open up the river to the east side for the first time in a century. So I would offer you an amendment that you put this study into the central city plan. Predicate it on the Rose Quarter expansion. Thank you.

**Wheeler:** Thank you. Good afternoon.

**Angus Duncan:** Good afternoon, Mr. Mayor, members of the council my name is Angus Duncan. I'm president of the Bonneville environmental foundation here in Portland and I chair the state of Oregon global warming commission. While I would like to -- I can't argue

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that urban planning has to be all about climate and greenhouse gases, but it has to -- these have to figure centrally in those kinds of plans and always have in the plans that the city of Portland has adopted. Nationally and in Oregon we have shifted our electric utilities, our largest sector on to a course to lower their carbon content in energy solutions. This council participated materially in our efforts to do that on I think successfully and the state of Oregon is grateful for your intervention. Nationally and in Oregon unfortunately transportation emissions are up, they have always been the largest sector in Oregon, they are now the largest sector nationally in emissions and we understand why, this is the end of the recession. People feel flusher. Gasoline is less expensive. People can drive more and a consequence and they can also drive larger cars. And the consequences for every electric vehicle that entered the fleet last year, approximately 80 suvs, internal combustion suvs entered the fleet. The mt nationally and in Oregon are up. There's a modest but disturbing shift from central city growth to suburban growth. We need to deal with that, planning needs to address its housing and transportation factors combined. The 2017 transportation bill from Salem I think helps us materially with transit, bike, pedestrian solutions and with electric vehicles. It also addresses congestion but ambivalently. Offering both congestion pricing authority and new freeway lanes. The council and the state of Oregon need to figure out how to deal with those. I just offer one observation from our historical experience in the electrical industry, and that is we have learned the lesson time and time again apply demand side solutions, reducing demand first it's much less expensive and much more effective before you go out and build something.

**Wheeler:** Thank you. Good afternoon.

**Joe Cortright:** Joe Cortright with no more freeway widening. Expanding urban freeways has never solved traffic congestion. That's the one eternal verity of urban transportation that we know. In the extreme Houston has expanded their kd freeway so it's 23 lanes wide. Less than two years after opening a \$3 billion widening project traffic times were 50% longer than after they expanded it. Even then odot admits this will not solve recurring or everyday traffic congestion. They hope it will reduce the number of crashes, which are mostly minor, any additional capacity will stimulate more traffic. This is a terrific way to waste \$450 million. Commissioner Saltzman has offered something in a way of a compromise moving ahead with pricing which we strongly think would be a good idea, and is the only solution proven to reduce congestion, and also do this project. That's a recipe for wasting half a billion dollars. The example of Louisville, Kentucky, which did that. They had a freeway not unlike i-5 that connects it with northern suburbs. It was six lanes wide. They doubled the size of the freeway bridge. To pay for that bridge they tolled that bridge between one and \$2 each way. A after they tolled that bridge the traffic dropped from 120,000 vehicles a day virtually the same as the i-5 bridge to about 60,000 vehicles a day, dropped by about half. So tolling if you spend money on new capacity and then toll it later, you ran the real likelihood you will not have any demand for the facility that you need. So the critical point is there is no reason to go ahead with this proposal even if you think it might work until after you have implemented and observed the effects of tolling. Because that will show you that you do not have to spend money on this project and you can relieve congestion by charging a price.

**Wheeler:** Perfectly timed. Thanks. Thank you all. Next three, please.

**Wheeler:** Good afternoon.

**Aaron Brown:** Good afternoon. Mayor wheeler, Portland city council, my name is Aaron brown, disclosing myself as a registered lobbyist of the no more freeway expansions anti-highway industrial complex. First highway expansion has never solved traffic congestion. You'll hear that frequently today. Second, a short story. When I was in college I spent a couple years living next to a super America, similar to a plaid pantry. As a Oregonian

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unaccustomed to humidity I found summers really brutal. It didn't take me long to learn the convenience store sold 48 ounce slushies for 50 cents. You can imagine the joy accompanied by walking less than a block to spend 50 cents on nearly a gallon of corn syrup and ice. If someone had asked me 10 years ago perhaps I don't know the Oregon department of slushies if I was willing to spend a lifetime supply of sweet slushies for the low price of \$450 million I would certainly have considered it. You and I know it's possible my demands for these slushies might have been induced by its heavy subsidy by proximity to the convenience store, my youthful ability to enjoy empty carbohydrates with reckless abandon, but maybe I learned I needed to alter my habits to be healthy, like a diet change. Maybe I decide I'm done with corn syrup a vision zero for corn syrup in which I really decided I cant have corn syrup anymore. Maybe I wanted to buy slushies in other parts of town there are some cool slushy shops opening in other parts of town that actually have had historic dis-investment of people to buy slushy's from. In any circumstance I would have to be absolutely certain I really wanted a \$450 million car to buy slushies at my local super America. It means I wouldn't care about my health, wouldn't care about any of these any other things. The question before mayor Wheeler and Portland city commissioners how you how certain are you that you want to buy a \$450 million slushy card in you know how difficult it is to raise money. \$64 million for the gas tax, \$250 million for the affordable housing bond this is seven times the gas tax, twice the affordable housing bond for a project with no demonstrable benefits that they are claiming to be provided. I hope you're certain enough and that the 375 community members who have signed our letters including public health, social justice, neighborhood associations and environmentalist, I'm wrapping up I promise. I hope that has sowed some doubt before you eventually turn around and give that \$450 million to the Oregon department of slushies. Please work with the community to help us buy something other than corn syrup. Thank you.

**Wheeler:** Thank you.

**Fritz:** Thank you for that testimony which was very entertaining I challenge everybody else to live up to live up to that, but secondly thank you for not sending me 375 identical things just for putting the petition together and telling me that it's very helpful to see how many are supporting and not have one's emails completely buried by the same email hundreds of times. I appreciate it thank you.

**Brown:** Commissioner Fritz, this isn't our first rodeo. We learned how to work together. Thank you.

**Wheeler:** Good afternoon.

**Steve Siegal:** Good afternoon Steve Siegal I'm here on behalf of the downtown development group. In our written testimony we asked for four amendments to the central city code. I'll focus on two or three depending on time. The first issue deals with the under supply of transferable far in the west end. The west end is about half the size of the pearl district and the downtown district that contains disproportionate amounts of surface lots which are prohibited from transferring far. Underutilized parcels which will not transfer far, and a disproportionate amount of historic landmarks which can only transfer far after seismic upgrade. The city identified an undersupply of far in the university district and fixed it by allowing transfers from the downtown into the university district. We ask the same thing be done for the west end. Second issue addresses a site we own on southwest 1st abutting the Morrison bridge ramps. The proposed plan prohibits parking access off southwest 1st where the light-rail operates. On this site southwest 1st divides the light-rail dips under the bridge ramps while an auto circulation lane stays at grade. That auto circulation lane is known on the dipping grade it's also physically separated from the light-rail alignment. We ask that parking access be allowed subject to an adjustment off of that portion, that segregated portion of southwest 1st and by doing so it will be able to avoid

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having the parking access on southwest 2nd, which is a city bike way. Another issue I will raise is the height limits on the block directly north of the galleria. That block had its height limits reduced because of a viewpoint which is not iconic, it's a new viewpoint. The city's own analysis rates it as isolated, remote, lack of access, and as a result a swath of height through downtown is reduced including on this site and this site is particularly important for the city because it is a site of an anticipated major mixed use development that's supposed anchor the west side of the retail corridor. Thank you.

**Fish:** Could I ask a question?

**Wheeler:** You bet.

**Fish:** Thank you for laying out the four amendments. I want to go back to the west end for a second. You're asking for an adjustment on the current limitations on the transfer of far?

**Siegel:** Yes. We're asking that similar to the university district that the far can be transferred into the west end from the downtown district.

**Fish:** What would be your view if the council fashioned some kind of amendment that allowed some transfer of far provided it was to a building that was residential and where the inclusionary housing requirement was met on site?

**Siegel:** Well, I don't know that I have a problem with that amendment in and of itself however it doesn't solve another problem, which is those buildings that might be mixed use. One of the objectives of doing the west end plan 15 years ago I was involved in that was to make it --

**Fish:** Sure. Of course the inclusionary housing requirement is only a percentage of the residential. But I appreciate you laying out some concerns you have. I would like to get some feedback from you at some later point about whether this could be done in a targeted way that ensures we get more housing with inclusionary housing investments made on site and not in lieu.

**Siegel:** Yes, commissioner. We'll get back to you on that.

**Fish:** Thank you.

**Charlie Tso:** Good afternoon. My name is Charlie Tso, I'm a member of Portlanders for parking reform and I'm also here with no more freeway expansions coalition I'm here to tell you that urban freeway expansion has never solved congestion. Numerous research studies have shown that adding more road capacity results in more driving. This phenomenon is called induced demand. It makes freeway widening projects fruitless by eroding new capacity. In 2015 the California state dot publicly acknowledged that widening freeways inevitably creates more traffic. Research shows a capacity expansion of 10% leads to an increase in vmt by 6% to 10%. Why does adding capacity create more traffic? When driving is inconvenient because of congestion many people respond by driving in off peak hours or alternative routes or traveling by different modes or not taking the trip altogether. So when we add new capacity to make driving easier, we're incentivizing people who previously make other choices to avoid congestion to drive on the freeway during rush hour. What is the alternative to investing \$450 million in a freeway widening project? To ensure that our existing transportation system is working efficiently we need to implement congestion pricing. We need to invest in affordable options like public transit and bicycling. Transportation is the second largest household expenditure after housing and we need to make living in Portland more affordable by enabling people to not depend on driving. We are at a crossroads here today and we have to decide what kind of city Portland will become in the future. Will we build more freeways and let our city be choked by cars or will we take rational and responsible actions today to ensure that Portland remains livable and affordable? For these reasons I urge city council to take the i-5 rose quarter expanse out of the central city plan. Thank you.

**Wheeler:** Thank you. Next three.

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**Wheeler:** Good afternoon.

**Tony Jordan:** Good afternoon I'm tony Jordan, the founder of Portlanders for parking reform and I also believe urban freeway expansion has never solved congestion. Our planet is convulsing. We're drowning and burning at the same time. Our federal government is in denial and our children look to us to take responsible action. Against this backdrop we're considering a 20-year plan that expands highways and builds more parking garages. This is not a responsible action. This plan in its action plans calls for public resources to build or incentivize more car garages in Chinatown and central east side industrial district. These garages will be full of stalls that are very expensive. \$50,000 or more if we take the convention center as an example and we'll pay for them for decades. These are no win garages. If we meet our mode split and climate goals we won't generate revenue and we'll lose a lot of money. If they are full that will signal we failed in our more important climate goals. Prosper Portland and pbot say the garages can be converted to or uses. I say prove it. I asked the council to require that any garage built, leased or purchased by the public be 100% convertible to active uses. Housing, offices, retail, not storage. I also ask you each to think deeply about the message that this building these garages sends and the legacy it would leave. Mayor wheeler, you have been outspoken on climate and I appreciate that and you're also the commissioner for prosper Portland. If you think that these garages are the right thing to build I challenge you to name them after yourself so in 20 years Portlanders can look upon the ted wheeler parking garage and determine if it was a good investment or wonder why we're still paying for something that no one uses and that undermine our climate goals for 20 years. Please remove the amendments in the action plan that call for more structured parking and require that any new public parking be 100% convertible to active uses. Thank you.

**Wheeler:** That was very clever, well played. Good afternoon.

**Kem Marks:** Good afternoon my name is Kem Marks, I'm the director of transportation equity for the rosewood initiative. Rosewood initiative supports the concept of value pricing or congestion pricing on the i-5 corridor as long as there are mitigations for low income people. However we do not support the expansion of the corridor.

**Moore-Love:** Excuse me mayor the captions are off.

**Marks:** Yes? I'm sorry.

**Wheeler:** I'm sorry the captions are off, we have to wait.

**Moore-Love:** Their probably switching at 3:30.

**Wheeler:** Are they back up? I apologize for the interruption.

**Marks:** No worries. We with believe that the monies from congestion pricing can be used for other purposes, as long as there are, again, mitigations for low-income people. Yesterday, I testified in support of the grow in transit communities project; which you approved. We also talked about upgrading 148th and 162nd so they would be accessible for people using public transit and create north south transit corridors. Earlier, a couple weeks ago, I believe it was, you also approved the enhanced transit corridors plan. In both conversations, the question kept coming up, how can we pay for these plans? Congestion pricing on the i-5 corridor and on i-205, I would add, can help pay for these projects and then some. A couple numbers to think about when thinking about how to spend half a billion dollars, \$500 million would buy -- if I may -- 500 linear miles of sidewalks. 5, 000 crosswalks that are signalized depending on the amount of treatment and, or 1,000 buses. That's a lot of effort towards safety. That's a lot of effort towards reducing congestion. Thank you.

**Wheeler:** Thank you. Thanks for your testimony.

**Eudaly:** I'm going to claim naming rights for the ecoroof. [laughter] thanks for that, tony. [laughter]

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**Wheeler:** That's good material.

**Stuart Emmons:** Good afternoon. It's nice to be here. We are Portland. Our history of progressive urban ideas is impressive. We are a city with a level of livability that is the envy of many u.s. cities. We're growing we might have 600,000 new residents in the next few decades. Our freeways are already clogged. Finding affordable housing close to where people work is more and more of a challenge. Freeway expansion is hugely expensive and proven not to reduce congestion. Mobility is a large component of our livability. We need to prioritize mass transit and bikes and not add freeways. The half a billion dollars for the rose quarter is a terrible investment in our future the money should be reallocated to four things. One is to make mass transit faster, like going underground in downtown and increased service to east Portland. Two, to improve bike and pedestrian safety and increase bike lanes. Three, congestion pricing that is equitable. I'm concerned about people with lower incomes in outlining areas. Four, a long-term plan to get i-5 off our central eastside waterfront. Please reallocate all funds dedicated for freeway expansion in Portland to improve mobility, improve livability and improve our environment. Let's do a Portland solution. Let's not add a half a billion dollar freeway lanes that's only one mile long for two little lanes. Let's add bike lanes. Let's add mass transit options. Thank you.

**Wheeler:** Thank you.

**Walter Weyler:** Mr. Mayor, ladies and gentlemen, thank you for this hearing and thank you for your dedicated service. It is recognized and appreciated. I'm Walter Weyler I'm an owner, property and resident on the west end. My comments concern the south park block's unique oasis and treasure of Portland's pedestrian-friendly culture. This green walkway deserves special protection as it ultimately becomes a key segment of the inspirational, green loop. Two suggestions. Move the south park and bordering blocks into the west end planning district. Thus removing this sensitive oasis from the high density plans of the central city. Number two, limit building heights bordering the park blocks to 75 feet for reasons of sunlight, density and preservation of park block's peaceful, welcoming neighborhoods, to avoid the creation of a park in the canyon. Thank you for considering my suggestions. That is my one-minute story and I'm sticking to it. [laughter]

**Wheeler:** Very good. Thank you, sir.

**Fish:** Bob on behalf of the council, we want to express our condolences about your vw bus. It had a good run.

**Eudaly:** Tragic.

**Bob Sallinger:** I suppose in the scheme of things, the loss of a vw bus to a fire is a very small thing these days, but sad nonetheless. Good afternoon my name is bob sallinger I'm the conservation director for the Portland Audubon society we participated extensively in the development of the central city plan, served on a couple of the committees. We're excited about this plan it has been awhile since the city of Portland has brought forward news innovative green initiatives we're a national leader, but we've in a bit of a slow period for recent years. This includes some really exciting things. Bird-friendly building design, reduced light pollution, expanded greenway, district tree targets, green loop and green roof mandate. We submitted extensive comments on this plan. We urge you to support all of these things but we're also asking you to consider a few amendments that we think would make them stronger. I'm going to highlight a couple and then Mary Coolidge from Audubon will highlight a couple more. The first is the greenway expansion from 25 to 50 feet. This is absolutely essential to meet our ecological goals, our access goals and our recreational goals, but unfortunately that expansion doesn't come with any mechanisms to get existing development when it redevelops out of the greenway. It's likely and most of it, the second 25 feet is already developed it's likely those will continue to be developed over time unless we put regulations or incentives to encourage people to move back and we're really urging

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you to consider some sort of mechanism to do that. The second thing that I want to highlight is the green roof mandate. We support commissioner eudaly's recommendation amendment to expand that to 100% 60% really is to low. We also encourage you to bring that the incentive program for buildings under 20,000-square-feet that are not covered by this mandate and to focus primarily on projects that have an equity component to them. It is important to get green roofs on all of our structures and I think the incentive program for buildings underneath 20,000 square feet would be very helpful. Finally, we are a member of the no new freeway coalition. We strongly oppose the expansion of the freeway. I want to focus on the climate change impacts and on the air pollution impacts, on the equity impacts. This is not consistent with our equity goals, our climate change goals and it diverts funding from places that really do need it. So we strongly encourage you to go beyond the congestion pricing and eliminate this project all together. Thank you.

**Fritz:** So is it Audubon's position that solar installations and Eco roofs can co-exist?

**Sallinger:** Absolutely, all the data shows that actually they are not only compatible solar panels function better on top of a eco roof because of the cooling effect that they have so they can go together, thanks.

**Fritz:** Thank you.

**Wheeler:** Good afternoon.

**Mary Coolidge:** I think I'm up next. Good afternoon, mayor and commissioners. My name is Mary Coolidge and I work for Audubon society of Portland. We applaud the inclusion of a bird safe glazing standard and exterior lighting standard in the central city 2035 plan, which demonstrate the city taking steps to ensure the city taking steps to ensure we are maintaining the ecological integrity of our urban landscape. We strongly support the establishment of a new bird-safe exterior glazing standard to address window strike hazards on the glassiest building on the central city. Window collisions are among the leading killers of birds worldwide and across the united states strikes account for up to a billion deaths annually. As Portland grows and develops, it is important to address the ever increasing hazard of unmarked glass, especially in light of glazing increases designed to activate ground floor uses. Adoption of a bird safe glazing standard is consistent with the city's green building policy and will meet comprehensive policies calling for bird-friendly building design. The central city plan also includes requirements to limit light pollution along the Willamette river greenway. While we appreciate the step forward we would like to see the city take a more significant step to comprehensively address the growing issue of light pollution in our region. There is a large body of evidence demonstrating that artificial lights at night have a negative impact on human health, fish, wildlife and plants. Poorly-designed insufficient lighting also represents tremendous wasted energy and obscures stars that migrating birds rely on to navigate. The cumulative impacts of light pollution are not limited to areas along the river and addressing light pollution across the entire central city is critical given the amount of development that is projected to occur in our city in the coming decades. We urge city council to take a step forward to apply best management practices in exterior lighting to the entire central city in order to meet comprehensive plan policies, climate action plan goals and to minimize a broad range of unintended health, safety and ecological impacts. Written comments submitted yesterday by Audubon society of Portland reflects specific recommendations for expansion of the exterior lighting standard. Thank you.

**Wheeler:** Thank you. Appreciate it. Good afternoon.

**Jim Labbe:** Good afternoon, mayor wheeler, council. My name's Jim Labbe, I'm here today as the new interim director of depave. Depave is looking for an executive director anyone that's interested. Hope to save some time. We want the second the comments from the urban forestry commission policy committee and Audubon society of Portland.

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We're also signature to the no more freeways coalition as an organization that's dedicating our sweat, blood and tears to removing unnecessary pavement for people, wildlife and water. We are disappointed to see unnecessary pavement going in, with so little results to expect in the new freeway expansion. There is a lot to support in the central city plan. We thank you for that. It could still go a long ways to really achieve the aspirations in the new comp plan that envision a new relationship between green infrastructure and built environment for public health at its core. We appreciate and support commissioner eudaly's amendment to expand the eco roof requirement provisions and, we've submitted written comments. I just want to highlight the issue of the canopy targets in the central city. We feel like they fall short except in the existing limitations without aspiring with what we can do especially -- the opportunities are particularly fruitful in the public right-of-way and I think if the council moves forward with the public right-of-way task force you'll be looking at in November, we can start looking at those opportunities. There's a lot there we can do to expand the urban forest canopy. The last piece I wanted to really emphasize is removing the exemptions in title 11 for commercial/industrial land. They were meant to be temporary and hey allow the extension of really toxic neighborhoods. By giving everything we know about trees and how they function for public health, not requiring just the basic standards in title 11 to the entire city is to continue to allow that. Thank you.

**Wheeler:** Thanks, all three of you.

**Wheeler:** Good afternoon.

**Jim Howell:** Good afternoon. I have some testimony that I handed out. I also -- my name is Jim Howell. I also agree that expanding freeways does not solve congestion, but public transit does. The transportation system plan and the central city plan do not address the travel needs that our -- of communities that are not destined to downtown. Most jobs in the metro region are outside the central city, yet interregional commuters much travel through it if they choose public transit. These commuters will drive around downtown on crowded freeways because taking buses or max through downtown will continue to be slow and crowded and unreliable and max lax capacity for future growth. The interlockings at the approaches at the steel bridge are at capacity today. Max needs an additional river crossing and needs to bypass the streets if it is to meet the public transit needs in the future. Unfortunately, these vital needs are totally ignored in the tsp and the cc2035 plan and east-west max tunnel between the Lloyd district and goose hollow with subway stations to rose quarter and pioneer square plus a north-south bike max via duct across the inner east side connecting the rose quarter to the max station at omsi could provide this infrastructure. The cost would be substantial but probably no more than the cost of the proposed southwest corridor project with it's many flaws. Ridership grows on trimet peaks three years ago, last year, it dropped 2%. Fewer people are riding buses than they did 20 years ago and ridership is even dropping on max. Meanwhile, traffic congestion is increasing on both city streets and freeways at an alarming rate. Why is a freeway expansion the only significant transportation project in the cc2035 plan? The i-5 Broadway/Weidler project proposed by odot will be a total waste of taxpayers money because even with much-needed congestion pricing, it does not provide an alternate. Since it's beeping, I won't talk about the alternate. There is one, but I say until an alternative analysis is completed that models the comparative cost and benefits of each model in the corridor. Please eliminate this project from the plan. Thank you.

**Wheeler:** Thank you, sir. Good afternoon.

**Michael Ellena:** Thank you, mayor wheeler and commissioner Eudaly, Fish and Fritz for the opportunity to speak before city council today. I'm Michael ellena and on behalf of the Portland Japanese garden as a volunteer and trustee on the board, I'd like to address the ccs06 view corridor as proposed by the bureau of planning and sustainability. In

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testimony before the planning and sustainability commission, I felt our message and request for a protected new corridor for the Portland Japanese garden view of Mt. Hood looking east from the garden pavilion building was misunderstood. To that end, the bps approved a truncated view corridor which does not address the potential impact of trees in the environmental zone between southwest Sherwood boulevard going east to the south reservoir in Washington park. On behalf of the Portland Japanese garden, I am asking that the current view corridor as described by bps be amended to extend to Portland Japanese garden's view corridor through the environmental zone between southwest Sherwood boulevard to the south reservoir in Washington park. The Portland Japanese garden requests this change because we believe the mature height of western red cedars and Douglas firs can reach well over 300 feet. That potential will impact the view looking east from the pavilion in the garden to mount hood. We look at this issue from a perspective of 150 to 100 years out. Please refer to the attached drawings which illustrate current recommendations from bps and the garden's request for the corridor extension. A protected view corridor is instrumental in our ability to protect one of the most iconic views in the city. A view that is near and dear to hundreds of thousands of Portland citizens and visitors to the Portland Japanese garden. We appreciate your support and assistance in moving this cause forward. It is an unselfish pursuit who's intent is to preserve a treasure for all time. Thank you.

**Fish:** Michael thank you for the presentation and materials and I had an opportunity to go up to the Japanese garden and actually see for myself what you're proposing and I have to say -- and the mayor has offered an amendment, which would meet this objective. And I -- I'm hard-pressed to find a reason why we shouldn't support that. I'll be listen to testimony and when the planning staff comes back I have some questions. This does not give you license to do anything. This just creates a corridor so that there are opportunities to manage the view and I do believe that this particular view corridor is one of the treasures of our city and it ought to at least be protected so that the Japanese garden and other stakeholders can have a say in how its managed, but I'll be interested to hear if there's any opposition to this in the public testimony.

**Ellena:** I would, as well and I want to reinforce the fact that we're doing something looking 100 years out. We want to protect this for generations to come.

**Fish:** Well, thank you.

**Wheeler:** Thank you.

**Wheeler:** Good afternoon.

**Ed McVicker:** Good afternoon. Thank you for the opportunity to speak today. My name is ed McVicker. I'm a resident of Portland in the crest wood addition, I'm also a volunteer at the Japanese garden. I'm on the board, I go there once a week and clean the moss and I've grown to love the place. I'm here to support and give a big thumbs up to the amendment you offered, Mr. Mayor and feel it's a wonderful opportunity for us to include, in our planning process, for the next -- as Michael said, 100 years. I think more than 50, because that seems more manageable to me, but its still a wonderful opportunity to help us plan for the future. Incidentally, I would like to support Mary's Coolidge's notion about birds and the idea of non strike, whenever possible, avoiding that or at least mitigating that as much as possible and also, the light pollution issue. Not very often spoken of, but very important. With that I say thank you for your hard work and your consideration.

**Wheeler:** Thank you, sir. Good afternoon.

**Sadafumi Uchiyama:** Good afternoon my name is Sadafumi Uchiyama, I'm a private citizen and the garden creator of Portland Japanese garden. I don't want to take anymore time. I would like to support mike's Ellena's testimony. Thank you.

**Wheeler:** Thank you, sir. We appreciate your being here. Good afternoon.

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**Burton Francis:** Good afternoon, my name's burton Francis. I'm a resident of the pearl and an attorney. Oregon state planning goal number one mandates that land use actions must occur through a broadly represented cross section of effected citizens in all fazes of the planning process and yet according to the northwest examiner analysis 24 out of the 33 west quadrant sac members were developers architects or other related interest and also, I think it's important to point out that few actual residents of the central city were a member of that sac. So the composition of the sac was not broadly represented, but it rather heavily skewed to the development interest that are financially directly benefiting from the activities of that sac and from the economic changes that occur from this plan. An ethics complaint was filed, as you know, regarding the west quadrant sac and the ombuds person found that the sac members are public officials and thus requires disclosed conflicts of interest and the bureau of planning and sustainability trying to rectify that failure by requiring after the fact disclosure. Yet, as recently stated by one of the sac members and I quote, "the issue is not simply sac members voting in their own undisclosed interest, but actively advocating in their own interest for increasing height on properties that they control without any disclosure either before or after. So since there was no transparency in the face of quite robust conflicts of interest, the process produced recommendations that are unscrupulous. So regarding after the fact disclosures the facts are set forth in plan volume six attachment b, show that almost 10% of the sac didn't even respond to the after the fact disclosure request so the remedy didn't work. Thus the conflicts are not of nondisclosure, that they didn't even dignify this council with this disclosure. They are unknown. They can't be fathomed. So I would request that the council reject and redo the west quadrant portion of the plan because of the unfathomable unknowns that can't be corrected by the council. I would add that I endorse the mayor's two view corridor proposals. We could call them the wheeler view corridors, that's fine with me and also, commissioner Fritz, I endorse your step down proposal if you remember my prior testimony before this council. I'm a big fan of that design criteria and it's very centrally set forth in all the design criteria that we have.

**Wheeler:** Thank you.

**Fritz:** Thank you. Have you compiled a map of which particular properties in the west end you feel have a conflict of interest on them?

**Francis:** There have been some work on that, I haven't done it myself, but I know that its out there, but my request and I'm glad you asked. My request would entail that I think to do a complete do-over is unmanageable. If there's a two-step remedy where there's an investigation that identifies those things, right, and then there are recommendations that say, well, despite that, they still make sense or there are alternatives. That would be the true remedy.

**Fritz:** Thank you very much. I appreciate that suggestion.

**Wheeler:** Good afternoon.

**Wendy Rahm:** Good afternoon. I'm Wendy Rahm a west end resident and a board member of architectural heritage center Bosco Milligan foundation. Over the last fix or six years I've attended most of the meetings of the central city concept plan and west quadrant plan. There was no voice for the west end on the west end stakeholders advisory committee also called the sac. More important, there were serious conflicts of interests on the sac as was confirmed by the ombudsman's finding. In my view, this is serious enough to call for creating a new committee with a higher percentage of central city residents and excluding non Portland residents to review the flawed conclusions contained in this plan, especially regarding building height, f.a.r., vistas and unmet open space needs of the west end as it densifies. Most important is that the maximum building heights in the west end need to be lowered to 100 feet. The result would be to discourage demolition, encourage

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rehabilitation and reuse, both of which will help preserve a large number of existing affordable housing units in the district, a top priority today. See examples of affordable housing on pages 2, 4 and 5 in my detailed recommendations. This area is also dense in pre-1935 buildings. Whose architecture tells Portland's story. As award-winning west coast writer Wallace Stegner said, "if you don't know where you are, you don't know who you are". Place is not a spot on the map. The west end's distinct sense of place consist of over 100 vintage northwest buildings the west end has been praised in magazines and newspapers as a unique place to visit. There is economic value in its sense of place. Never quantified in the height calculations for this plan and Portland is known for its historic vistas, most of which disappear in this plan. Please consider reviewing the conclusions on these topics prior to final approval and I would also like to add, I support wheeler's view corridor amendments and commissioner Fritz's bridgehead and commissioner eudaly's green roof and Mary Coolidge's light pollution and bird amendments.

**Fish:** Do you have a position on the naming opportunities? [laughter]

**Rahm:** No, I wish I did. [laughter]

**Fish:** Dan's not here, feel free.

**Eudaly:** He can have the freeway. [laughter]

**Rahm:** I would put your name on something. [laughter]

**Fish:** I want -- since you're the second person that's talked about the process question and how it affects what we're doing. First, I want to let you know that my colleagues and I are working on a comprehensive update to how we deal with boards and commissions.

**Rahm:** I am aware of that.

**Fish:** It is going to include new requirements, training, ways of tracking things and it frankly was long overdue and it's been informed by a number of examples that we've looked at. So, I don't want you to think that's fallen on deaf ears because I do think there's some things we need to do. Standards we need to set. I think we need to do a better job of training and creating uniformed bylaws and giving the volunteers the tools they need to be successful. It's not just on them, it's on us, too. I want to go back -- we're going to hear, from time to time people say because there's a conflict of interest, we should start over. You may agree or disagree with this, but let's say there was someone who had an undisclosed conflict and cast a vote. The concern we have as a policy matter is that person may personally benefit for something they're acting on and we don't have the benefit of knowing that. So, that is something that we need to curb in the future. But the recommendation that that person's voting on, whether a building should be 100 feet or a setback should be 25 feet or whatever, those things feel like more objective kinds of standards that we're going to grapple with and so, it may be that someone supported a proposal because they saw personal benefit. But I still think through this process, we, as a governing body, get to look fresh at the recommendations and so if you were to say that you're concerned about the conflict, fair enough. What really resonates with me and I think the height should not be above x in the west end or is don't agree with the transfer of f.a.r. or I think this because we have a chance to look at this fresh. So, I just want to draw that distinction, but also let you know that there is a big update on boards and commissions.

**Rahm:** I really appreciate that and in fact before coming to Portland, I served on a lot of different advisory committees. In the state of Virginia, they have very strict conflict of interest laws. If you have a conflict of interest, first you must disclose in writing and then if that property comes under discussion, you must leave the room and you may not vote on it.

**Fish:** Those are the kinds things and frankly again I don't want to let us off the hook here. I think there has been some chronic confusion about who qualifies as a public officials and

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what body of law applies. I don't think that's on citizen volunteers to figure out. I think the city needs to be clearer about what we're asking someone to do, what their role is, what body of law applies, whether their emails can be obtained through public record. So there's some long overdue changes coming and I don't think it prevents us in this forum from addressing concerns you or anyone else has about the specific recommendations.

**Rahm:** I think some of the conclusions, specifically what I said for the west end's height, they were never really discussed because there was nobody at the table to discuss them. I was part of the public and came in and was limited to two minutes, each session and those issues that I raised were never discussed. Those things were passed on consent agenda item so I do think that the building heights in the west end, the f.a.r. issues, they've raised the f.a.r.s and actually rx and cx, there are a number of issues that were never discussed. So, there –

**Wheeler:** Commissioner Fritz.

**Fritz:** Thank you mayor and they weren't discussed all that much at council, either. Commissioner, I agree with everything you said. Also, this process was identified as how we were going to correct the problems that the ombudsman found. So it is up to us and that's why I was asking the question about which particular properties should we look at more closely in this process. We've got two new members of the council.

**Rahm:** I appreciate that.

**Fritz:** We really do need to take a fresh look at the whole area.

**Wheeler:** Very good. Thank you for your testimony. Good afternoon.

**David Dickson:** Good afternoon I'm David Dickson as a west end resident I love to walk, north along 10th street to the library or Powell's, to the first unitarian church on 12<sup>th</sup>, to artist repertory theater on 15th and the Portland thorns games at providence park. I love the old churches, restaurants, the shops, the apartments, the occasional historic residence, they come together in a slower-paced comfortable and walkable part of town that is unique to this city. Often when I hear – when I head south on my return trip, I catch a street car. It's generally packed with a diverse group of Portlanders. People are considerate to make seats available to the many elderly residents of the west end who do their business in the city by public transit. The west end is one of the densest areas of affordable subsidized housing in the city. Many seniors, low-income people and people with disabilities are my neighbors. I treasure my community and fear what would happen if more and more older structures were to be torn down and replaced with tall residential or commercial buildings. Would elderly people find space on overcrowded street cars? Would they dare walk on busy streets. Would section 8 apartments be replaced by market price residences depriving Portland of a already inadequate supply of low income housing? Would my walks become more perilous through pearl district light traffic, sunless wind tunnels and cold, concrete glass storefronts? I don't assume that affordable housing would survive this change. I urge the council to protect affordable housing and the unique livability on the west end and set 100 foot limits on building height. Thank you for listening.

**Wheeler:** Thank you, sir. Good afternoon.

**Rick Caskey:** Good afternoon and first of all I would like to thank the city council for all the time and effort you've put in to making our city such a wonderful place. My name is Rick Caskey and I recently immigrated from the pearl district to the west end. As a resident of the west end I very much want to encourage the city council to enact and enforce the 100-foot height limit in the west end and keep the f.a.r. at 6.1 -- ratio of 6:1. It makes the area comfortable and accessible and friendly for locals and tourists. It helps preserve the feeling created by the many historic buildings. New buildings will then blend in and reinforce the existing feel of the neighborhood and it will reduce incentives to demolish the historic buildings in the neighborhood and encourage their rehabilitation and reuse and it will

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provide a transition from the tall buildings in the downtown area to the shorter buildings in the neighboring districts. My second favorite city on the planet after Portland is Paris, France. The central part of Paris is an excellent example of the positive effects of limiting building heights and encouraging utilization of older buildings. Which in France, they have done that for decades. On a similar topic one of the wonderful aspects of living in the west end for locals and the many visitors we have is the south park blocks. To allow tall buildings on the sides of the blocks would totally change the ambience making it more cave like then park like and tall buildings would block the sunshine and therefor run the risk of negatively impacting the trees, grass and other vegetation that make the park blocks so appealing. So I highly support the concept of limiting the heights of the buildings that border the park blocks to 75 or 100 feet. Thank you.

**Wheeler:** Thank you. Appreciate your testimony.

**Wheeler:** Good afternoon.

**Richard Lowensohn:** Mayor, commissioners, thank you for the work you've been doing and I thank you for allowing me to offer my testimony on the draft. I'm a property owner and resident of the west end and as a resident, I think it's very important to preserve the community feel that comes with the limitation on height for the many new buildings expected in our area in the coming years.

**Fritz:** Could you give us your name for the record?

**Lowensohn:** Richard lowensohn. Many buildings in the west end are attractive and should be saved. For this reason I support the proposition to explicitly encourage reuse, rehabilitation and seismic upgrade of buildings within this area. I also support the proposal to require protection of sunlight for the park blocks. Greenery and light are important to our community and very much at risk from the shadows of tall buildings such as that as the ladd tower. For the west end, I support an f.a.r. Of 6:1 with 100-foot maximum building height, which would still meet the city's density goals. At the same time it would discourage demolition of these older buildings and support renovation. I have protested earlier against the conflict of interest among the developers who voted on the liberalization of building heights and zoning and that's been amply covered here. I would just reiterate that I think the height and zoning recommendations in that area should be revisited and residents of the communities involved should have a voice in the decisions. As anyone who has visited Europe will confirm, the most attractive urban areas are those that have been spared aggressive development through the ages and have retained some of their original character. An occasional tall building can be a landmark, a group of them creates sunless, windy canyons without views for anyone. The west end is both a cultural and a residential area and tall towers bring a population density far beyond what this area was designed for. Totally off topic I want to support strongly the opposition to building a half a million dollar freeway. I've lived in los Angeles and san Francisco and Chicago and every time a new freeway got built all it did was create more density on the freeways and more expansion of traffic.

**Wheeler:** Thank you.

**Eudaly:** Half a billion.

**Lowensohn:** Half a billion, my apologies.

**Wheeler:** Good afternoon.

**Andrew Plambeck:** My name is Andrew Plambeck, the region one government liaison for the Oregon department of transportation and I'm here to talk about the i-5 rose quarter project which is the result of the i-5 Broadway/Weidler change plan which was adopted unanimously by the city council and the Oregon transportation commission in 2012. The project received funding in state gas tax dollars from the legislator earlier thins year. It allowed an auxiliary lane and shoulder to i-5 between the Fremont bridge and i-84 creating

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a direct connection that will reduce weaving and merging to improve safety and operations without adding in additional through lanes. In addition to the highway improvement, it will remove the Broadway and Weidler overcrossings, rebuilding them as a innovative lid over i-5 creating new open space and better east-west surface connections through the area. The project also includes a bicycle and pedestrian bridge at Clackamas street a key connection for the city's green loop concept. As odot moves forward into the environmental assessment on the project we look forward to the city's partnership and an equitable process that builds on the planning work the city and odot have already done. At the same time we are investing \$130 million to build the outer Powell transportation safety project in one of the most diverse and underserved parts of east Portland with that road being transferred to the city's ownership upon completion. We are also paving and rebuilding sidewalks and ada ramps on southeast 82<sup>nd</sup> from foster to king with a \$14 million investment and working closely with the city to build out safety improvements on north Lombard. Finally odot is working to submit a proposal for value pricing on i-5 and i-205 to the federal government by the end of next year. Our advisory committee for guiding that work include strong representatives for equity, social justice and environmental justice to ensure that the proposal does not place the burden of managing congestion on those least able to afford it. We look forward to the city of Portland's partnership in all of these projects and hope the i-5 rose quarter project can be a solid foundation for the city's implementation of the other elements of the central city 2035 plan providing a catalyst for the vision shared today.

**Fritz:** Can I ask a question?

**Wheeler:** Of course.

**Fritz:** I'm sorry folks this is obviously a big issue here. If we didn't do the freeway widening bit of the project and we did all the others, would that still be funded by the state?

**Plambeck:** My understanding is, no, that's not what the legislature has provided funding for.

**Fritz:** And we can't take that money and use it for something else?

**Plambeck:** I do not believe so.

**Wheeler:** Thank you for your testimony.

**Shelli Romero:** Good afternoon Shelley Romero, I'm the public policy and community affairs manager for odot region one and I'm here to tag team on Andrew's remarks. Wanted to let you know that odot is leading an environmental and public process which includes a robust understanding, research and engagement strategy of a historically wronged African-American community and other communities of color. We understand the historic inequitable concerns and will engage all communities in this project. Odot's work on the outer Powell environmental and public process provided us the opportunity to successfully engage about 100 folks from equity population, including the Russian, Latino, Vietnamese and Chinese communities and also economically disadvantaged stakeholders resulting in a project that is reflective of feedback from all communities. Odot is part of any environmental project is required to examine the benefits and burdens to environmental justice communities in how and where projects are being constructed and how decisions are being made. We follow this legally-prescribed process but we don't limit ourselves to only including additional - we look at additional tactics and strategies that will proactively, innovatively, invite broad participation insights. We're investing \$130 million for outer Powell alone, not to mention 82nd-lombard and some significant improvements on i-205 between the Johnson creek bridge and the glen Jackson bridge headed north bound and then also south bound. For us, it's not about east Portland versus central city. It is and should be and can be about both. Several people have brought up the issue about congestion pricing, but there has been very little mention about equity consideration when

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you look at congestion pricing on this section of i-5 would be taken into consideration. Finally, we invite the city to join us to find equitable transportation solutions and to work with us to implement this project. It's a quick opportunity for us to take a look at implementing multi-modal transportation improvements and have these facilitate and zoning changes, development opportunities and housing and we welcome the city of Portland as a partner to examine a side from transportation improvements with our opportunities may present themselves to advance the central city plan. Thank you.

**Wheeler:** Thank you. Thanks, all three of you.

**Fritz:** One more personal provision I just want to thank odot for all your work on the freeway barriers that we've seen going up all over the state. Very much appreciated. Thank you.

**Romero:** Thank you.

**Wheeler:** Thank you. Good afternoon.

**Steve Leathers:** Good afternoon. My name is Steve Leathers, I'm here on behalf of design week Portland. The spring design week Portland completed its fifth year. The festival started as a grassroots collective of independent programs by and for Portland's design community with over 300 events that spans all disciplines, design week Portland has become the central address for design in Portland. With the community organized and activated, the festival has begun to act as an interface between the city, designers and citizens. The green loop served as a prototype for how competition and exhibition could function as a program of civic engagement through design. This year, at the red, we worked with untitled studio and created an exhibition and there was a civic engagement. We received over 400 responses regarding the green loop and its feature and the sentiment was overwhelmingly positive, positive responses outnumbered negative 2.8 to 1. That's all I have to say. Thank you for your time.

**Wheeler:** Thank you.

**Courtney Ferris:** Mr. Mayor, commissioners, thank you for your time. I'm Courtney Ferris I'm part of the team, untitled studio that collaborated with design Portland and others pulled together this design exhibition on the green loop. Our team spent the last year and a half thinking and listening to Portland's ideas about the green loop and how it could affect their community and their city and I want to talk to you a little bit about what we've heard. So, over the course of one week in April, an old warehouse in central east side played host to a myriad of interactive activities inventions focused on the green loop. From panel discussions, to workshops, shertes, prototypes and tours this experiment to engage Portland in the green loop resulted in participation of over 3,000 people. What we heard was overwhelmingly positive the majority of people we talked with were -- had comments were excited about the green loop's potential but were concerned about the manner in which it is carried out. So for us what we heard from the exhibition was not that we should pull away from pursuing this project but instead dig in further and find ways to address these concerns, listen very carefully and be critical and open to trying new ideas. It's been a very exciting eye-opening and humbling experience to speak and interact with so many people about this project. As you begin to unpack the breath of comments you've heard today I hope you'll take a quiet moment to read through our final report where we have gone into more detail and dream for yourselves about how the green loop could be part of crafting the vision and values you hope for the future of our city. Thank you so much.

**Wheeler:** Thank you. Good afternoon.

**Adam Segal:** I'm Adam Segal, I'm part of untitled studio with Courtney and its an honor to be here. Some of you are familiar because we've done a project together and actually, in preparing these remarks, mayor wheeler, I thought a lot about your comments in the state of the city address this past march. In that speech, you spoke of potential new west a west

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coast that will advocate progressive values in order to, quote, "affirm our highest values and abandon our basic instincts". You continued, quote, "in the year to come, our city will show what it means to master the requirements of governance and address challenges that seem attractable, we will show what it means to live our values and generate new compelling ideas". I really love that and, in an interview this past January, you expressed to us that the green loop is the kind of innovative vision that Portlanders can get around and it's a long term vision that can do a great job of defining what we want the community to be in the distant future. It's no secret to anybody here that Portland is facing a number of challenges. Rapid growth displacement, crises of unaffordability and houselessness which continually raised the question who exactly is this city for? The feedback from our exhibition this spring revealed that those who are critical are concerned about the green loop are seeing it through this lens. Will the construction of the green loop continue to price out and displace long time residents? Will it benefit only the wealthy? Will it hemodialyzed Portland's unique character and make underrepresented populations feel unwelcome? As my colleagues have been keen to remind me throughout the past few years when we've been working on this, no matter how incredible the green loop is, it won't be able to solve all of these issues, but as an innovative vision, it can be built with a strong set of core values that define the Portland we all want to see. So I'm here today to ask that the green loop be built truly for everyone that it be physically and culturally accessible that it be developed through extensive community input, especially by those whose voice who have historically been muted, that it feels welcoming and safe, even for the persecuted, that it feels as if it belongs to the residents of the central city as to the resident of the outer neighborhoods and that everyone the houseless and the housed feels a collective ownership of this unifying space in the central city. Thank you.

**Wheeler:** Excellent testimony. Thank you.

**Wheeler:** While they're coming up. At what time do we think we lose the quorum?

**Fritz:** We've got a 4:30 time certain right we're going to stop on that one.

**Wheeler:** Just to update people who may have -- we're obviously not going to get to everybody's personal testimony today. Again, there will be other opportunities for those of you we don't get to today we'll of course take written testimony any time. I apologize we won't be able to get through everybody's testimony today we will move into the next item and it may be that. How many people are signed up for the last item?

**Moore-Love:** I do not have that sheet.

**Wheeler:** Okay.

**Moore-Love:** One person, it looks like.

**Wheeler:** One person signed up for that one? So why don't we do this. Let's add at least another 15 minutes and go to 4:45 and see where we are.

**Fritz:** Would your intention is that people will be called up in the order that they signed up for next time?

**Wheeler:** That would be, I think, the equitable thing to do.

**King:** Can I clarify one point that was made?

**Wheeler:** Please.

**King:** The written testimony, the record, the way it was noticed. The record closes on the 15th and it can be reopened in the future when council's taking amendments, but there is a time when the record will close for written testimony.

**Wheeler:** That is correct and that is 5 p.m. On September 15. So thank you for that reminder

**William Smith:** Hello mr. mayor. Commissioners, my name is William smith and I'm the last member here from untitled studio. There are a wide range of issues being discussed in todays city council throughout the metro area and compared to the scale some of these

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concerns, it could seem easy to write off the green loop as something built only for those living in the central city, but I am here to express that the green loop is also in fact something that should matter to all Portlanders across the metro area. We saw it as a prototype to test a new way for residents to decide how the public comments in their neighborhood is developed. This brings added potential and responsibility to the project. The green loop could be Portland's chance to redefine and update how it does urbanism throughout all of its neighborhoods. People in all parts of Portland are starting to get tired of the old methods of public engagement and we all know we need to find new approaches. We need to find a new model where residents have ownership over their local comments. That is why with our simply mosaic exhibition with design week Portland, we pushed so hard to share an open framework approach to urbanism where engaged residents are given the power to develop their spaces as they see fit. This would be a model that can be replicated by different communities throughout Portland this means a unified public work, reflecting the localized needs of many communities all run directly by Portland residents that's what the green loop could be. It's our once in a generation opportunity to try something truly new. It's about far more than the central city, its about how Portland as a whole can grow. In coming years Portland will have to add more alternative transit infrastructure throughout the metro area, both new and old established neighborhoods. The green loop is our chance, right now, to test how to do this appropriately in a way that not only allows communities to survive but helps them to thrive. I am strongly for the creation of the green loop but only if it is truly used to push the boundaries of Portland enables its residents to have ownership over the growth of their communities both in the central city and throughout the metro area. The Portland green loop will set a precedent for decades to come, for better or for worse, so let's make sure it's one we can believe in. Thank you.

**Wheeler:** Thank you. Good afternoon.

**Randy Gragg:** Mr. Mayor, madam commissioners, my name is randy gragg and I conceived and oversaw the design week Portland international design week competition for the green loop. We had 50 entries from four continents for this and the idea captured the countries imagination of designers. \$55,000 of investment leveraged \$400,000 for an exhibition on the loop that drew more than 3,000 people. People love this project. All of this talent and enthusiasm represents an opportunity of a generation to create a powerful, new place for the city and also a powerful, new image of Portland. Great cities survive over the decades and centuries through booms of growth and depressions and profound social change and even wars through the enduring power of their public space and the perception of a city they create. Part of that is a ground game of trees and pads and benches and fountains and such, but part of that is kind of it is an air game of simple easily recognizable acts of major place making that are visible from a hilltop or an a map. Barcelona, Jerusalem, Boston's emerald necklace. The dominant image of Portland on a map was drawn by Robert Moses in the mid 40's. The i-5 and i-405 loop. The green loop could change that dramatically. Untitled studio gave us a strategy on how to come together as a community and make that image together over time. It begins as a loop in the central city and can expand into an outward web that will knit this all firmly together. There is a campaign a foot to stop-all investment in the green loop until "advancing similar investments driven by frontline communities and areas of the greatest need" I wholeheartedly agree with the second part of that statement. The public -- public investment is really about the leverage of public good and also about the further private investment for that private good. The entire city is going to see unparalleled growth. Let's use public policy and investment to leverage our ground and air game so we can connect the entire city by building the green loop into a green web.

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**Wheeler:** Thank you, very well done.

**Steve Bozzone:** Thank you commissioners my name is Steve Bozzone. Expanding urban freeways has never solved traffic congestion. I'm a small business owner and I sat on the i-5 rose quarter project stakeholders committee back in 2012 and have closely followed the project since. I drive, bike, take transit and walk along the i-5 corridor daily. I breathe the polluted air along with my neighbors and sit in the same traffic. I participate in the public engagement process for the project the i-5 rose quarter expansion projects every step of the way. I'm here to tell you that the process was abysmal. The local community was not well-represented and mostly ignored. Albina's black community who bore the blunt of the negative effects of i-5 bulldozing through their neighborhood vaporizing 1% of the city's housing stock were curiously not at the table. Freight companies, industry and developers dominated every meeting, when I tried to build relationships with odot staffers and asked for their business cards they laughed at me. I joined with the Elliot/Irvington neighborhoods to vote no on the project. This was purely a highway expansion project from the start. Odot knew what they were doing they kicked thigs off by proposing huge flying diamond interchanges and giant off ramps, really scary stuff. Pbot was in the room, but odot was in the driver's seat. Alternative proposals submitted that did not include freeway widening were quickly swept into odot's recycle bin and deemed out of scope. The effect is that we are supposed to be relieved odot didn't bulldoze half of the Lloyd district, including assurances that basic improvements alongside the freeway widening was simply an effort to sugar-coat the highway project for skeptical Portlanders. It is a myth that we cannot improve the service conditions without the highway portions. We do not have to accept freeway expansions in the urban core as the ticket to service improvements. There are no guarantees the service improvements will be funded or delivered, try tolling first, focus on where the real safety problems are expanding highways does not improve congestion. We know these things now, for our children's sake, I hope you don't repeat the mistakes of the past. I urge city council to support their request to end no more freeways letter.

**Wheeler:** Good afternoon.

**Thomas Ray:** Thank you and thank you for your time. I'm Thomas ray, speaking on behalf of more than 500 residents at the American plaza towers condominiums at southwest 1<sup>st</sup> avenue and Lincoln in the south auditorium neighborhood. The Halperin open sequence defines our 50 year old neighborhood and challenges us to extend its legacy, American plaza, the southern anchor of the Halperin blocks was participating in evolution since 1970. Proposed tripling of building heights and f.a.r. limits from 75 feet in a 2:1 far under which we were built is now proposed with bonus and transfers to a maximum of 250 feet and a 6:1 f.a.r. it runs counter to the open sequence scale and concepts and exceeds right-sizing needed for sensible neighborhood growth. It jeopardizes our pedestrian character, erodes the open sequence theme, violates planning policy of building height step-downs to the river, threatens existing green boulevard streetscapes of first avenue, nato parkway and Lincoln street and the planned greenway loop. It will restrict viewpoints, sunlight, air and space to the detriment of the neighborhood and promotes further congestion of two commuter roadways impacting pedestrian and light rail traffic. Our association letter to the council proposes two alternatives I can only highlight one and that is we propose to increase maximum height to 150 feet and increase f.a.r. to 4:1 including bonuses and transfers from 4th avenue east to the river and from Harrison street south to the 405 freeway. We welcome growth, education, commercial and residential development, as we have. We seek improved services for a more complete neighborhood and the goal is to preserve our Halperin heritage and the livability of the south auditorium university district. Thank you and we respectfully request consideration of these options.

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**Wheeler:** Thank you, sir.

**Martha Sharp:** Good afternoon I am Martha sharp, I am also representing the 500+ residents of American plaza tower condominiums. Tripling the building height and f.a.r. with a ratio of 6:1 in the university district's south downtown is not compatible with Portland-style living. Currently, Portland enjoys national prominence for its balance of blending people, nature and urban development in its Halperin open space sequence. American plaza was built at its south end as part of an urban oasis on a plaza podium design using 2:1 f.a.r. This green vision was revolutionary, merging development within a hardscape that mimicked the river valleys beyond, complete with waterfalls, mountain paths, shade, sculpture gardens and serenity. Importantly towers and people were given space to breathe. In stark contrast, Portland could become like any other American city with monolithic blocks and deep canyons flanked by tall towers. Portland cannot afford to turn the historic south downtown into another anonymous city. The lessons from landscape architect Lawrence Halperin must be heeded as he stated, "it isn't nature I'm after. It's humanity, in nature, in culture, related all together". The proposed tripling of building height is to as much as 250 feet and a 6:1 f.a.r. Aims to undue this ethic of Portland city pride. It is our wish that you take this into consideration. Thank you for your time.

**Wheeler:** Thank you.

**Dave Woodall:** Mayor, councilors, good afternoon my name is Dave Woodall, I'm one of the 500 residents of the American plaza towers condominium association and I represent the board here today. I thank you for hearing our testimony and for extending the session I really appreciate that. I've been a Portland resident since 2012 and I moved to the city because of its reputation for progressive sustainability and livability. I provided a really welcoming alternative to other west coast cities. In my former home, I served on three comp plan citizen committees and while it doesn't necessarily make me a planning expert, I see the tremendous amount of work that goes into crafting a comp plan that has to coordinate policy across many disciplines I appreciate your council -- your careful consideration of the revisions that may not reflect that same type of careful coordination today. American plaza's been tied to Portland's urban renewal legacy for almost 50 years. We're eager and willing to work with the design and review commission to maintain this legacy, but we also recognize the need to accommodate growth. We support responsible growth through neighborhood livability so we're surprised to see a tripling for current allowances for height and f.a.r. in the south auditorium district of course it's home to the world-renowned Halperin open space sequence and the last two upland neighborhood viewpoints in the central city. Central city 2035 prioritizing the protection of these quickly evaporating resources through the application of responsible and compatible maximum builder heights and f.a.r.s. Such actions preserve our vistas they ensure one of a kind open spaces remain filled with sunlight and breeze, they support responsible growth and they enhance our legacy of fostering a unique bond between people, nature and urban spaces. Tripling building height and f.a.r. in the south auditorium district is at odds with our legacy as well as the goals for central city 2035. We support the bureau of planning and sustainability's originally recommended increases to maximum building height and a 4:1 f.a.r. as a responsible compromise, aligned with a vision we all share for Portland as one of the world's most livable cities. Thank you.

**Wheeler:** Thank you. Colleagues, my understanding is that the staff presentation on item 1000 is only about five minutes and we only have one person signed up. Do you mind if we continue this testimony until 5:00 p.m. and take a brief compassion break and then come back for 1000 at 5. Will that be acceptable? Very good. Next three, please.

**Wheeler:** Good afternoon.

**Ron Buel:** Good afternoon. I'm Ron buel for 50 years, a Portlander and urban freeway

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expansion has never solved congestion. I was at the hearings in Salem for the transportation package, hb2017. It was sold as congestion relief in those hearings and in my mind, that's a joke, you can look at the 50 million widenings from two lanes to three at victory boulevard on i-5. Travel times on that stretch of the highway have done nothing but go up since the widening or one can look at the widening from two lanes to three of the sunset freeway/26 from 185th to Sullivan. Travel times, on 26, have done nothing but go up since that widening. Even pbot, who would certainly love to have this alleged \$453 million from the state for this project, won't claim that recurring congestion on this stretch of i-5 will be reduced by this widening. They won't claim it. They didn't before the planning commission and, the money hasn't been allocated for this project. Trimet hopes to package new taxes for Portlanders. New taxes for Portlanders, with trimet's southwest light rail corridor measure in 2018, which would pay for this measure. Look, I support congestion pricing on all six of the freeways in our area and we should insist that we want to see the results of congestion pricing before we expand any freeways. Including this project, but that's not enough. This city council needs to develop some transportation backbone. Don Hamilton of odot said in the Portland Mercury that you were going to do what odot told you to do and we just heard from the odot gentleman saying, you can't transfer this money to something else so I don't have time to read you my list of six other projects that I think you should transfer this money to, but they're there. And, I'm telling you, when we transfer the money from the mount hood freeway to the light rail system and we built -- started the 50 miles of light rail that we have in this city, I was there, I was part of that consideration. And the city council and the mayor Neil Goldschmidt did not have a low-level bureaucrat from odot tell them what they could or couldn't do with that money. They went to work to fight for it and we got it done and we didn't build that freeway and we started 50 miles of light rail and frankly, I think that you -- get some guts. Have some backbone. You know, say, we don't want this project but we've got some things we'd love to spend this money on. Safety things and, the protected bikeways on state highways. I could go on. Thank you very much for your time.

**Wheeler:** Thank you, sir.

**Carrie Richter:** Good afternoon honorable mayor and city commissioners, my name is Carrie Richter, I'm an attorney at the law firm Bateman seidel. I'm testifying on behalf of conda llc and David Leiken they are the owners of the Roseland theater building located on at 8 to 10 nw 6<sup>th</sup> avenue. This property's located outside the new china town/japan town historic district. It is six blocks of property that is adjacent to the historic district and north -- directly north of west Burnside. Yet the planning and sustainability commission recommended reducing the total building height for my clients property from 260 to 250 feet. The council should reject the psc recommendation and retain the existing height limits for a number of reasons. First, it will severely interfere with existing redevelopment opportunities for this property. At the existing 460-foot-height limit, Mr. Leiken could save existing Roseland theater, transfer the f.a.r. from the historic building to the remaining corridor block and build a pencil tower on the remainder parcel and potentially join with the adjacent owner David Gold to realize the lost returns retaining the three-story historic Roseland theater. Cutting this potential building height to nearly half of what it is today will so severely impact the development expectations as to require maximizing development potential and potentially losing the Roseland. I've submitted a letter into the record, but I would point out there are a number of central city plan goals that call for supporting tourism in this area and the Roseland plays a key component. Second of all the property's ideally suited for accommodating more intense development. It is outside a historic district, not in a view corridor area, the max train runs along northwest 6<sup>th</sup> avenue abutting this property to the west, abuts west Burnside with conversions of bus service, it's hard to imagine a

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more transit-friendly location. This site is across from the u.s. Bank building which is 42 stories and 536 feet tall. A tall tower in this area would be entirely compatible. For these reasons, we ask you reject the psc's proposal to reduce height on the Roseland block and retain the existing 600-foot height limit and I apologize for my rant.

**Wheeler:** No Worries, commissioner Fritz.

**Fritz:** The conventional wisdom would be having more height would be more likely to get a demolishing and start over. So, what's the reason that you think it'll preserve the existing structure?

**Richter:** The Roseland theater is a designated historic resource. The idea is, you have a designated historic resource on a corridor block and that leaves three-quarters of the block of non contributing structure and parking lot and the ability to maximize the growth there would be to save the Roseland, which Mr. Leiken has the intent of doing.

**Fritz:** Is it possible for a property owner to just get rid of the historic designation?

**Richter:** Sure, there is. There's demolition review. So, yes, it's possible, but the -- it's hard for me to understand why this height reduction is proposed in this six-block area because it's not a view corridor, not adjacent to a historic district and is --

**Fritz:** I can't imagine why you can't think of what you wanted to say. [laughter] you've been very patient, young man.

**Fish:** Carrie I was making notes as you spoke, but tell us again the proposal is to reduce it from what to what?

**Richter:** It's from 460 to 250 and the other thing I should point out is this property doesn't carry the transfer of development rights, as it does in historic districts. In the historic districts, these folks can transfer their development rights, but these six properties were left out and I think that was a mistake.

**Fritz:** Thank you.

\*\*\*\*\*: I have a question.

**Richter:** Let's go outside and you can tell me the question. [laughter]

**Fritz:** Thank you very much for your patience.

**Suzanne Crowhurst Lennard:** Mayor wheeler, commissioner Eudaly, Fish and Fritz, I'm Suzanne Crowhurst Lennard the cofounder and director of in international livable conferences, but I'm here to read testimony from Michael Mehaffy who is executive director of sustasis foundation who's out of the country speaking at a conference on urban planning. I previously testified, he says, about cautionary research into the impacts of tall buildings and the dangers of what I called voodoo urbanism. That is overconcentrating attention on the expensive cause and neglecting the capacities of the many other neighborhoods to grow in a more benign way. As we see in so many other cities on the west coast and elsewhere, the result too often is even more runaway loss of affordability, livability and heritage. Displacement, over gentrification, homelessness and other serious urban ills. I believe the central city plan has significant defects in this respect. However, my focus in this letter is on the failure of the plan to comply with state-wide planning goal one. I believe the council is well-aware of the potential conflicts of interest identified by the city auditor's office, requiring the remedy that members of the west quadrant stakeholder committee must file conflict of interest discloser forms after the fact. Five members refused to do so. Two of whom appeared to benefit financially from the increased heights that will go forward under the current plan. I believe it is urgent that we restore the integrity of the process in perception and in reality. I believe this will require, at a minimum, of reconvening of a new stakeholder committee charged with reassessing the heights and f.a.r.s of the west quadrant, comprising a "broadly-representative cross section of affected citizens as goal one requires". I suspect they will be convinced on the evidence that building highlights of no more than 100 feet will be fully-adequate to accommodate a more

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benign, diverse, disuse form of urban growth and so preserve Portland's priceless livability and heritage.

**Wheeler:** Thank you. Good afternoon.

**Susan Bliss:** Hello. Thank you. My name is Susan bliss I moved to the west end 11 years ago because of its convenience and pleasant livability, but aspects of the plan on the table appear to threaten our neighborhood by inviting massive development at odds with its character. The issue is building height. Allowing structures 200 and 300 feet and higher in this area, now largely made up of residential units and low-rise small businesses with drastically change our neighborhood and by precedent Portland overall. Expanded height limits will give developers the incentive they need to uproot trees, demolish many historic structures and replace with them with look-alike glass towers. Rehabilitation and expansion is preferable to demolition, but if the city raises height limits in our downtown area there is little hope for saving the current building stock. Not only to our older buildings give variety and texture to the urban scene, but many are home to neighbors who cannot pay the awesome cost of high-rise living. Most sustainable and affordable is the structure that exists, not the tower that replaces a historic building after it has been demolished. According to Gerald mildner of psu, a building higher than five stories requires rents that are two and a half times the rent from garden apartment developments. A major change-over to residential towers will put more Portland citizens at a loss for homes and add to our already homeless population. In order to curb the raising of historic buildings and affordable housing units and to preserve the character of our neighborhood, please consider limiting west end building heights to 100 feet. I support the amendments announced by mayor wheeler to preserve site corridors from salmon springs and Japanese garden and commissioner Fritz's call for changes in height restrictions at the river level.

**Wheeler:** Thank you. Good afternoon.

**Bill Failing:** How's that for a segue going from bliss to failing? [laughter]

**Wheeler:** That's good material. That's good. [laughter]

**Failing:** I want to thank the commission, today, first of all, for making -- giving us the opportunity to express ourselves and also, I really appreciated the eloquence of those who have testified today and the passion for which they have. So, it's been very rewarding afternoon and thanks for extending the time a little bit because I'm glad you're going to have a chance to hear Tracy prince who has a dynamite presentation. [laughter] I'm really here today to just address the -- the -- I think, the potential threat to the view corridors and I really want to speak up about that. I think that planning with its best intentions is letting some of the soul of the city slip away. I -- in particular, the corridors that I think matter the most to many of us is keeping the Jefferson street view of the vista bridge as you come down Jefferson. It's one of the most iconic bridges in the pacific northwest, maybe and it's being threatened and right now, there's a developer who is convinced that the corridor should be moved a little bit over to the left and it doesn't work and we need to take a close look at that. Mount hood. Connecting mount hood to Portland, it goes back to the very earliest days here. I was looking through some old records -- I'm going to not be out of time here, I hope, but just a couple of lines from a letter from one of my ancestors describing to east relatives, Portland as it was in 1863. The town itself looks as if it was dropped into a valley the horizon being girted with the continuous belt of fir trees. The only peep out of the outside world is mount hood which looks up grandly beyond our fir ramparts. Even then. So, I say this, that we really need to pay attention to the viewpoints of -- of the mount hood -- the corridors that take the eyes to mount hood. One other point is when I drive up vista avenue, the name of the renowned Olmsted brothers named by the renowned Olmsted brothers for its panoramic view of the city and of mount hood, I wonder

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today why it's still called vista avenue? It's impossible to see mount hood from there. So mount hood belongs to the entire city. I think that it's -- the view corridors are being manipulated to accommodate developers. Current views of this proposed draft are compromised. Please support the proposed changes to salmon springs to keep mount hood visible to all as our mayor said earlier. Remember once a view is lost, it's lost forever.

**Fish:** Mayor may I make a comment and we do have time for Tracy, so I'm not cutting into your time. I have a comment to make about bill that has nothing to do with his testimony, but, I was channeling bill failing today because this morning, I attended a press conference where restore Oregon officially announced that the jantzen beach had been found and saved, but had been donated to restore Oregon. Now our beloved carousel is in the hands of a custodian that wants to be a good steward and the challenge will be for our community to determine where we want to site it permanently and to enter in to a fundraising campaign cause its going to need a structure to protect it from the elements. It turns out it is of the 5,000 to 6,000 historic wood carousels built during the golden age, there are only 150 left and this.

**Failing:** 1906, world's fair in St. Louis, nick.

**Fish:** This one is arguably the greatest living example of that great tradition and the reason I say I was channeling bill failing is the last time we had a similar challenge was when the city that owns three steam locomotives did not have a home for those locomotives because they were evicted by a landlord. Bill failing and mike Lindberg and a host of wonderful citizens got together and through their efforts we have a new museum next to omsi which is home to our three steam locomotives and I hope the city can summon the same spirit to create a new home for the jantzen beach carousel.

**Failing:** Thanks nick. You had a lot to do with the rail and museum also

**Wheeler:** Very good. Thank you.

**Lincoln Tuchow:** Good afternoon. My name is Lincoln Tuchow and I'm a member of the advocacy committee for the architectural heritage center and a broker with urban nest reality. I would like to propose the following amendments to the 2035 central city plan. One is to reduce the building heights to 100 feet throughout the west end along both sides of the south park blocks and in goose hollow and two, to lower the f.a.r. to 6:1 from the 8:1 or 9:1 that's been in the latest draft. Why reduce the maximum building height to 100 feet and the f.a.r. to 7:1? There are several benefits to this proposal, but I want to focus on just one and this being, it will preserve low and middle income housing in the neighborhood. The west end has a plethora of medium rise vintage apartment buildings that are not only architecturally beautiful, but affordable. I went on craigslist the other day to do a little experiment and compared rental prices between the older character buildings and the new high rises in the west end and other downtown neighborhoods and you know what, the difference is dramatic. Rents in the old buildings range from \$800 up to \$1,400 for studios and one-bedroom apartments. The prices in the new construction, the tall glass towers tended to be much higher often well over \$2,000 a month and going higher than that. If the current max of the cc 2035 where kept in place, there will be tremendous market pressure to demolish these vintage buildings and we'll lose some of the best affordable housing stock in downtown Portland. This proposal also supports the goal of the draft of preserving housing diversity and no net loss. The city council, you folks have made very impressive efforts to address the affordability crisis and I applaud you for that and this way, we can continue that. The character and the historic flavor of the neighborhood will be preserved and affordable housing can be provided it's a win, win. Remember the greenest and most affordable building is often the one that is already built. We can accomplish two great Portland goals with a single policy decision and I hope you will implement this proposal. Thank you very much for your time.

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**Wheeler:** Thank you. Why don't you do three more and -- let's do three more.

**Tracy Prince:** I'd like to answer the question commissioner Fish had about the map.

**Fritz:** What's your name?

**Prince:** Tracy Prince. I believe the northwest examiner did a map of properties of conflicted sac members, but I don't think it was complete.

**Fritz:** Thank you.

**Prince:** I'm dr. Tracy prince, the board member of the architecture heritage center, vice president of the goose hollow foothills league which is the neighborhood association. We're very proud of the fact that half of our board is low-income and half are renters. We're presenting the unanimous ghfl position. In the past decade, we've seen that the more goose hollow fights for what's best for all residents in ways that cost developers millions of dollars, the more vicious the personal attacks. I was defamed this week on social media I have a 105-year-old house that I bought 15 years ago and like most of my neighbors I could not afford to live in my neighborhood today. I have a view of mount hood, but none of the proposed heights will affect my view of mount hood. A couple buildings might block my view of the Lincoln high school football field. Our board members aren't fighting for personal gain we're fighting for every Portlander who hasn't had time of reading thousands of pages of code, every six months, in order to understand how much the views are being privatized and how much ethically-conflicted developers are being enriched in the central city 2035 plan. On the views, thank you mayor wheeler for fighting to keep the views from being privatized only from the wealthy and for trying to save the views at Japanese garden. We encourage all commissioners to vote for his amendments. It will only take lowering heights on a few properties to save the salmon springs fountain view, the last view of mounts hood from the edge of the Willamette river and only vegetation management to save Japanese garden views. It's important for Portland to promote egalitarian access to public views. Please refer to the first image in our handout. We emailed a 13-page letter with complex code request. Today, we just want you to look at photos. This is what views of the vista bridge will look like with the proposed height. We're asking to return southwest Jefferson to today's protected view corridor from i-405 to the bridge and lower heights along southwest Jefferson to save views of the vista bridge. If heights are built as proposed, Portlanders will only be able to see the arch of the bridge by standing underneath it in the middle of the street. Height increased near the bridge will privatize views of the arch of the bridge only for those wealthiest enough to live in a building blocking the view. The new sw72 viewpoint from Colin's circle, which is the second image I've given you is a ridiculous so-called viewpoint of only one half of the arch while standing on the far edge of Colin's circle. Bps staff created this so-called viewpoint to allow them to raise the heights near the bridge. A staff member stated clearly in a planning and sustainability work session that creating this was to benefit one developer who owns property near the bridge and wanted heights raised. I'll let my colleague finish.

**Elizabeth Cooksey:** My name is Elizabeth Cooksey and I'm in the goose hollow foothills league and I'm here to ensure that Tracy's dynamite presentation isn't cut short. We believe the city shouldn't be doing business this way. As you can see in image twos this supposedly protected view protects nothing. Since the red box showing the protected area is in the middle of the street, where no one will ever build anything. City council already agreed to protect the view of the vista bridge when you adopted the west quadrant plan, one of its five urban design policies specifically named the vista bridge and committed to elevate the presence, character and role of this significant public view corridor, which defines the district and it commits to stepping heights down to the neighborhoods on the west. The proposed heights of the first image clearly don't step down to goose hollow. Policy 5.4 of this draft commits to preserving views of the vista bridge. Policy 5.7 commits

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to preserving gateways, yet this magnificent gateway will be blocked by tall buildings. Please keep today's view corridor and require lower heights for four blocks near the bridge. On image number three, you will see the current view of mount hood from the vista bridge and what it will be with the heights proposed in this draft. This is view sw15. We are asking you to lower heights only slightly, four floors on approximately eight properties, to protect current views from the vista bridge of the low slopes of Mount Hood. It won't take much to save today's view. The beautiful contrast between the low slopes and the snowcap is what makes this view startling and what defines Portland. This view was used at the title shot for Portlandia and thousands of tourists visit weekly. In the top photo, this view is being used as the backdrop by west sylvan middle school's morning show. This vista is important to Portland's sense of place and now the beep is asking me to turn it over to Eric.

**Eric Simon:** Eric Simon, goose hollow. On all views it is shocking to see the economic, social and energy analysis developed by bps staff has no metric to measure views that are so iconic that they've appeared on Portland postcards and promotional materials for over a century. In their esea analysis private profits for developers will always be weighted more than the public good of egalitarian access to views. We recommend adding this paragraph to the esea, many views are iconic to Portland's sense of place. So much so that their value to Portland's identity, history and the massive economic boost of tourism much outweigh any other consideration. These views must be protected in their cultural, historic and economic impact far outweighs any other metric. This includes views of downtown and mount hood from the rose garden and Japanese garden. Corridors to and from the vista bridge, which Portland has protected for almost a century and views of mount hood from salmon springs fountain. On image 4, you see historic and contemporary photos showing how views from the rose garden defines our city. Rose garden photos are frequently used by travel Portland to promote tourism and conventions which are a substantial part of Portland's economy. We're asking to add the downtown skyline as a focal point to rose garden views sw03 and 09. On sw10 and 12, the garden store and zoo train, the skyline is a focal point but is listed as allow, which means no vegetation management. Please list all rose garden views as prohibit. This will allow for me rigorous vegetation management to keep century old views that define our city. It's very easy to see these views, we're not asking for much. On image number five, there are nine historic buildings in goose hollow we're trying to protect their either listed on the national register or on the historic resources inventory. Please provide affordable -- several provide affordable housing in some of the cheapest market rate rents per square foot in our neighborhood. We ask you to lower the current heights on the nine historic buildings along and near southwest Morrison that are threatened with incentivized demolitions by 320-foot heights. Please lower heights to 125 feet. We support the west end's efforts to save over 100 historic buildings by lower heights and reducing f.a.r. as reported in the nw examiner, the ombudsman found that west quadrant stakeholder advisory committee members, public officials were unethical. They voted to give themselves millions of dollars by increasing heights on their own properties. The ombudsman required sac members to disclose their financial interest they did not, they said we own many properties in this area. We encourage city council to ask the ombudsman if she is satisfied with that response and rescind all heights given to these developers in this ethically compromised process. We don't think Portland should be doing business this way. We support commissioner Fritz's amendments to reduce heights at the bridge head, but we believe that many of the heights were obtained in ethically compromised ways and should be rescinded.

**Wheeler:** Very good.

**Fish:** I have one question. On the page five, where you have the historic properties.

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**Prince:** Uh-huh.

**Fish:** I'm going to have to go back and do some homework. Let's take the branno which is the top left, that was part of the city's 11x13 campaign I think and I'll have to go back and check I think we slapped a 60 year covenant of affordability, that there was a lot of federal, state and local money. It may be that on a building like that, we've already got protections in place that, regardless of the zoning, I think your concern is any building that doesn't have a covenant or protection from the city, we're essentially creating an incentive to demolish?

**Prince:** Yes. We know affordable housing that's owned by the city they're not going to demolish that building.

**Fish:** In this case we partnered with reach.

**Prince:** For several decades, the heights have been too high we've been trying to claw them back for a long time. We're relying on -- we have a few protected by covenant like that they're protected for 60 years, but if we're relying on the good will of people to not demolish a building if it's on a national register listing or that sort of thing to apply to have it delisted for 325 feet, I feel like the incentive financial is too pressing and so that's what I'm looking for.

**Fish:** Thank you.

**Wheeler:** Thank you, everybody. Obviously, we're not getting to everybody who would like to testify today I think we have 60 more people who have signed up. I want to remind people that the written record will remain open until September 15 until 5:00 p.m. If people would prefer just to submit their testimony by email if they did not get a chance to testify today. There will be other opportunities as was stated at the beginning of the meeting for people to testify in-person. I apologize that we did not get to that. I would like bps staff to come up for just one moment, if I could have you come up? I have a list of questions that I will just quickly read into the record, that I would like a response to by our October 18th session. First of all, what, within -- I'll give -- you don't have to write this down. What within the central city 2035 helps owners acquire the additional f.a.r. needed to ensure the affordable housing seismic improvements are achieved beyond the bas zoning requirements? Number two, given the multi-modal mixed use area designation within the central city 2035 plan, doesn't that past barriers with odot do to additional trip generation? Number three what's the f.a.r. available for transfer in each sub district? Number four what's the need for f.a.r. in each sub district looking at likely redevelopment sites over the next 20 years? I'd like to see both of these pieces of data by our October 18th session. My sense is that requiring a transfer seems unnecessary and adds to the uncertainty and length of time it takes to get projects going. Lastly what is the problem if any of simply allowing the project to build to its allowed height once it meets our affordable housing and seismic upgrade standards for the first 3:1 f.a.r. I'll give you this later, you don't have to write it down. I wanted to give you a heads-up on those. Colleagues any further issues or questions? Commissioner Fritz.

**Fritz:** So I have 14 questions I won't read them into the record. The main one that I'd like some input as much information as we can, both from northwest examiner and from the ombudsman's report about which particular properties may have a conflict of interest that we should be reconsidering? That's one of the things I'd like before we start addressing that issue thank you. I'll get you the rest in writing.

**Wheeler:** Great and just to reiterate what commissioner Fish said, we have four hearings here. We have the written record open and this is really the opportunity for the public to chime in on specific projects, specific lots, specific f.a.r. zoning issues. This is really our time, regardless of the conflict and I'm compelled by the ombudsman's commentary on that and I agree with commissioner Fish, we need to tighten up the expectations and rules

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with regard to boards and commissions. This is really the time now for people to testify on these issues and give us their own perceptions and I heard a lot of people talking about 100 feet or different issues on that. Please commissioner Fritz.

**Fritz:** Certainly, in-person testimony makes a huge difference and I know that not everybody can be at a meeting during the day and so while we do look at your written records, if you can send photographs or any kind of maps or anything that kind of gives us a little more context that would be very helpful. As I mentioned to Aaron brown, it's not helpful to send me 200 emails all saying the same thing. It makes it harder for me to find the individual emails that say something different. So to the extent that if you want to do petitions, they could tell me there's 375 names and send me the names that would be lovely, but don't send me all those individual emails it really is counterproductive. Thank you.

**Wheeler:** So, once again, the record for written testimony is open until Friday, September 15th, at 5:00 p.m. This will allow people to augment their testimony based on what they've heard at the hearing. The first work session will be on October 18 at 2:00 p.m. We'll now shift to the -- sorry.

**King:** Before you shift, the hearing, is it continued until next week so the remainder of the list can testify?

**Wheeler:** The hearing is continued until next week so those who have not testified will be able to. Thank you, legal counsel, for reminding me of that. Next item please, Karla?

**Item 1000.**

**Wheeler:** Colleagues this amendment will allow prosper Portland to move forward with early implementation of the redevelopment plan for the united states postal service site. One of the most significant redevelopment sites in Portland's central city, consistent with the central city 2035 plan and the 2015 Broadway corridor framework plan. This project will bring approximately 700 units of affordable housing. A high density mix of employment. New city attractions, including expansion of the park blocks and signature connections between the pearl district and old town China town in between north park blocks and the Broadway bridge. I'll turn it over to Rachel and Sarah.

**Rachel Hoy, Bureau of Planning and Sustainability:** Good evening I'm Rachel Hoy with the bureau of planning and sustainability. Thank you very much, commissioners. Just a short introduction to this ordinance. These amendments increase the maximum floor-area ratio of building heights on the united states postal service site in the pearl district of the central city. This is consistent with the recommended maximums that are in the recommended draft for the central city plan. The slide you have before you, I just wanted to be clear about what this ordinance includes. The increase for maximum floor-area, what it is today, it's 4:1. The increase would be 7:1 and, then the maximum building height, currently the height is 75 feet on the property. This would increase the height from 75 to 250 south of Johnson and increase north of Johnson to 400 feet. So, these, again, I will say that these are f.a.r and height limits that are a part of the central city 2035 plan, have been discussed as part of that process. As well as prior to that there were discussions on increased f.a.r and height through the Broadway corridor framework plan and, what this allows the request for early implementation of this height and f.a.r. is to put these allowances in place early to allow development plans for the usps site to move forward. And, that's what I have. I do have my colleague from prosper Portland, Sarah Harpole here, if there are other questions that you may have for us.

**Wheeler:** Not yet. Do we have any invited testimony? Any other elected officials who would like to speak? Karla, how many people?

**Moore-Love:** Just one person. John Hollister.

**Wheeler:** Welcome, sir. Thank you for your patience.

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**John Hollister:** For the record my name is John Hollister. So since this is a separate deal and it's not with that other one, does this get back to the three-minute deal or the five-minute deal or the 10-minute deal? [laughter]

**Wheeler:** We'll give you three minutes.

**Fritz:** Nice try.

**Wheeler:** I don't think we're all up for the 10 minute deal.

**Hollister:** Well you might cause it's going to get ready good for you. We'll see. So, I believe that this particular development should be the most iconic, innovative development ever built in Portland. Ever built in Portland and actually, for commissioner Fish, maybe this will be wherever the home of the carousel will go somewhere in that and you can name it after him. [laughter] it's the -- and I actually believe there should be no height limit. I just gave you -- I just named something after you, Nick. Yeah.

**Fritz:** You got the carousel, I'm jealous.

**Hollister:** You got the carousel and it's going to be in the post office.

**Fish:** That and \$6 million will make it happen.

**Hollister:** There should be no height limit and no limit to anything on this thing to make this be the signature event in Portland. It's the biggest area that we have in the central city to develop and there should be no restrictions on anything, just have it be the most magnificent thing and if it ends up being bigger than Big Pink, it is. You know, from my other testimony, I am really a very conscious person on height limits and really want to respect those but then there are also times we get to figure out where the growth is going to be and this is just going to be the most signature thing and actually, for this -- since we're naming things after people, I can actually believe this one should be named after you, Mayor Wheeler.

**Fish:** He's already got a town.

**Hollister:** He's going to get more.

**Eudaly:** And a bunch of parking garages. [laughter]

**Fish:** For the name of equity, let's spread the wealth.

**Hollister:** Let's spread those out.

**Wheeler:** I'm glad I didn't commit to the 10-minute plan. [laughter]

**Hollister:** This site, on or before this is going to be completed, I believe that you are going to go down in record of being one of -- if not, the best mayor of Portland ever.

**Wheeler:** Please continue. [laughter] the 10-minute plan is now back -- has been reenacted. [laughter]

**Hollister:** The -- I believe this because -- and I'm not saying this so much to make you feel good about yourself. I'm doing this so Portland people can know. I've heard a lot of people say, I don't know about Wheeler, I don't know what's going on.

**Fish:** That's a private conversation and I want to strike that from the record. [laughter]

**Hollister:** He's going slow on things, he's going to slow on things. When you have a huge remodel project going on and you get in there and you find out the foundation is cracked, the plumbing sucks and the wiring needs to be redone, you can't see a lot of change on the outside without doing a lot of things on the internal side. I think he's done tremendous changes on some of the internal structures and dealt you've dealt with bureaus that needed to be dealt with and I think you're doing a fantastic job. I think there are many people here -- and, once again, always going to be quoting this young author. "There are many people in Portland that are in the category of what we call, audience number one and this audience number one includes a vast majority of people who are fed up with government and are looking for fresh approaches to society's complex problems and I recommend everyone the vast audience that has left". Go out and get a book, which I have absolutely being fascinated with and it was written by this young author in 1993 called

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governments that works, innovation in state and local government, and it was by a gentleman named Edward T. Wheeler. I think this is an amazing book that someone would be able to craft at the age of 31 and my wife thinks I have a man crush on you. I don't think that's really -- I think that's just a little inappropriate -- [laughter]

**Fritz:** It's past his time now. [laughter]

**Hollister:** I am very excited to be -- to be part of -- of this historic thing and to see you go and I know you're going to prove me accurate. Thank you.

**Wheeler:** Thank you and if anybody would like a copy of the book, they're for sale on amazon. Last I checked, for six cents. It's a bargain.

**Hollister:** This one -- on the cover, no longer property of the Denver public library. [laughter] so, I got a used copy, too. They've even gotten rid of it. [laughter] I just

**Wheeler:** I think it's remarkable that they went through the effort to make sure everybody knew that they had nothing to do with it anymore. [laughter] well, there you go. So, do we have anybody ask -- I'm afraid to ask -- anyone else to testify? The record will be open for written testimony until Friday, September 15 at 5:00 p.m this will allow for people to augment their testimony based on what they've heard at the meeting. The next council session on this item unless I'm corrected will be September 28th at 3:00 p.m.?

**Lauren King, Deputy City Attorney:** Yes, that is true. If council -- that could be second reading and council can vote at that time unless there are amendments.

**Wheeler:** Commissioner Fritz?

**Fritz:** I'm just really concerned, as Mr. Hollister said in all seriousness, this should be an iconic development and to have one person testifying about it, I'm just -- I can't believe that nobody else has any other concerns or anything they'd like to add or amend. So I'm just wondering how confident are we that everybody thinks this is fantastic or did people prioritize testifying on the central city plan which is for a 20-year period? Comments please.

**Hoy:** The one thing I would add is this an amendment to move forward early with these height and f.a.r.s but it is still in the central city plan so the opportunity to testify has also been a part of that process today. We didn't -- we did not -- so, we've always been including these height and f.a.r.s in the central city 2035 plan, this is just an opportunity or a request to move it forward, more quickly than the rest of the central city 2035 will go into effect after the comp plan.

**Wheeler:** We don't have to close it, though, at the next -- there's no particular urgency in terms of shutting conversations down on this prior to the rest of the conversation, is there?

**Hoy:** You know, I think that if there -- we could leave it open. I mean, I think if there are no more amendments, it could go to a second reading and a vote on the 28th or that's --

**Fritz:** I certainly have to wade through the 203 amendments -- emails that I have on the same subject to see if I do have anything on this particular topic and I know you will do that as well. Since we're still on television presumably, I encourage people to look at what this is and make sure we're heading in the right direction because once we do this, there won't be another opportunity to have another bite at least for a while, right?

**Sarah Harpole:** I would also note in addition to the central city 2035 plan outreach, this was an extensive point of outreach during the framework plan and we received similar sentiments as the testimony you heard before that this was a point to accomplish growth and be a public benefit for our community. So we heard very little of any opposition to high density development within this site during that outreach as well.

**Fritz:** Do we have official positions from the old town china town community association, the pearl district and the goose hollows foothills league?

**Hoy:** We do have letters from many of those -- I'm not sure of all, but have been submitted as testimony for the central city 2035 process. We would have to check if there is also -- if

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there are any comments specifically related to this project.

**Fritz:** Yes, so if you could help me and my staff by pulling out the testimony that you've received relating to the post office site so that I make sure that I look at it carefully.

**Wheeler:** So, would it be helpful -- commissioner, let me make a suggestion rather than moving it to second. Why don't we continue it to the 28th and then make a decision on the 28th?

**King:** That's fine, but the record -- are you suggesting leaving the record open until the 28th?

**Wheeler:** Why don't we leave the record open until the 28th and we can take a look at it with fresh eyes on the 28<sup>th</sup> and either decide at that point, to move it on or if people want to make amendments on the table at that point and take testimony.

**Eudaly:** I just wanted to thank Mr. Hollister for his refreshing testimony because the rest of the testimony really begged the question, well, where should we put height and where should we put density because we can't preserve the entire city. It sounds like because this was previously agreed to and all it is -- all we are doing is accelerating it that maybe we're not going to hear -- we've already heard the input and made the decision. But I just want to make a pitch I'm a visual learner, it's very hard for me to read about these things without a graphic illustration. Especially when there's much more kind of heated debate against height restrictions because I'd like to be able to see what we're talking about, not just read. Yeah. That's it. Thanks.

**Wheeler:** Good. Thank so. So, then we are continuing this to the 28th of September and leaving the record open.

**Fritz:** You said that people can testify next week, too

**King:** If the record's open and the hearing is continued they absolutely can.

**Wheeler:** With that, everybody, thank you. John, thank you for your testimony. We are adjourned.

**At 5:30 Council adjourned.**