



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **13TH DAY OF SEPTEMBER, 2017** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish, Fritz and Saltzman, 5.

Commissioner Fish arrived at 9:39 a.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Jason Loos, Deputy City Attorney; and Elia Saolele and Jim Wood, Sergeants at Arms.

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

		Disposition:
COMMUNICATIONS		
1001	Request of Boo Rigney to address Council regarding issues with bad behavior of people on the streets (Communication)	PLACED ON FILE
1002	Request of Howard A. Newman to address Council regarding issues with bad behavior of people on the streets (Communication)	PLACED ON FILE
1003	Request of Neel Banerjee to address Council regarding issues with bad behavior of people on the streets (Communication)	PLACED ON FILE
1004	Request of Injured and Pissedoff to address Council regarding reverse Polish logic (Communication)	PLACED ON FILE
1005	Request of Larry Cwik to address Council regarding health and safety matter in the Goose Hollow neighborhood (Communication)	PLACED ON FILE
TIMES CERTAIN		

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<p>1006</p>	<p>TIME CERTAIN: 9:45 AM – Adopt the Transportation System Development Charge update 2017 rate study; establish an updated rate schedule; and amend Code, effective January 1, 2018 (Ordinance introduced by Commissioner Saltzman; amend Code Chapter 17.15) 90 minutes requested</p> <p>Motion to modify the Unit of Measure from “sq ft/GFA” to “student” for the “University / College / Jr College” Land Use Category as described in Bureau 9-12-2017 memo: Moved by Saltzman and seconded by Fritz. (Y-5)</p>	<p>PASSED TO SECOND READING AS AMENDED SEPTEMBER 27, 2017 AT 9:30 AM</p>
<p>1007</p>	<p>TIME CERTAIN: 11:15 AM – Appeal of Erica Ceder, DLR Group, and Appeal of Peter Meijer, Peter Meijer Architect PC, against the Historic Landmarks Commission’s decision of approval with conditions for Historic Resource Review of exterior alterations and rehabilitation of The Portland Building in the Central City, at 1120 SW 5th Ave (Previous Agenda 947; Findings introduced by Commissioner Eudaly; LU 17-153413 HRM AD)</p> <p>Motion to grant the Cedar appeal, deny the Meijer appeal and uphold the Historic Landmarks Commission’s decision with removal of condition G: Moved by Mayor Wheeler and seconded by Fritz. (Y-4; Fish Recused)</p>	<p>GRANT THE CEDAR APPEAL AND DENY THE MEIJER APPEAL; ADOPT FINDINGS</p>
<p>CONSENT AGENDA – NO DISCUSSION Mayor Ted Wheeler Bureau of Planning & Sustainability</p>		
<p>1008</p>	<p>Consent to the transfer of Weitzel's Garbage & Recycling, Inc. residential solid waste, recycling and composting collection franchise to Portland Disposal & Recycling Inc. (Second Reading Agenda 984) (Y-5)</p>	<p>188592</p>
<p>Office of Management and Finance</p>		
<p>*1009</p>	<p>Authorize a grant agreement with CASH Oregon for \$78,786 to provide financial education, counseling and free tax preparation services to low-income families and individuals in Portland (Ordinance) (Y-5)</p>	<p>188593</p>
<p>Commissioner Dan Saltzman Bureau of Transportation</p>		
<p>*1010</p>	<p>Authorize an Intergovernmental Agreement with Oregon Department of Transportation in the amount of \$200,000 to reimburse a consultant for work performed on the Pedestrian Master Plan (Ordinance) (Y-5)</p>	<p>188594</p>
<p>1011</p>	<p>Amend Transportation System Development Charge 2007 Capital Improvement Project list (Second Reading Agenda 986; amend Ordinance No. 171301) (Y-5)</p>	<p>188595</p>

<p>REGULAR AGENDA</p> <p>Mayor Ted Wheeler</p> <p>Office of Management and Finance</p>		
<p>*1012</p>	<p>Authorize a contract with CenturyLink Communications, LLC for public safety telecommunications related equipment, services and maintenance for a five-year contractual total not to exceed \$10,000,000 (Ordinance) 20 minutes requested (Y-5)</p>	<p>188596</p>
<p>Commissioner Chloe Eudaly</p> <p>Office of Neighborhood Involvement</p>		
<p>1013</p>	<p>Amend Marijuana Regulatory License Procedure and Requirements business regulations (Second Reading Agenda 994; amend Code Chapter 14B.130) Motion to accept Eudaly amendments in 9-13-2017 handout: Moved by Eudaly and seconded by Fritz. Vote not called.</p>	<p>CONTINUED TO SEPTEMBER 20, 2017 AT 9:30 AM</p>
<p>Commissioner Amanda Fritz</p> <p>Portland Parks & Recreation</p>		
<p>*1014</p>	<p>Authorize the Washington Park Parking Lot Stormwater Line Intergovernmental Agreement with Metro (Ordinance) 10 minutes requested (Y-5)</p>	<p>188597</p>
<p>Commissioner Nick Fish</p> <p>Bureau of Environmental Services</p>		
<p>1015</p>	<p>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 (Second Reading Agenda 995; amend Contract No. 31000896) (Y-5)</p>	<p>188598</p>
<p>1016</p>	<p>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 (Second Reading Agenda 996) (Y-5)</p>	<p>188599</p>

At 12:08 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **13TH DAY OF SEPTEMBER, 2017** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish, Fritz and Saltzman, 5.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Ben Walters, Chief Deputy City Attorney; and John Paolazzi and Elia Saolele, Sergeants at Arms.

The meeting recessed at 3:07 p.m. and reconvened at 3:11 p.m.

		Disposition:
1017	TIME CERTAIN: 2:00 PM – Accept 2017 Arts Oversight Committee Report on the Arts Education & Access Fund (Report introduced by Commissioner Fish) 1 hour requested Motion to accept the report: Moved by Fish and Seconded by Fritz (Y-5)	ACCEPTED
*1018	TIME CERTAIN: 3:00 PM – Accept City Engineer's Report for Providence Park Stadium Expansion Above-Grade Encroachment (Ordinance introduced by Commissioner Saltzman) 1 hour requested Motion to amend Condition #1 as stated in 9-13-2017 Bureau memo: Moved by Saltzman and seconded by Fish. (Y-5) (Y-5)	188600

At 3:46 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **14TH DAY OF SEPTEMBER, 2017** AT 2:00 P.M.

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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Ben Walters, Chief Deputy City Attorney and Roger Hediger and Jim Wood, Sergeants at Arms.

		Disposition:
1019	TIME CERTAIN: 2:00 PM – Adopt the New Chinatown/Japantown Historic District Design Guidelines (Ordinance introduced by Mayor Wheeler) 45 minutes requested	CONTINUED TO SEPTEMBER 28, 2017 AT 4:00 PM TIME CERTAIN
1020	TIME CERTAIN: 2:45 PM – Adopt the Central City 2035 Plan Volume 2A, Part 3, Environmental and Scenic: amend the Portland Zoning Map and Portland Zoning Codes for Environmental Overlay Zones and Scenic Resource Zones (Ordinance introduced by Mayor Wheeler; amend Code Chapters 33.430 and 480) 15 minutes requested	CONTINUED TO NOVEMBER 2, 2017 AT 2:00 PM TIME CERTAIN
1021-1024 Central City 2035 Plan Items continued from September 7, 2017 hearing Individuals who signed up on September 7 were called first.		
1021	Amend the Central City Plan District to increase height and floor area ratio limits on the United States Postal Service site (Previous Agenda 1000; Ordinance introduced by Mayor Wheeler; amend Code Section 33.510 and Ordinance No. 175163) 15 minutes requested	CONTINUED TO SEPTEMBER 28, 2017 AT 3:00 PM TIME CERTAIN
1022	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 (Previous Agenda 997; Ordinance introduced by Mayor Wheeler) 2.25 hours requested for items 1022-1024	CONTINUED TO SEPTEMBER 20, 2017 AT 3:00 PM TIME CERTAIN
1023	Adopt the Central City 2035 Plan Action Charts, Performance Targets and Urban Design Diagrams (Previous Agenda 998; Resolution introduced by Mayor Wheeler)	CONTINUED TO SEPTEMBER 20, 2017 AT 3:00 PM TIME CERTAIN
1024	Adopt the Central City 2035 Plan Green Loop Concept Report (Previous Agenda 999; Resolution introduced by Mayor Wheeler)	CONTINUED TO SEPTEMBER 20, 2017 AT 3:00 PM TIME CERTAIN

At 6:00 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', written in a cursive style.

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.**

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9:30 AM

Wheeler: So, we're not actually formally in session here, but in a moment, we're gonna have Janet Storm and Jane Braaten come up and answer any questions we may have. I don't think anybody will have questions, but this is a proclamation related to a very important annual institution here at the city of Portland, which is the city's Charitable Campaign. And so, before we begin today's council session, I would like to read that proclamation and then have Janet and Jane come up and either fill in any additional blanks or answer any questions that anybody may have. "Whereas the city's Charitable Campaign was established in 1989 by then commissioner Mike Lindbergh as an opportunity for employees to give money to charities through a payroll deduction, and whereas the city's Charitable Campaign represents an easy and important avenue for city employees to support the charities in their community that matter the most to them, and whereas 15 charities will participate in this year's campaign, most of which are umbrella organizations representing multiple charities with more than 600 charitable organizations represented in the campaign, and whereas these groups help to make positive changes in areas including but not limited to the environment, education, healthcare, social justice, housing, arts and culture, child abuse, equity, human rights, and whereas last year, city employees donated more than \$281,000 dollars through this campaign, and whereas city employee donations have totaled more than 2.7 million dollars over the last ten years, and whereas the commitment to charitable giving is demonstrated by city employees year after year, now therefore I, Ted Wheeler, mayor of the city of Portland, the city of roses, do hereby proclaim September 13th through October 6th to be citywide Charitable Campaign in Portland, Oregon, and encourage city employees to participate in the city's Charitable Campaign." So, Janet and Jane, I don't know if you wanted to come up and say a few more words about this campaign. And I have this fabulous proclamation as well, for you. Good morning.

Jane Braaten, Office of Management and Finance: Good morning.

Janet Storm, Office of Management and Finance: Good morning.

Braaten: Thank you, mayor and commissioners. We are happy to be back to actually thank you for the support for this year's Charitable Campaign. We were also able to present information to the city's bureau's directors about the campaign, and remind them that our campaign has a couple of distinguishing features. First of all, its choice. It is not an organization that really limits employees in the choice, so the 600 charitable organizations – all of the people who applied to be part of our campaign were recommended for approval by a committee that we worked with. And it is also voluntary, so we encourage people to participate, but even if they have other charities that they want to give to, then this is just a reminder, this time of year, that city employees are giving, and that this is something that they like to participate in. I know at yesterday's work session, commissioner Eudaly was reminding all of us of some of the extra work that people have done for those communities that are affected by the Eagle Creek fire. We also wanted to point out that we have Megan Humphries here from Earth Share, and one of her charities that participates in that

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umbrella is Friends of the Columbia Gorge, and we also have Oregon Food Bank that is actively working to support that area, and they are also one of our charities. So, again, even though the Charitable Campaign has been around for a while, it's contemporary in how people choose to be giving to the crisis that we see in our communities today. So, we very much thank you for your support.

Wheeler: Thank you very much. I want to say how appreciative I am, not only of your efforts, but also of the city employees, citywide, who are willing to make this kind of a commitment. I think that it speaks highly about the kind of people who work for the city of Portland. So, thank you for that. I have this fabulous document for you. Nick will be right down?

Moore-Love: He's due in about ten minutes.

Wheeler: Very good. Alright, good morning everybody. This is the Wednesday, September 13th AM session of the Portland city council, Karla, please call the roll.

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

Wheeler: And it is my understanding commissioner Fish will be joining us shortly. I am going to condense our 10 paragraphs down to a couple of sentences. Please everybody respect other people's testimony. Please do not interrupt other people's testimony. Please do not interrupt the deliberations of the council. If you do so you will be asked to leave. If you do not leave when you are asked to do so, you are subject to arrest. Nobody wants that to happen so let's all just be respectful of what people have to say, whether we agree with them or not. If you agree, a thumbs up is good, if you disagree, a thumbs down is sufficient. Assume that there will be people here who you do not agree with. We are a big city. We have diverse points of view. That's part of the fun of coming to a city council is to hear the viewpoints different than our own. If you are a lobbyist and you are testifying, you must let us know that you are a lobbyist per council rules. If you are here representing an organization, that's also helpful as well. There are two opportunities for people to address the council. The first is called Communications. People sign up in advance with the council clerk's office, and they can come in, and for three minutes talk about whatever they want from a weighty issue to the weather. It's three minutes, you own it, you can use it however you would like to use it. There are also the first readings of reports and resolutions and ordinances, those are also opportunities for people to testify, and if one of those captures your fancy and you would like to testify please sign up with the council clerk. For the purpose of testifying, ordinarily, we try to give people three minutes, but if we are compressed for time, sometimes we have to cut that down to two minutes. So, I encourage people to think about two minutes of testimony, and then if you are lucky and get three, well, you can go a little slower. So, with that we'll start with the communications, Karla, please call the first individual up.

Item 1001.

Paul Fishman: Mr. Mayor, Boo couldn't be here today, she asked if I would take her place.

Wheeler: I will allow it. Come on up. Could you state your - and everybody needs to state your name for the record. We don't need your address or anything like that. Good morning, sir.

Fishman: Good morning. I am Paul Fishman, I live in southeast Portland, Sunnyside neighborhood. I am also involved with Hawthorne Neighbors, which is a coalition of merchants and residents in the area. I've talked to you before, several years ago about some of these issues. I have two other folks here from the organization today. Nice to see all of you. We appreciate the work that you do. I want you to know that. What we're talking about today is not about homelessness, houselessness, etc., it's about behavior. We don't care who it is or what their situation is. It's about behavior. And this is not simply a set of

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police issues. These are issues that are across all bureaus in our view, citywide. And need to be dealt with that way. We have, we've been working with the police bureau and we very much appreciate and support their efforts to date with their limited staff and budget. I want to take just a brief amount of time here, and I want to talk about the, what I call the three ill-at-ease of Portland. We pride ourselves in Portland, many of us have sore shoulders from patting ourselves on the back about the wonderful things that we do here. In my neighborhood, it's a very highly rated walkability score. So, walkability: The reality is that metric does not take into account how people feel about walking in their neighborhood and whether or not they choose to walk in their neighborhood. And what we're seeing in our neighborhoods around Hawthorne and I know in other parts of the city, is that many people are uncomfortable or even afraid to walk in their own neighborhood. I have talked to people, elderly people who, instead of walking to the New Seasons on Hawthorne, they get in their car, and they drive to the one on Division because they don't feel safe walking down Hawthorne. So, a walkability score is meaningless if people don't want to walk. Livability. We pride ourselves on livability. We have livable neighborhoods. You are going to hear from a couple of people today about their view as families with - as parents with children, what it's like living in the neighborhood, and the kinds of fears, and things that they see, the crime, needles on the street, people who bother their children, etc. Sustainability, again, this kind of stuff leads to a non-sustainable situation. You have people who move into a neighborhood because of the livability and walkability, but then realize that they don't want to stay there because it's not a sustainable situation. So, we need to think about these things and how to deal with them. We've been working with the mayor's office staff and Nick, commissioner Fish, one of your people, and basically, we have lost the battle for our neighborhood this summer. We are going to continue to organize, we are going to work through the winter, hopefully, with all of you, and try to have a better summer next year in the neighborhood. Please bring us into the conversation. Don't leave us out of the conversation. That's what we are asking.

Wheeler: Very good. Commissioner Fritz?

Fritz: Thank you. Hi, Mr. Fishman, I remember a couple, two or three years ago, you and your neighbors were here with the very same issue, and the solution was to have a walking beat in Hawthorne.

Fishman: Yes.

Fritz: Is that still going on or not?

Fishman: The walking, thank you for asking that question, commissioner. The walking -- patrol worked very, very well. It was a unit of, originally, ten officers who were recruited from the bureau based on a set of criteria, and they were put out on the street walking a beat every day. They got to know everybody. They got to know the kids on the corner, they got to know the merchants, they got to know the people who live in the neighborhood, everybody knew everybody on a first name basis, and the problems really, really resolved over the course of two years, and then that program was cut, 'cause it was not sustainable from the police bureau's point of view. We would love to have that walking patrol back because it worked, and now things are worse on Hawthorne, and in that neighborhood, than they were before the walking patrol. So yeah, thanks.

Wheeler: If I could just add two bits, and I appreciate you are working with Berk Nelson, on my staff.

Fishman: Yes.

Wheeler: As recently as yesterday he was in contact with the police bureau about increasing the patrol presence from 10 to 4 in that particular location near the parking lot. And I am not mentioning the name of the business because it's not their fault. They just happen to have a parking lot in that location that's an obvious gathering point. We did just

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increase funding for six new police patrols, Hawthorne is on that list. I want you to also be aware that the city council significantly increased funding for things like litter collection, needle collection, graffiti abatement, in addition to the new patrols, and it is a clearly and publicly stated goal of mine to move back to the full community policing model, which, over a period of many years, the city has retrenched from, so I agree with you that both reduces the opportunistic crime. It helps to keep the peace, and it also helps to reconnect our police bureau with the community that they serve, so we are eager to work with you. And I want you to know that we are keenly aware of the problems on Hawthorne, and we take them very seriously.

Fishman: Mr. Mayor thank you for that. We are also working closely with Seraphie Allen in your office.

Wheeler: Yeah, and I should have mentioned Seraphie. Shame on me for not doing that. That's correct.

Fishman: And really, one of the main things, as I said, is communication. Two-way communication. I was trying to work on that, on the police, community engagement and outreach when I was working on the, you know, with the COAB whole thing. That's the key. We try to reach out as often as we can. It's difficult for the police bureau and others to take the time to reach back. We need to somehow figure out how to do that better.

Wheeler: Yes, sir. Thank you for your testimony. Next item please, Karla.

Item 1002.

Wheeler: Good morning.

Howard A. Newman: Good morning. My name is Howard Newman. Mr. Wheeler and commissioners, I come before you on behalf of Hawthorne Neighbors, at least two entities on Hawthorne Boulevard. My family and really, countless businesses and other persons including certain homeless who have seen their neighborhood afflicted by an unchecked threat to our health, safety, and livelihood. I refer specifically to rampant legal and unsafe behavior in southeast Portland by certain bad actors. First, I want to be clear: I reframe the issues that we are confronting through the same lens my six-year-old does: Behavior. Socioeconomic status is not part of the calculus in addressing criminal conduct. For example, it matters not if I were to bark directly at two children that they should, quote, "Go kill themselves" simply for using a sidewalk. Something my children experienced. Indeed, it would be my conduct that matters, not my background or even whether I have a possessory interest in a house, the same is true for everyone. I am not anti-homeless. I am anti-criminal. The focus is not on the person but the behavior, and there are plenty of behaviors that you should consider. Sunnyside Elementary janitor's deputies include daily needle collection, ignoring open container violations, and individuals who smoke crack and have, couples have sex all in plain view. Local area daycares modify parks of field trips to ensure safety, and residents seek medical attention after getting a bite from a transient's dog. The effects are tangible. Employees have less businesses for fear of their safety. Hawthorne patrons have stated aloud whether they are going to return, and the reason that we moved from Irvington was so that my wife could walk to work, something that now is relegated to certain daylight hours. Even Mr. Fish can appreciate the following. When my wife feels safer on a street and capitol hill in D.C. more than 35th on Sunnyside, that speaks volumes. This council must do more than declare its courage and resolve in addressing these issues. I can represent a nascent electoral coalition is budding, nourished along the spectrum of nuisances to outrages and the perceived lack of concrete and permanent steps undertaken by our leaders. An expansion in homeless and transient programs combined with a more robust police presence must occur to promote health and safety. I highlight: Community policing cannot occur without more police. Citizen walking patrols are not sustainable. Business associations paying private parties for an advocated

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core government function is not tolerable. Although I can see I may be ignorant, I offer some potential solutions in writing that I ask be placed into the record. I have copies for the commission.

Wheeler: Very good, thank you.

Moore-Love: I'll take those.

Wheeler: Next item please, Karla.

Item 1003.

Neel Banerjee: Hello, good morning.

Wheeler: Good morning!

Banerjee: Hi, my name is Neel Banerjee, and I live in the Hawthorne neighborhood with my wife and two boys. Four years old and 10 months old. I am also representing the Hawthorne Neighbors, and this is a follow-up to a report a month ago. We live around the block from 36th and Hawthorne. We moved to the neighborhood about four years ago, and I have seen a rapid decline in safety for our family and livability. Today, I am going to spend my three minutes to give you a pulse of our neighborhood and how citizens are mobilizing to try to solve these issues. But we need your help. The topics I would like to cover today are related to family safety, livability, and the confusion around how to deal with these issues in the city. A few days ago, I had to take a mandatory training at work. It was related to hostile work environments. It got me thinking about how we should be applying the same principles to our kids and neighborhood activities and environments. With the proximity to Sunnyside School, preschools surrounding the area and the Belmont Library, we have one of the densest packed kid-friendly areas. My family was victimized by a person that attacked our home and tried to attack contractors working on the home. These are not one-off incidents. Violent behavior and sexual harassment are reported on Next Door, a popular social media platform on a weekly basis, a noble attempt at citizen walking patrol was started. But they are not enough. A week after they started, a pool of blood the size of a doorway mat was found dried up on the hood of a car in front of Sunnyside School after a resident was attacked by felons that were at Sunnyside Park after the park was closed. With the growing encampment across from Ben and Jerry's, families fear walking nearby. People blocking the sidewalk by Fred Meyers, forced people to walk or wheelchair into the street in an already dangerous and deadly road. What types of PTSD will kids have who are sexually harassed on the street or see violent behavior in their living areas? Families including my own don't feel safe. The safety issue also dovetails into a livability issue. In the same area, we have seen an increase in the open-air drug markets and sales, stabbings are now taking place when drug deals go south. Southeast Uplift had to fence their area down duty alcohol abuse, drug use, and disturbing violent behavior. Needles can be found discarded in playgrounds and areas where children play. Feces and urine are left on sidewalks and areas that children play. We can do better than just letting this happen in our city. Citizens are gathering and trying to clean up the street in fear of losing businesses from Hawthorne, but it's not enough. I will close by describing the confusion between law enforcement, the D.A.'s office, and the mayor's office. Our police are trying to do their best job, but I keep hearing from them that they are not able to enforce the viola -- the sort of city violations that are caused on the street are misdemeanors, smaller crimes, and then, the D.A. is not prosecuting those. What happens there is that we have a decrease in the number of recordings of these things. There is no way to track if we are making an impact or not. The last time we were here, we were told that a walking patrol would be initiated and had you addressed that just recently. But it seems like only reactive police activity is occurring. I know a solution is hard and takes time, and you mentioned that before. But I request that the city publishes the plans and

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timelines for execution for their solution for improving the safety and livability in the neighborhood. Thank you for your time.

Wheeler: Thank you. Let me make a couple of comments, because I am seeing a consistent theme here, and you have taken the time to come here and present this information. It is important, and I do think it's important that people know the city is not just sitting on its hands, so I would like to share with you some of the things that we have done while I acknowledge it is not enough. Because I have seen this my own eyes the problems that you mentioned do still exist. But first of all, let me kick off a couple of things. The presentation that the three of you provided made clear you understand there is a humanitarian crisis, and that we do need a compassionate response for people who are vulnerable, who need support. People who live with mental health issues, there are many people, as you well know who have been impacted by the economy and other circumstances. This council has stepped up like none other. Over the last five years, the general fund support for shelter, for housing, for addiction services, for mental health services through A Home for Everyone, has gone up 165%; over the last year, 74% alone for our general fund contributions. So, we are now in the Home for Everyone to the tune of about 27.5 million dollars. Commissioner Saltzman, as transportation commissioner, has spearheaded an effort that really came from our conversations with the Lents community, but it impacts the broader community as well, to get rid of, and properly dispose of derelict RVs, which has become a problem not so much in Hawthorne neighborhood, but in many surrounding areas. As I mentioned, we have significantly increased the foot patrols, and it's one of my core values that we will return to a full community policing model, and I think that will actually go a long way towards addressing some of these issues. As you acknowledged, under commissioner Fritz's leadership in the last budget, we significantly increased the number of park rangers, so that addresses some of the issues in the parks, and we just heard from some folks in Laurelhurst park, not too far away, that that has had a significant positive impact on these livability issues, whether it's the trash, the needles, graffiti abatement. We added 2.5 million dollars to our most recent budget, specifically for the purpose of addressing that. We have convened the government partners that, heretofore, had never communicated: ODOT, PBOT, Tri-Met, the police bureau, the sheriff's office, and Union Pacific Railroads, lots of different city bureaus, all the bureaus that own real estate, and we have started combining our efforts and trying to work on this together as an effort, because we find if we don't collaborate, it really is almost impossible to make any progress. And last but not least, and here's my ask for you: I have made it very clear to the Portland police bureau that they will enforce existing codes, and that includes structures and parks and right of ways, and things like that. I sent that directive to the police bureau, I believe over six months ago. And I understand that historically, those codes have been inconsistently applied if at all. I have directed the police bureau to enforce those codes, so if ever a police officer tells you that the mayor's office is not allowing you to enforce codes, please get that officer's badge number, So that I can reiterate my very clear opinions with regard to the enforcement of city codes. I expect the police bureau to enforce the city codes. And I have said so through written directives previously, and that's been really reported in the press. But I do hear what you are saying, and I want you to know that I do feel and understand the frustration of the Hawthorne community, and I share it, and we will continue to work together to address those issues.

Fish: May I add one comment?

Wheeler: Commissioner Fish. And I am really appreciative that you and your colleagues took the time to come in today. I'm very appreciative.

Banerjee: Thank you.

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Fish: If I could add a comment, and I apologize for being a little late this morning. I had a doctor's appointment. So, I walk to work now, and I actually don't use a car very often. So, I see more things that you see as a pedestrian that, you know, when you are driving a car, sort of wiz by. So, I appreciate many of the concerns that have been raised by all three people who have come here to testify. We have a chance, under this mayor in the next couple of budgets cycles, particularly if the economy continues to expand, knock on wood, the economy is doing well, and that will be made clear through the fall bump, but hopefully through the regular budget. We have a chance to make good on a commitment the mayor made to really bolster community policing. The essence of community policing, going back a long time, is that personal relationship with an officer and then the community members not only knowing the officer's name, but being part of the team. And, you know, having an officer walk a beat is a powerful thing. And we've been – you know, last year, we had a huge crisis of staffing, and we made some changes in terms of the money for recruitment and retention. But anyway, I think that we all are committed to a vision of community policing that has more officers out of their cars on the street, interacting with people, and it just has many, many benefits, and frankly most people want to know the name of their officer, the beat officer. It's a hugely important relationship. Upstream stuff and downstream stuff. So, the second thing I just want to mention is, and the most recent point in time, none of us here are tolerant of behavior that crosses the line into illegal behavior. Wherever it happens, and the mayor has been very clear about enforcing the law. But I will say, one thing that we have learned in Portland, and it's the same up and down the coast, is there has been a huge growth in what we call chronic homelessness, and the data that you know, because it was published is people that are battling addiction or mental health crises or both, the dual diagnosis. And we can talk about how we got here, and the truth is: A lot of systems had to fail for that to happen. There is a lot of people that have to account for that at the federal, state, local level. But they are on the streets, and putting aside people whose behavior crosses a line, you know. Almost 70% self-report having one of those barriers, and what we have learned is that the most successful way to get those people into a better place is to give them an apartment with intensive services. And it's very interesting, it also saves the taxpayers a lot of money. Because when someone becomes stable, and when they reclaim their dignity, and they are on the path to whatever, sobriety or tackling their addiction, you name it, when they get the support they need, amazing things happen. And as a suite of actions this council is gonna take in October, we are going to set a very bold goal for investing in permanent supportive housing. It's the missing piece, and it will provide for the most compelling people that we see on the street that really should never be on the street. A place to go, and I believe that that's an important next chapter in how we're going to tackle this, and we'll need your support to make that happen. So, thank you.

Wheeler: And commissioner Fish, I just -- Jennifer brought down the release from August 4th that announces the community policing pilots in the Hawthorne business district is, in fact, one of those six areas along with Springwater Corridor, Laurelhurst, Old Town, Chinatown, North Park Blocks and Ankeny Alley, so the Hawthorne business district will have its foot patrol. Thank you all.

Banerjee: Can I make one quick question?

Wheeler: If it's very, very quick.

Banerjee: Very brief. In terms of criteria for success, what I would love to see is a timeline for when you expect things to go, to happen, and obviously I work in a business where I am asked, my customers ask me for road maps all the time, we usually don't hit our date all the time, but it helps to understand when changes are going to occur. And then, the

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second thing is, to have consistent metrics published on the changes that are happening, so we can know are these programs really helping our city or not?

Wheeler: Fair enough. Fair enough. Thank you, sir. I appreciate it. Next item.

Item 1004.

Injured and Pissed Off: Good morning. My name is Injured and Pissed Off. The last time that I was here was July 19th of this year. Mr. Mayor, you weren't here at the time, but I brought to the attention there is two publications of the city council meetings. And I found out from the Multnomah County board clerk that the county doesn't advertise in newspapers because it cost them 480 some odd dollars, she said, and of course the city is paying twice that for these two publications, and those are only the ones that I am knowing about. That's every week, that they are paying \$1,000, roughly, for two publications that could be done online. I don't know the excuse for that. And I found out the reason why my first two meetings weren't published with my correct name, Injured and Pissed Off, the full name, 4/26/17 and 6/7 of '17 and even the announcer even wouldn't pronounce my name because I went to the county clerk after talking to the city attorney here in the board meeting room, and he told me that the city attorney was deleting my name. Well, I went to the city clerk and she said "Oh, no, it's the seven attorneys upstairs." Well, I went upstairs to see them, and none of them would talk to me, and the receptionist, said she felt uncomfortable saying my name with women and children being present." I said well just how uncomfortable do you suppose that I have felt, and my service animal, being attacked seven times? And the last dog attack, I broke my left hip and two fractures to my spinal cord, and that's the reason why I can't walk very well." And she wouldn't say anything, and of course now they are pronouncing and printing my name. But I am still wondering why the city is paying \$1,000 a week to have the publications. Maybe you'd like to address that, I mean, you answered some of these other people with their comments and concerns.

Wheeler: Yes sir, I would be delighted to. Not everybody has access to the internet, and we feel it's important to get the word out through multiple channels.

Pissed Off: Thank you.

Wheeler: Thank you, sir. Thanks for coming in. Next item please.

Item 1005.

Wheeler: Good morning.

Larry Cwik: Good morning mayor Wheeler, commissioners. My name is Larry Cwik. I live in the King's Hill historic district of Goose Hollow. There is a serious long-term construction project going on, on the 2100 block of Southwest Yamhill. There is a copy of some of the impacts of it attached to my printed testimony here. I also dropped off a copy of that for each of you last week as well. I live in a four-story 1908 historic building. And there have been serious long-term noise and health problems and property damages to at least two units in our building during the past seven months related to ongoing construction. The recent weeks, it has been centered 20 feet below our residence. Here's some lessons learned, and some suggestions respectfully offered for the city council and the mayor to consider. Construction companies allowed to operate in Portland but not headquartered in Portland should be required to meet stricter permit standards. They have less interest in a community that they do not live in. Construction permits should have a requirement that any staff of any contractor or subcontractor who lies about the hours that they are permitted to operate should receive a \$500 fine per occurrence. The city should hire more Portland police bureau officers dedicated to noise issues. There is only, and that's not enough for a growing city the size of Portland. Rank and file police officers should receive annual training and briefings on noise issues. Rightly they focus on serious crime. However, they know almost nothing or very little about noise issues currently. The city staff should respond properly to the constituents. I left messages on August 30th and 31st for the

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mayor's office, still waiting for a response. When people do not receive a prompt response or some kind of a response, it's very slow, they lose faith in local government. The mayor should implement a Meet the Mayor forum, where for one hour weekly, the mayor meets with Portland residents. The city should provide free online access to permits for major new construction in Portland. Instead of charging \$20 and making them come to the Portland downtown building for the city. The city should ensure people with, within two blocks of a major new construction project to be notified in writing of the project. We had no notice in writing whatsoever. We do get notice of design changes for signs a block and a half away. And lastly, the city should weigh major new construction projects closely prior to approving them, especially if they are in extremely densely packed urban neighborhoods such as King's Hill, especially in today's increasingly work-at-home environment. Growth will, and needs to, occur. And we need new housing, but at what cost to Portland residents and the integrity of the existing historical buildings? So, these are for your consideration as the five policy-makers for the city. Thank you very much.

Wheeler: Thank you. We appreciate your testimony. All right have any items been pulled from the consent agenda, please call the roll.

Saltzman: Aye. **Eudaly:** Aye. **Fritz:** Aye.

Fish: Mayor and colleagues, I want to call out one item, which is the grant agreement with Cash Oregon. Some people may be wondering why we are providing financial education, counseling, and tax preparation for low income residents of our community. The answer is we are woefully underutilizing, as a percentage of eligible members of our community, the so-called earned income tax credit. And through this investment we are actually allowing people to qualify for an entitlement, a federal benefit, which then helps them in a pretty significant way. So, this is one of a number of programs where the city invests in helping to make sure that the struggling families get entitlement, get benefits to which they are entitled, and when they do we all win, so I am proud that the council invests in good organizations like Cash Oregon, aye.

Wheeler: Aye. The consent agenda is adopted. Item 1006 please.

Item 1006.

Wheeler: Commissioner Saltzman.

Saltzman: Thank you mayor. With Portland growing by leaps and bounds improvements in our transportation system become key in providing travel options to accommodate that growth while continuing the challenging work of meeting our Vision Zero goals. System Development charges, or SDCs, are an important resource in this effort, as that growth helps to pay for the improvements needed in our transportation system. Consistent with Oregon state law, Portland has strong SDC programs in all of our infrastructure bureaus, that includes parks, water, environmental services, and transportation. It is important that we take the time to review the effectiveness and the rationality of the transportation SDC program, and over the past two years, transportation staff have been doing exactly that, and are now before us with an updated methodology and project list for our consideration. Staff and our consultant will share a presentation with us, and it is a little bit dense, but I feel it is appropriate as it is such an important program, and interested members of the public should understand all the thinking and analysis that went into the proposal. Following that, we will open it up for testimony, and of course, answer any questions that council has. One quick amendment I would like to place on the table now, and I think that you all have copies of that, related to universities and colleges, and specifically is in response to how the changes in the program are impacting Portland State University. The amendment will replace the square footage calculation currently in the proposal to a, to a student count basis. A student count calculation. The amendment reads: Replace table 4-3

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as shown in page 37 in exhibit A as well as the proposed TSDC rate schedule included as exhibit D with the attached.

Fritz: Second.

Saltzman: Ok. Moved and seconded. Thank you. Staff have prepared the language, and as I said, you have it all in front of you. And finally, I am out next week in observance of Rosh Hashanah, so I would ask this item come back for its second reading and vote on September 27. With that, I will turn it over to staff and our consultant or director, Leah Treat.

Leah Treat, Director, Portland Bureau of Transportation: Great. Thank you commissioner Saltzman, and mayor Wheeler and the rest of the city council. We do have a comprehensive presentation for you today, and I am joined by Kendra Breiland and Deb Galardi, Kendra is from Fehr & Peers, and she is the lead planner on the update, and Deb from the Galardi Rothstein Group, and she is our technical specialist. So, what I'm going to do is provide an overview of the program, including how SDC charges are instrumental in helping us achieve our strategic planning goals, Kendra and Deb are going to discuss the TSDC project list, the primary changes to the methodology, the proposed rates, and how we compare to other cities. I am then going to close the presentation and open it up for questions from you all. And finally, we do have Pia Welch, Mary Helen Kinkade, Laura Becker and Elliott Akwai-Scott to testify on the topic as well. So, I will start with a quick overview of what SDCs are. SDCs are one-time fees that are paid by new development. The fees cover a portion of capital costs for building public facilities such as streets that will serve the needs of future residents and other users. In assessing TSDCs, governments have a number of goals. Continue the public policy that new development should pay a portion of the cost of the facilities that it requires, assure that public facilities are constructed within a reasonable time frame so the system provides mobility for everyone, and provide developers and builders predictability regarding the type, timing and amount of required fees. And unlike the SDCs for the water bureau and BES, PBOT's SDCs are done on a prospective basis. In other words, we collect in advance of building those projects that enhance capacity, and it's also important context to note that funding coming from house bill 2017, Build Portland, and fixing our streets will largely be used to maintain existing assets. SDCs are not eligible for those uses. They can only be used to expand capacity as required by law.

Wheeler: Could I ask you a question? So, the SDCs in this case, you are collecting those resources, they are not necessarily for projects immediately adjacent to those developments. It's going into a fund or citywide development strategies, is that correct?

Treat: That's correct.

Wheeler: Ok. I wanted to make that clear. Thank you.

Treat: Yeah, thank you. So, when I came to PBOT four years ago, I led the bureau through a development of a strategic plan, Portland Progress. It's now in its second iteration, and Portland progress guides are efforts to fulfill the mission of insuring that Portlanders can get where they need to go safely, easily and sustainably. TSDCs are a very important piece of achieving goals outlined in Portland Progress. As we'll describe later in the presentation, the project list includes a number of projects that align with the strategic initiatives at the heart of our strategic work plan. In 1997 the council created the first multi-modal TSDC, allocating totally project costs among four modes. Motorized vehicles, transit, bicycles, and pedestrians. In 2007, the council updated the TSDC and gave priority to the pedestrian and bicycle modes because of their important contributions to overall mobility in the community. At that time, the rate was set to recover at 40% of the transportation demand created by growth. The current program is based on a ten-year list of TSDC eligible transportation improvements. The TSDC revenue has helped fund the

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construction of improvements to support residents, freight, businesses, commuters and students all over the city. The 2007 program did its job in guiding how the TSDC program should be managed through 2017. As we look towards 2018, it's important that we update the program to ensure it meets Portland's goals over the next decade. Today, we are presenting our proposed update for the 2018-2028 program. The program update has grown out of the transportation system plan, the TSP. The TSP process developed the overall project list that was based on Portland's core values regarding mobility, equity, safety, sustainability, and shared prosperity. The same values also deeply informed the TSDC project list. Our city's strong commitment to public engagement sets Portland apart. In line with this tradition, the TSDC project list that we are presenting is the result of robust public involvement. First, this list is informed by the overall community involvement that we conducted as part of the update of the TSP. We conducted numerous meetings and listening sessions with neighborhoods, businesses, and community organizations, as well as our city modal committees. We visited many of these groups several times to ensure they knew they had a real voice in our update. And to boost more participation from communities that do not traditionally participate in civic processes, we hosted an online open house over a two-month period, inviting people to review the project list, provide feedback, and learn more about how SDCs will affect the communities. We used Facebook ads to encourage Portlanders to participate in the open house. As a result, more than 33,000 people used the ad to click through the information about the TSDC update. The online open house received more than 240 comments, more than any other update we've done. Finally, we also engaged our bureau and budget advisory committee as an important sounding board for the TSDC update process. Throughout 2016 and 2017, we presented to the BBAC with project updates and solicited their input on our proposed changes. With feedback from all of these different sources, we feel the project list reflects many of the diverse needs and opinions of Portlanders. Now if our technology is working, we want to show you a short video that exemplifies the tools that we used to develop the project list.

Video: - happening all over Portland. Have you ever wondered how all those new buildings impact our transportation system? All new developments pay Transportation System Development Charges or TSDCs. These are one-time fees paid by developers when they build something new. The fee covers part of the cost of building our transportation system, things like roads, sidewalks, bike lanes and public transit infrastructure. TSDCs are only one piece of the bigger puzzle that helps to fund the resources that all Portlanders use. In addition to TSDCs, developers pay fees to help build parks, sewer, and water infrastructure. The fees are based on how many trips the new development will create. For example, a single-family home will have much less impact than a large grocery store. So, the fee is substantially less for a home. The greater the impact the new development will have on the transportation system, the higher its rate. So, new developments pay fees to improve our transportation, but where do those fees go? They pay for specific projects that are on the TSDC project list. The list is updated every few years with input from the public. Each project on the list is expected to be built using a combination of TSDC funds, plus other funding from grants or other sources. Recent projects that were built using the TSDC fees include new sidewalks on 136th Avenue, parts of the MAX system, improvements to Northeast Kelly Boulevard that enhances pedestrian and bike safety. TSDCs are just one tool that helps to pay to build Portland's transportation system along with federal and state grants, gas tax revenues, local taxes you pay, and other sources. The city is currently updating the way it assesses TSDCs and the rate at which developers are charged. It is also updating the list of projects that TSDC revenues can fund. We want a list of projects that Portlanders actually want that benefit all

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parts of the city, and meet the needs of our diverse communities, and we want a list of projects that have grants or other financial support, so it's more likely that these projects actually get built. The Portland city council will make final decisions on the updates, and is expected to finalize and implement the amendments by mid-2017. It is our hope that the updated TSDC program will make it easier to build Portland's transportation system to benefit all residents.

Fritz: [Laughter] ...cartoon showing where the council is, my hair's not curly, commissioner Saltzman looks very female. [Laughter]

Fish: Commissioner Fritz, can I say that I actually was heartened by that graphic. It was a significant upgrade in terms of me. [All laughing] The last time I saw my caricature in any official capacity, it was actually a picture of the deputy director of PBOT superimposed on my picture. [All laughing] I have one question for our honored panel. You know, from time to time, government gets a bad rap, and we are accused of talking to ourselves or using language which is not accessible. And we all know what TSDC means, and we get it. I just wonder, is there another way to talk about Systems Development Charges that might actually resonate more with the public? Do other cities call it something else that's more user friendly? And ought we maybe just, mayor, to think about that?

Christine Leon, Bureau of Transportation: Impact Fees.

Fritz: Impact Fees.

Fish: Impact Fees! Developer Impact Fees?

Fritz: Mm-hmm.

Fish: Well, I'm all for – uh – Motion! [All laughing]

Eudaly: I second that.

Fish: I would encourage us, you know, Mike Houck and I have a, an ongoing lively discussion about the best way to talk about green infrastructure, you know, and are there other ways of saying "green infrastructure" that don't quite sound as wonky? And I am all for moving towards something like Developer Impact Fees. I think that they are more accessible than TSDCs. And it's taking nothing away from an outstanding presentation from you today.

Treat: Yep. Thank you for that feedback, and I agree.

Wheeler: I also just want to acknowledge and appreciate the bureau for understanding that if things are put into cartoon form, I am much more likely to understand your point. So, thank you. [All laughing]

Fritz: You notice how much it caught our attention. [Laughter] Could I just ask a question? I know that – what I've got in my package is the June 9th version of Exhibit A, and I understand you've been working with parks to make some amendments since then. Have those -- how are those incorporated into what we are voting on today?

Treat: I believe that the amendments have been fully incorporated. For the trails, and.

Fritz: Okay. And for the definition of a park and those kinds of things?

Treat: Yes. Correct. Thank you. All right.

Fritz: You have to come up to the microphone otherwise we cannot get it captioned.

Christine Leon, Portland Bureau of Transportation: It would be in the rules that are going to be formalized but not part of the council package.

Fritz: Oh, right. Then I'm glad I highlighted that, because this does give you permission to, then, change the rules in the administrative rules from now on, and presumably the council, at that point, would get a notification that the commissioner in charge is changing the rules?

Leon: We'll take direction from the commissioner on how we take the rules to council, or adopt them through our typical standard input.

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Fritz: Yeah, I'm fine if you do it that way, I just, I would like to know that they have changed.

Leon: Sure!

Wheeler: You are famous now could you state your name for the record?

Leon: So, I'm Christine Leon, I'm with the Portland Bureau of Transportation, I'm the group manager for the development permitting and transit group.

Wheeler: Thank you, I just wanted to make sure the fan mail goes to the right place. [All laughing]

Leon: Just the cartoons.

Treat: Okay. So, to continue with the presentation, the TSDC, or impact fee update, will allow us to spend money more quickly on projects that matter to the public and keep our transportation system evolving with the changing needs of our cities. Thus, we are asking you to adopt the rate study, which includes a project list and updated methodology and rate schedule, and the associated code amendments. The remainder of the presentation will go over the important details about the update, including the program's project list, the underlying data, and how the rates are assessed. Many of the updates responds to an insightful program analysis that was conducted by PSU in 2015. Finally, we have representatives from our bicycle advisory committee, freight advisory committee, and the bureau and budget advisory committee for testimony. We will also be joined by a representative of the development review advisory committee. And with that, I am going to turn it over to Kendra Breiland, and she's gonna discuss the project list.

Kendra Breiland: Okay. Thank you, Leah. So, Oregon System Development Act requires that SDCs be based on a methodology that demonstrate consideration of an adopted capital improvement plan, or CIP. This TSDC project list kind of serves as a CIP required under Oregon state law. The project list is the foundation for the TSDC program since TSDC funds can only be used to pay for projects that are on that project list. We are required to update the SDC program every ten years to ensure that the program is current in terms of scope, schedule, and cost of identified projects, but also to ensure that the program is adequately reflecting the impacts of new development. While other SDC programs, such as parks, do update the project list more frequently, we think that ten years really strikes the right balance between the time that it takes projects, transportation projects, to get through the design and construction phases. So, right off the bat, the main observation of the program is that it includes a substantial increase in the number of overall projects. The 2007 program included 43 projects, while the 2017 program includes 169 projects throughout the city. Some of the high-profile projects that are on the list include the central east side, access and circulation improvements, and the St. John's truck strategy phase 2, the Northeast Cully Boulevard improvements phase 2, the Brentwood and Darlington safe routes to school, the outer Division Corridor safety improvements, and the southwest Vermont Street ped and bike improvements. In the following slide, I will give some overview of how the project list was created, including some of the considerations that went into it. The projects on the TSDC project list come from a combination of the TSP and other citywide plans. The TSP was built around the center strategy which focuses investments within the city's identified centers. This strategy recognizes that growth makes the most sense in parts of the city that offer high levels of transit service, walkability, and options for biking and getting around, as Leah mentioned in her remarks, for a mature urban environment, and so, we need to give people choices in how they move efficiently throughout the city. The central tenet of the TSP was providing more equitable transportation system that helps to serve traditionally underserved communities. The TSDC project list embraces this core value of the TSP. The TSP also has a strong focus on topics like Vision Zero and structuring its investments to move

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towards the future that has fewer serious injuries and fewer deaths on the overall transportation system. The TSDC project list has a strong emphasis on projects that improve safety and efficiency of the system. This slide really summarizes the overall process for creating the TSDC project list. Projects on the list are just a subset of the projects being built and constructed within Portland today. There are many projects on the TSP that are being built that are not funded by TSDCs. We built the TSDC project list from an initial universe of 366 projects throughout the region with an estimated capital value of 5.6 billion. These projects were then evaluated for their eligibility to be included in the TSDC program, and on the slide, we kind of show those filters that we went through. First of all is a project planned to be constructed in the next ten years, since this is a ten-year program?

Wheeler: Could I ask you a clarifying question? So, you said that the universe of projects comes from around the region, so it's not just the city of Portland?

Breiland: Correct. Some of the projects are regional in nature, for example, trail projects, I think that all of them are located within Portland's jurisdictional boundaries.

Wheeler: Okay so, this is a city process. There is no overlap with JPAC or Metro?

Breiland: Correct.

Wheeler: Ok. Thank you.

Breiland: Okay. So, again. going through these filters, first is it going to fit within our ten-year construction window? Secondly, does it add, kind of, person-trip capacity? Is it benefiting development in Portland? Because that is a requirement of the TSDCs, that they serve the future growth. And then thirdly, does the project do more than simply fill potholes, or maintain the system, as those sorts of expenditures are not actually eligible, under state law, for TSDC funds? Once we go through these filters, we landed on 169 projects that could be included for inclusion in the program, these projects have a capital value of 4.5 billion dollars. It's important to note, however, that each of the projects that are in the program are going to be funded through an accommodation of sources, not just TSDCs, but also grants, state funds, and other kind of sources of funding. The TSDC is just one tool that helps to pay for construction of Portland's transportation system. Once other sources are factored in, the 169 projects were eligible for 589 million in TSDCs over the next ten years. So, this slide really shows kind of how the TSDC project list is allocated across the city, following on the equity discussion, there is a sizable portion of projects that are being directed towards the east Portland. Some of the example projects include the I-84 path extension to Gateway Green, the 122nd Avenue Corridor improvements, the Division Midway Connected Centers project, the Outer Stark Safety and Access Transit project, and the Outer Halsey Ped and Bike Improvements. This slide now shows how the TSDC project list is distributed by mode. As you can see, there is a strong mix of projects that serve all modes. Improving conditions for walking, biking and transit were also balanced against the needs to improve the conditions for automobiles and freight. PBOT received substantial input on earlier versions of the project list from residents as well as the business and freight communities. We took those input and added additional projects onto the project list in response to those comments.

Wheeler: Could I ask you another clarifying question? And I believe that you stated this right up front. This is for new infrastructure. In other words, we cannot spend it on filling potholes, is that correct?

Breiland: That is correct.

Wheeler: Thank you.

Fritz: On that note, mayor, I have never seen a request for operations and maintenance for new transportation facilities, and I would very much encourage you. We have a city

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policy that says all new facilities should get operating and maintenance. So, not doing that is how we got into the mess that we are currently in, and let's correct that in the future.

Treat: Thank you.

Breiland: So now we're gonna change gears a little bit here and talk about another topic which is the TSDC methodology. The updated methodology is based on an improvement fee only structure as provided under Oregon state law. In these slides, we'll talk about some of the fundamental data methods and assumptions that underline the rate methodology. Simply put, an improvement fee structure constitutes a cost per new unit. The new unit that we're using here is specifically person-trips. And more specifically, the number of person-trips that are generated during the pm peak hour. So, first of all, why person-trips? Well, Portland's Transportation System Development Charge program has always been multi-modal. This update is the first time that the program will be derived from actual person-trip data. Last December, we came to council, and council provided PBOT staff with direction to shift to a person-trip model for the TSDC calculations. Moving from vehicular trip data to actual person-trip data provides a more complete picture of how Portland's transportation system is used. The images on this slide provide a simple illustration. Cars don't make trips, people do. And how the people travel really matters. So, as you can see on the picture on the left and in the center, you can see this is people driving in single-occupant vehicles, and so, in that middle picture, you can see that the cars have been stripped away, so you can see the people making the trip. By contrast, if we look at the image on the right where people are traveling by bus, you can see that they are using a lot less space, and so, their impacts on the system is much, much less. Our end goal has been to help Portland to improve its TSDC program to better reflect how people travel, and structure the program to provide a more robust and multi-modal project list. The program also shifts in measuring trip-making from the daily to the PM peak hour. This shift reflects a desire to measure the impacts during the time when the transportation system is most taxed. So, just thinking about a trip, a trip made during the middle of the night probably doesn't have as much impact on the system as one made at 5:00 PM. And, the other piece here is, as we move to person-trip data, the data is much more robust and available for the PM peak hour, and the next few slides, Deb will talk more specifically about how the rates were developed.

Deb Galardi: Thank you Kendra. And I apologize, as you can see from the chart on the screen, it gets really dense here, we're no longer talking about cartoons, we have got a very complex formula system here, that's the current methodology, and part of that complexity was because it was designed to determine the cost and the SDC eligibility by mode, and when I talk about mode, as Kendra said, it's cars, walking, bikes, etc. The new methodology does simplify things, the way that the SDCs are calculated while maintaining the essential elements needed to comply with Oregon statutes. Under the new approach, the capacity costs from the TSDC project list are spread over the growth in trips over the ten-year period, to determine a system-wide rate, multi-modal. This is for all modes together. This rate then serves as the basis for the development of TSDCs by land use type. As was described in the video, different land uses have different impacts on the system. A single-family home generates fewer trips than a grocery store. And so, the TSDC methodology takes this into account and determines rates specific for each land use based on its estimated impact. We'll talk more about the rate schedule later in the process. One of the requirements of Oregon law is that the methodology demonstrate consideration of capacity costs needed to serve the demand of the future system users specifically. These are development impact fees. The previous slide described how we calculate the new capacity cost per person-trip. It's then important to compare that to the existing system value per trip to ensure that new development is not being asked to pay for a

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higher level of service than the city is currently providing. To determine the existing system value, we relied on information from PBOT's asset and status and conditions report, which includes a comprehensive inventory of the system, things like sidewalks, pavement, bikes, and etc. The total existing system value was estimated to be 9.8 billion dollars. To determine the existing system value per trip, we divide that value by the forecast, or by the current number of person-trips during the peak hour, which from the metro travel demand model is estimated to be 501,300. The result is a base level of service of about 19,500 per trip. Additional investment by the city up to this level is needed to maintain the current level of service and equitably fund the additional system capacity for new development. As I described previously, the TSDC rate is determined by dividing the new capacity cost from the TSDC project list by the growth and PM peak hour person-trips over the same period. As Kendra discussed, the updated TSDC project list includes approximately 589 million dollars in capacity increasing cost over the next ten years. To estimate the growth in trips, we used the 2012 Metro model to estimate the total person-trips generated by jobs and housing, and then performed a detailed allocation of growth for the city out to the year 2035. This forecast was adopted by the city council as the official forecast for use in the travel demand model. Since the SDCs are based on a ten-year period, this forecast is then scaled back to a ten-year period through 2027, which, estimated growth would produce 70,630 additional PM peak-hour trips. So that's the denominator of the equation. We divide the cost by this growth in person-trips, and the result is a rate of \$8,347 dollars. It's important then to compare that rate back to the existing system value per trip of 19,500, and you see that's significantly lower, which basically means that the capacity cost included in the project list may be fully attributable to servicing the needs of the future growth within the planning period. Based on the rates shown in the previous slide the \$8,000-dollar rate, this slide shows the calculated TSDCs for three different types of land uses, a single-family home, a medical office building, and a grocery store. Again, as we discussed, different land uses have different impacts on the system, and we measure that by person-trips. We have data that tells us a typical single-family dwelling unit generates rates just over 1.2 person-trips during the PM peak hour, which results in a fee of \$10,280 dollars. Similarly, industry data shows that a 15,000 square-foot medical office generates about 58 PM peak-hour person-trips, resulting in a fee of about \$933,000 dollars. Person-trip survey data, either national, or Portland-specific, are available for selected development types only. Where survey data is not available, we use other industry data on vehicle trip rates to, and convert those to person-trips. It is the intent of PBOT to eventually compile a full data set of person-trip counts for all land use types, that are included in the TSDC schedule.

Fish: Can I go back to that slide? Are you going to, at some point, show us the before and after? The numbers are more meaningful if there is a comparison. "This represents an increase, a decrease," whatever.

Galardi: Mm-hmm. I will talk a bit about that later in the presentation. For a couple of land uses.

Fish: I would be interested in these three being the medical office building, the million dollars, I don't have any context for that. That's a big number. Is that more or less or roughly the same?

Galardi: Well, the current -- I can tell you, for the typical household, that the current fee is about \$2,800 dollars.

Treat: We have that data, so if you want, we can let Deb get through her presentation, and then I can ask Christine Leon to come up and go over the examples for you.

Fish: Yeah, I think it's helpful, because my experience in these hearings on impact fees is that there are often winners and losers. And then people come forward and say "I think we

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are overpaying,” or “We’re not paying enough,” and then, the other thing is, we often compare how other jurisdictions treat it, you know. I have been surprised from time to time when people howl about impact fees that we learned that they would pay more, you know, if they lived in Tigard and Lake Oswego and the like. So how this changes the status quo versus going forward, and then some sense of how we match up with some of our suburban cities, other neighbors, just to have context on this. Thank you.

Galardi: I will definitely talk about that. Yeah. Okay. So, while funding 100% of the eligible project costs would allow all 169 projects on the list to be funded, as Leah mentioned, the TSDC program has always relied on leveraging state, local, and grant funds to support portions of the projects. Feedback from, as part of this process, from residential and commercial stakeholders agreed that funding at a 50% level balances the impacts on development and the transportation system. As you could see, a funding level of 50% would raise approximately 294 million over the next ten years, and would reduce the rate to 4,174 per-person-trip. This slide, then, just shows those same land-use types with the 50% funded level, and you can see that the fee for a typical single-family dwelling unit would be reduced from \$10,000 dollars to \$5,140. Okay, I will turn it back to Kendra to talk about the TSDC schedule.

Breiland: Great. And in this section, we’re gonna talk about the overall rate schedule. So, the rate schedule is really where the rubber hits the road, from the perspective of what a developer pays. It’s the chart that specifies rates for land use categories. As described earlier, the fees are based on the number of trips generated by unique land uses as estimated earlier by actual person-trip data, where available, or derived from ITE person-trip data, the next best source. The proposed rate schedule includes 27 land use categories, these are similar to the current program, and although 14 categories were either eliminated or consolidated and some new categories were added based on stakeholder feedback. So, we wanted to highlight a few of the biggest changes. First, for the residential categories, we created two single family rates. One for households larger than 1200 square feet, and another for smaller homes. There’s been substantial interest in recognizing that not all single-family homes have the same impact. It is reasonable to assume smaller homes tend to have fewer occupants and could be reasonably expected to have a lesser overall impact on the transportation system. While not enough data yet exists for us to definitively set more varied rates by square footage we believe that the city can start moving in this direction. Recommended actions in this update were to set a fee for smaller homes, similar to multi-family homes. The program will also continue to exempt affordable housing permanently, as well as accessory dwelling units through mid-2018. Moreover, we think that there is merit to the city beginning to collect new person-trip data for a variety of housing types, such that more varied rates can be set in the future updates.

Fritz: I would like to complicate you doing that, which, of course, is similar to what we’ve done in parks, and just a heads up, to think about what happens with the renovation that then changes, whether it’s over or under 1200 square feet. It looks like you thought of that, but yes. How are you currently proposing to deal with that?

Breiland: I wanted to see, did staff want to speak to the code?

Fritz: Oh, I am sorry. I will wait for later. Thank you.

Breiland: Okay. Perfect. And relative to – the update also thought a bit about non-residential rates. This update consolidates shopping and retail rates in recognition of the changing nature of many retail centers and the needs of small businesses. Under the existing TSDC rate schedule, there are several land uses which can create complexity when tenants change. Under the proposed rate schedule, categories have been combined or eliminated. And for increased cost predictability to businesses applying for tenant improvements. One final major new element to this update is the person-trip adjustment.

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As was discussed in the December meeting, in moving to a mode-neutral person-trip-based TSDC program, it is important to recognize how development within the central city and other designated centers have less of an impact on the overall transportation system. The way we approached this is by evaluating the space efficiency of walking, biking and other modes. In a mature urban environment, expanding roadways is often not feasible, and thus it is important to figure out how we can help people move. More people move within the same amount of space. The factors on the screen show the difference in space usage by mode, carpools use less space than drive-alone trips, bikes use 88% less space and transit trip on average uses a staggering 97% less space. Based on the space efficiency calculations on the prior slide and the mode shares estimated for centers relative to the rest of the city, using a combination of data from the Oregon Household Activities Survey and the Metro model, the update recommends TSDC reductions of 33% for eligible uses within the downtown and 8% for centers and areas proximate to the light rail stations. These fee adjustments will incentivize the right development in the right areas of the city, reinforcing the goals of Portland progress in the TSP. The city doesn't take lightly the fee adjustments as they recognize they reduce the amount of TSDC fees generated over time. These adjustments are afforded, are, excuse me, offered to the types of development likely most likely to benefit from nearby transit service and the more walkable bikeable nature of the areas. Multi-family, commercial, and light industrial areas that are paired with mixed-use, and built to within .75 as maximum floor area ratio. This structure is consistent with the city's comprehensive planned goals to focus growth in the central city, other centers, and areas nearby light rail stations, and to shift away from drive alone trips to more environmentally sustainability modes. I am now going to transition back to Deb, who can give some perspectives on how these proposed rate updates affect Portland's position in the region from the perspective of affordability.

Galardi: This chart here shows you both the current TSDC for a single-family home and the proposed. And you can see that the current, which is at the very low end of the chart, is about \$2,800 dollars. In the last TSDC update, the rates were capped at this level in order to generate a fee then near the middle of the range of comparison of other communities. Since that time, staff research has shown that the TSDCs and other areas have increased while the city's rates have remained unchanged, and that results in the current fee being at the lower end. The proposed fee, as you can see, moves slightly more towards center.

Fish: Can I ask you a question on that? Go back to that slide? I know that the argument we often hear is that you have to look at all of the costs in the basket, and obviously the cost of dirt in Portland tends to be more expensive than in other places, and you add other costs, regulatory costs, charges, fees and the like. And so, I guess I understand conceptually that that's one way of measuring you know, apples to apples. But when you see a chart like this and we are somewhere like below a third of what Beaverton is charging for impact fees, these are the identical fees?

Galardi: Correct.

Fish: So there is no -- they are not adding some other component of it that we know?

Galardi: Correct. Yeah. That's correct. And in the next slide, we'll look at the full, all the systems together.

Fish: And what is the short version of why Beaverton is charging close to \$18,000 – I mean, why there is such a gap between what we charge and Beaverton?

Galardi: Well I don't know Beaverton's situation, but you know, there is, obviously, in that part of the Metro area, a lot of infrastructure needs, and, you know your project list is based on just prioritized projects within the ten-year period, and other communities will look at both the longer view and not sort of cap the project list. They will look at the full potentially, list from the TSP for example. So, part of it depends on the mix of projects and

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the funding level. Also, what we're recommending here is a 50% funding level. The current funding level, I believe, was based on 40%, so in part, that's why. Yours are lower relative to others.

Fish: It's just interesting, and we get these charts at budget time, and you know, there is a, there is a narrative that some people have about how just irrationally high our fees and charges are. Now, we can always do better. There is always customer service issues, there is always value issues. There is always... But, you know, like, I'm reminded, when we do our annual utility report, and people are shocked that you would pay more for water in a number of suburban areas. And now, the public doesn't quite look at it that way. I mean, it still comes down to what is the cost, what is the affordability component, within the place that you live. And I get that. But I do think that the regional data is important because it raises interesting questions. And that's an interesting question, why we are a third of what Beaverton charges.

Wheeler: This is apples to apples, just transportation, city-to-city.

Galardi: Absolutely. Mm-hmm.

Wheeler: Okay. Thank you.

Galardi: And the next slide is also apples-to-apples but now we're building on the other infrastructure systems for which you charge SDCs, and that the other communities were including those on top. So, you can see in this chart, that Portland is more towards the center in the current, and that's because the other bureaus have increased their SDCs in recent years, and the total SDC cost for a typical single-family home currently is about \$25,000 dollars, assuming it's not in the central city. So, the -- with the increase that's proposed for the TSDC, you would move up one position, but still remain in the middle.

Fish: Commissioner Fritz, does this reflect the increase in parks SDCs that the council adopted but deferred?

Fritz: Yes. Oh, no, we didn't differ. It's currently what we're collecting. We deferred it for a while, but...

Fish: But then we put it into place?

Fritz: Mm-hmm.

Fish: So, this includes the increase that the council agreed to?

Fritz: I believe so.

Wheeler: So, Gresham is listed three times in three different bars, Beaverton is listed twice, are these truly comparators?

Galardi: Yes. So, Gresham has different geographically-based charges because, for example, Pleasant Valley and Springwater are kind of new developing areas, as opposed to the more mature infrastructure that is in the city proper. And so, they have -- they charge on that basis, and the same with Beaverton: They have a separate charge for South Cooper Mountain because of the significant infrastructure needs specific to that area.

Wheeler: Interesting. Thank you.

Galardi: Mm-hmm! So, expanding a bit now to include other types of development fees as was mentioned, the cost of development goes beyond just the SDCs. So, this slide excludes the new inclusionary housing fees, shows that the current total fee burden for a new four-story apartment valued at 4.2 million would be approximately 750,000 with the new TSDC in place. In this case, the TSDC would account for 125,000 of that total, up about 19% from the current TSDC program. And we have one more example that shows, in this case, a six-story apartment with retail on the ground floor valued at 6.3 million dollars, would be assessed total fees - again, this is TSDCs plus other development fees excluding the inclusionary housing fee - the total fees are about 1 million dollars. Of this amount, TSDCs would account for approximately \$160,000, up 26% from the current TSDC program. It should be noted that, as Kendra pointed out, there is a number of

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adjustments and discounts as part of the new program, and if this building were located in the central city it would qualify for a 33% reduction in the TSDCs.

Saltzman: What do you mean by inclusionary housing fee?

Galardi: I will have to defer that to staff.

Saltzman: As far as I am aware, there is no fee in the Inclusionary Housing Program.

Breiland: I'm actually gonna defer that discussion to staff.

Christine Leon, Bureau of Transportation: So, one of the things that we did was, just looked at if someone didn't do inclusionary housing, if they elected to pay the fee instead, the impact of that. So, we just stripped it out of the analysis.

Saltzman: Great, ok. Just want to make clarified.

Fish: I just want to make sure I'm not missing something in terms of your new methodology. So, let's take the example of a six-story apartment building. Is there a difference in the fee that you would calculate, based on whether or not there was on-site parking?

Leon: So, parking is not a final destination, so what we assess is the use, the retail portion or the residential portion or the mixed use. but not parking itself. It's interesting.

Fish: I am trying to -- help me to understand that, so a six-story apartment building, built, say, under the Transit-Oriented Development Program that's across the street from the MAX has an express bus, and the city's best trail. No parking. And it actually markets to people who say "Here's a new way of living. You can get a small apartment, walk to work, take public transit." Up the street is the same building with twice the amount of parking that's required, you know, with a lot of parking, and it goes free because they want people to park their cars, and it just happens -- you know, we know that like 70% of people in apartment buildings own a car. So, in effect, it has -- that building is encouraging people to, you know, make it as convenient as possible with their cars. I am just curious: Why wouldn't we treat the two differently?

Leon: So, what we would assess is on the number of residential units. And the shift that we have made in this new methodology is to count the person-trips they make, regardless of mode. So, if you get in your vehicle, that is one trip by one person. If you walk down the street, that's one trip by one person. So, the mode is not what we are assessing now. It is the use and the number of PM peak hour person-trips that are being made. There is an example, if we want to get into the details, of the Emery Apartment, that doesn't have parking.

Fish: I think that I understand your methodology. I am struggling with it a little bit. I get it. And since we are talking about impact, help me understand, the person that leaves their apartment and walks down the sidewalk, and they weigh 100 pounds, and they do that trip a lot, and over a lifetime have no impact on the sidewalk. Versus the person that parks their Hummer in their apartment building and drives a lot, and over time, does have an impact on the street, is there a difference that we care about in terms of the calculating SDCs?

Leon: So, the person that walks down the sidewalk needs the infrastructure as well. And so, our capital projects that we want to build out to accommodate growth include projects to put in protected bike lanes, to build the sidewalk infrastructure, to accommodate the transit systems and make our transit system more accessible and walkable. There are some road projects, but they mainly deal with freight capacity, so, and that is the essence of what we are trying to build, is for people to make trips on the system, the discounts that Kendra talked about in the centers and the central city are based on, I think, what you are really getting to, commissioner Fish: The impact that a person makes on the system is different based on the mode that they take.

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Leon: If I could just add, I think it goes back to what the mayor pointed out, right when we opened up, is, we don't charge SDCs for adjacent capacity. We charge it for overall capacity in the city. That's what we're trying to do.

Fish: Yeah. Now let me be clear: My questions are designed to understand the approach, and how you've chosen this approach, and I'm absorbing it, I'm not ready to show my hand. One other – one last question, we had a conversation a few weeks ago, about so-called Smart Cities, another term I hope we abolish and replace with something else. And the gist of it is, it's, you know, a way – it's an artful marketing ploy, in my opinion, for putting in the infrastructure for autonomous vehicles, and I think my own personal view is, we've jumped through a lot of hoops without actually asking some threshold questions. That said, are we budgeting any SDC money under this program for any of the improvements that are required to support Smart Cities, and the new grids?

Leon: Yes, we are. Because those Smart City projects will definitely enhance capacity. One of the things that we are using the current SDC program for is to look at putting in sensors to do some of the pedestrian counts out on 122nd Avenue and Hawthorne and Division corridors. So, yeah. The essence of Intelligent Transportation System, the ITS projects that our traffic signals folks have started maybe 25 years ago, those are Smart City projects. It's re-branded into something new. But those are really capacity-enhancing for the system.

Fish: Well, let me just be clear, 'cause the council made a very emphatic statement that we weren't gonna spend public money ahead of deciding what we were going to do with respect to smart cities. I draw - from what you just said, I draw a sharp distinction between investments in things that advance Vision Zero, advancements and things that do safety, and the line that I think we have to be more mindful of is what appears to be building out a grid for a system that we have not yet determined whether we're going to support or invest in, and, you used 122nd as an example, and I'm glad you did, because frankly, my fear on Smart City, one component of it, is that we're going to sort of willy-nilly authorize investments in the central part of our town on the theory this is where autonomous vehicles are more likely to be used, and work against our equity goals of making the common sense safety improvements in the rest of the city they have been crying for legitimately demanding. So, mayor, we had this conversation in council, and we had actually an understanding that we would first do the assessment and the study then come back and talk about it. So, it would be my expectation that we're not using SDCs in this plan to drive Smart Cities until the council has authorized a Smart City policy unless I'm misstating council policy.

Treat: Thank you for that feedback, commissioner. We look forward to future conversations about that. It's really helpful guidance and feedback for us. To your earlier question, commissioner Fish, about a comparison of current charge and the proposed charge, we will submit that in follow-up information to you and the rest of the council, so you can have an idea, on a case-by-case basis, what kind of charges we're looking at.

Fish: Good. Thank you.

Treat: Yes. You're welcome. So, if I can wrap, up over the next few months we'll complete the last few elements relative to the update. That would be the administrative rules updating overlay areas to align with the new program, and we're hopeful today council will direct us to complete these steps to have a full program ready to commence January 1st, 2018. I would like to point out letters of support, they're included in your packet, it includes support from the Portland Planning and sustainability Commission, the Transportation Justice Alliance with leadership organizations including Amalgamated Transit Union Local 727, APANO, Community Cycling Center, OPAL, Environmental Justice Oregon, NAYA, Portland Streetcar and the Development Review Advisory Committee, Go Lloyd, Coalitions

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and Neighborhood Associations, including Sullivan's Gulch and Northeast Coalition of Neighborhoods, the Street Trust, the Portland Pedestrian Advisory Committee, the Portland Freight Committee, the Portland Bicycle Advisory Committee, the Portland Commission on Disability and Union Pacific Railroad. And so, with that, I would like to call up our invited testimony. We have Laura Becker, Pia Welch, Elliott Akwai-Scott, and Mary Helen Kincaid. When they are finished, we'll still be here and available for questions that you may have of us. Thank you.

Wheeler: Thank you. Very good. Do we have any public testimony? Oh, I'm sorry. I apologize. We love invited testimony. Come on up. Commissioner Saltzman, did you want to make introductions? Or just let them introduce themselves?

Saltzman: They can introduce themselves.

Wheeler: Very good.

Fish: Karla, love the graphic.

Wheeler: Want to start us off?

Mary Helen Kincaid: Sure. I'm Mary Helen Kincaid, I'm the chair of the Development Review Advisory Committee, and I'm here speaking on behalf of DRAC. A lot has been said. I want to commend the PBOT staff that came to several DRAC meetings and went over a lot of the statistics, responded to many questions, in fact some of the slides, I think, were a result of DRAC asking for the overview of impacts of fees. I also want to point out that this was, historically for those people that have been around DRAC for a long time, this was a wonderful collaborative effort on the members of DRAC. It wasn't a we-versus-they, it was informed people in a room coming to a collaborative recognition of the needs of the city and transportation infrastructure. Not to say there wasn't lively discussion, but they did come to support this proposal as you saw today. In recognition of that, the overarching message the DRAC wanted me to bring was we need to look at SDC fees in a holistic way. We need to see how those fees and regulations, combined, affect development. And not in an every-three-months, sometimes every-two-years -- I don't know who can convene that. I think you heard me say before, I'm not a big fan of silo government, but all the different infrastructure bureaus under different commissioners, different directors, but I think there needs to be some sort of -- Okay, we'll pick on commissioner Saltzman. [Laughter] But I think someone needs to convene, so that we look at all fees and regulations as they -- so that they are not popping up every several months, maybe every two years, what that impact is. In a letter the DRAC sent in May, and then again in our July letter to council, that was one of the first things we mentioned. Look at the overall overarching impact that development fees and charges have on development, because quite frankly, and just recently, I don't know why it didn't come to my awareness, but in watching like the home forever work session video, and all those -- I don't know how you keep track of all the fees and overall impacts. So, I would think it would be informative to council members as well as the public, what is this really costing us? Not that Home For Everyone has any impact on development, but the water charges, the sewer charges, do you remember what the BES fees were increased? I mean, those kinds of things, I think, would be informative, and they would also help bring the development community more in line with neighborhoods and people that are being impacted by those fees. So DRAC, I think, on the basis of yet a third plea to have some sort of commission, if it's a gator study, if it's whatever, of how all the fees that the city charges impacts development. 'Cause the bottom line in everybody's mind, every time you add a dollar to a development, it adds a dollar to the cost of that housing. That's just plain and common sense. I mean, that's just business.

Fish: Mary Helen, can I just ask you something? Is there any reason why, at the beginning of our budget process, when we start our hearings, that we couldn't ask the Independent

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Budget Office to just prepare a one-pager, showing, as you say, “holistically,” all the proposed increases of SDCs, ‘cause they’re all baked into the all the budgets, and they’re all part of the thing, and do that as a single document, so the public would have that, and we would look at it holistically?

Kincaid: Sure. Give me a magic wand and I'll wave it, and so be it.

Fish: My guess is the mayor is persuaded that’s a good idea. [Laughter] [speaking simultaneously]

Kincaid: Yeah, I think that would be a perfect informative tool to use in how we plan, because we talk about affordable housing, low cost housing, all those things, yet you don't – talking with PCRI and Proud Ground, and Home Forward, you know, they have all different kinds of fees that are waived that they have to pay, those kinds of things. People want to immediately go to permit fees. Well that's something like 7% of the cost. All the rest is in other places. And, six years on DRAC, I still don't have it down pat. But, I think that's an excellent idea because I don't believe they are making outlandish claims to what needs to be paid for, but I think you need an overarching look at what those processes are, and, like commissioner Fish pointed out, do you spend money on autonomous vehicles? Do you spend money on sidewalks? Do you spend money on pedestrian ways? I live in a neighborhood that doesn't have sidewalks, we don't have – I mean, and it's fine, but how do you evaluate what program's gonna get the most bang for the buck? And I think that DRAC is adamant about trying to get that overarching look. It will help the development community and it'll help the city. Um, I think, because you got the letters, I'm not going to go over it, but I wanted to point out that I thought it was remarkable that DRAC came together and supported a fee increase. I don't know how often you see that. And it points to the fact that they want to do better, and they want to see an overall approach to all fees and regulations. We do have a subcommittee that's been meeting, but it's been kind of - mayor Wheeler had the group that looked at that, and I think that could be the continuum, there could be a phase 2 of that group, and include DRAC in that conversation.

Wheeler: Agreed. I think that's a good template, and it's reminiscent of the work that commissioner Eudaly and I did on the permitting. We did do a gator session where we brought together different bureaus. And that's where we reached that conclusion, that it's really only 6% of the total development cost. I'm not saying that 6% isn't important, but it's not the economic driver. And we'd heard a narrative that it was the economic driver. And so, if nothing else, we came out of the Gator session realizing, “Okay, there's areas in terms of process and accountability where we can strengthen our cross-bureau collaboration,” but we also realized that the prevailing narrative was, in fact, a false narrative, and now we have the facts to back it. So, I agree with you and commissioner Fish's notion when we come into the budget process, it would be helpful to have all of this information on one page, much in the way that the transportation bureau put it all on one page for this particular presentation. I agree with that.

Kincaid: Good. I'll report back to the DRAC in next week. They'll like that.

Eudaly: And, is DRAC referring to the percentage of cost relative to the overall budget of a given project? Or the potential, I guess, disincentive to build it all?

Kincaid: I think it's the cost. I don't think it's a disincentive approach. I'm going to speak outside of my DRAC hat now. I don't think that price increase will be a disincentive. I think they'll build, it'll just be more expensive at probably the cost of more affordable homes.

Eudaly: Okay. Thanks.

Wheeler: Good morning.

Pia Welch: Good morning. My name is Pia Welch, I'm the chair of the Portland Freight Committee and a PBOT member. The Portland Freight Committee put together a work group, and we primarily concentrated on the project list. And we were very pleased, we

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reviewed the transportation system plan project list, and the newly adopted Regional Overdimensional Truck Study project list that came out of that study. And we would like to acknowledge and thank the PBOT staff for the inclusion of a recommendation which includes the Columbia Boulevard/George Middle School pedestrian overpass replacement, the Columbia Boulevard railroad undercrossing improvement, and the north Portland Columbia Slough bridge replacement. In reviewing the project lists, we believe the project list is a little more robust and balanced allocation of funding between all the modes, so again we would like to thank everyone for their work on this project.

Wheeler: Thank you. Good morning.

Elliot Akwai-Scott: Good morning. Mayor Wheeler, commissioner Saltzman, members of council, my name is Elliott Akwai-Scott, I'm the vice chair of the Portland Bicycle Advisory Committee. The bicycle advisory committee is a modal committee, appointed by council charged with advising the city on all matters relating to bicycling. The BAC had an opportunity to review the proposed TSDC changes in May this year, with presentation by PBOT staff. I'm here today to speak on behalf of the BAC in support of the TSDC update, including the updated methodology, the project list, and the rate schedule. The proposed new TSDC methodology for assessing charges to new development on a per person-trip rather than per vehicle-trip basis reflects Portland's multi-modal transportation network and growing use of active transportation. The BAC supports a multimodal approach to transportation policy that includes bicycle trips and acknowledges the contribution that bicycling makes to the transportation infrastructure. The BAC also endorses the TSDC project list, which was developed through a robust process, drawing from the city's previous transportation planning efforts, public outreach, and strong considerations for equity and safety. TSDC list projects provide new transportation capacity that supports demand, generated by new development. Since 2000, more new commute trips in the city have been supported by bicycling than any other mode of transportation, based on U.S. census data. The BAC finds that the updated transportation systems development charge program aligns with the city's comprehensive plan, and transportation system plan goals of prioritizing a multi-modal transportation system. And finally, the BAC supports the adjustment of TSDC rates from 40% to 50% of the eligible list. To better align with rates assessed by other jurisdictions in the Portland metro region, generating approximately \$300 million dollars over the next ten years to help the city build out a multi-modal infrastructure, especially in areas like east Portland, where infrastructure is struggling to support increased demand, and where increasing user safety continues to be a pressing concern. I would like to add, as a personal reflection, I think the process for developing the TSDC project list and the considerations that the PBOT staff and consultants showed to equity and safety considerations building list were some of the strongest of any city project that I've seen. Thank you.

Wheeler: Very good. Thank you. Good morning.

Laura Becker: Good morning. Thank you all. I'm Laura Becker, outgoing co-chair of PBOT's budget and bureau advisory committee. It's been an honor, and I appreciate the opportunity to represent this thoughtful and diverse group of volunteers who help PBOT better understand the people they serve and their concerns. During the committee's most recent term we did discuss a variety of topics related to the TSDC program and update, including the shift to a person-trip methodology, the proposed project list, and increased rates. This update will secure a fair share from developers for transportation improvements needed to accommodate Portland's growth over the next ten years. We support the 169 projects recommended for funding. The project team presented evaluation criteria to ensure general geographic proportionality meet the city's multi-modal transportation goals, and continue to provide and improve access to jobs, housing and daily needs in under-

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served communities. The TSDC update project list draws from the adopted TSP and other recently adopted plans, including Vision Zero as well as plans that are in the process of adoption. The increased eligibility of more projects results in a more forward-looking project list that moves the dial on equity across the city. The current TSDC rates simply do not, and will not generate enough revenue, and it is our neighbors who are already under pressure that are burdened from delay of needed projects. We hope the council will approve the proposed rate, which will raise up to \$229 million or \$300 million towards completing capacity and growth-oriented transit projects where they are and will be needed over the next ten years. Thank you for considering our committee's recommendations.

Wheeler: Thank you.

Saltzman: That completes the invited testimony.

Wheeler: Very good. Karla, is there public testimony?

Moore-Love: Yes, we have about eight people left here.

Wheeler: Very good. Three minutes each. When Karla calls your name, please state your name for the record.

Terry Dublinski-Milton: I am Terry Dublinski-Milton, and most of my comments will be speaking on behalf of Southeast Uplift where I'm co-chair. I would like to thank everybody who has spoken so far. Southeast Uplift did not have time with PBOT's request to comment on the whole thing, as we usually take a couple of months to debate. But I can speak on certain things we have voted on. Southeast uplift, we have consistently voted in favor of multi-modal projects, and so, using the new methodology is in line with all previous votes. It seems to make sense. I would personally defer to PBOT's recommendations when it comes to the transportation impact fees as we all know we need more money for transportation. Now, similarly, we didn't take a stand on the entire project list, but through a community-driven process, I call Southeast Uplift in motion. We have endorsed multiple projects in the past that can be looked at as Priority One projects that have been funded, then a next-tier which we request get funded next. I would like to highlight two of them which have had board approval: The freeway overpass which you will see on your map, is a red line over by the railroad tracks by Mcloughlin, fills a 1.7-mile gap between the Bybee Bike lanes and the double-elevator Lafayette Overpass.

Eudaly: Terry, could you sit back from the mic a little? 'Cause it's popping. Yeah. Thanks.

Milton: Okay Thank you. Um, and, it's endorsed as the highest priority for Smile, Reed East Moreland and Brooklyn. The Southeast Uplift endorsed allocation of transportation impact fees – I'm gonna use that term – for design and outreach, not build, because we know this will be expensive, and we want to see a ramped option so we know the costs. Since this is connecting Westmoreland to Reed College, we all know what will happen in the middle of the night with the college students if there's elevators. And not only that, the Lafayette Overpass was down for three months last winter because of water damage and then it was also closed during the heat because of the greenhouse effect. It was too hot to go in the elevators. And so, if we want a good connection, it needs to be ramped. And for the next minute or so, I would like to talk about the 60s bikeway. This has the long route which has been circled. It has been endorsed as highest priority of all six neighborhoods along the route: North Mount, South Tabor, Mount Scott/Arleta, Brentwood-Darlington and Foster/Powell. You can look at it as three parts: The northern section from Davis to the 60th MAX station and Halsey, which was endorsed unanimously, which I testified for last week, on the growing transit communities project, this is one of the highest densities of R1 we have in Southeast Uplift, and the R1 zoning would be travel facilitated by this project. South of Division is a Safe Routes to Schools project for the southern neighborhoods to access Mt. Tabor Park, new south entrance, and Harrison-Lincoln Greenway, which is

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getting a safety modernization as part of the gas tax. Then the middle section connecting Lincoln to Davis will assess Stark, Burnside, and access to Mt. Tabor Park for areas that don't currently have access. Couple more seconds. Burnside, right now is the largest problem parking left on the east side, which has those three lanes that appear and disappear depending on commute times. And this project will do an engineering assessment of that. Plus, one personal plug, Amy has a good project that I think should be added. Thank you.

Wheeler: Well done. Thank you. Good morning.

Jason Franklin: Good morning. Mayor, commissioners, Jason Franklin, director of Campus Planning and Design, Portland State University. Thanks for listening to our testimony. Portland State University has submitted a letter which I believe you all have, and a fact sheet, going over our analysis of the new rate study and rate sheet. And first, I want to say thanks to commissioner Saltzman for the amendment to the rate study. We're speaking in favor of that this morning. We know how hard it is for staff to come up with defensible rate study, and we certainly appreciate the need for TSDCs we're supportive of it, and the amendments and changes to the rate study. However, the rate study that was previously published more than tripled rates on university buildings. So, we think this was simply a – there wasn't enough time for staff to go through and do the analysis on all the different types of buildings and uses in the project. And so, we have been talking to staff about that for the last couple months, and we are happy they have come forward with an amendment which we fully support, and we think provides a modest increase to the university which is more in line with all the other increases that you see in the TSDC rate list. We support the amendment, and again, thanks for the hard work of staff, and working with us, and commissioner Saltzman for supporting the amendment.

Wheeler: Thank you for your testimony. Good morning.

Amy Run: Hi. Thank you. My name is Amy Run. I'm here to request an addition to the list of projects. It's already pretty big, I'm here to request another one. The project that I am proposing is on southeast Mill between Southeast 80th and Southeast 82nd. So, it's a two block stretch of road, you all have photos of this stretch of road. It is the safe routes to school for Bridger K-8 School. It currently does not have sidewalks, and it currently floods any time there's rain. It's also the neighborhood greenway that continues past Lincoln, so once pass Tabor, it's the greenway to east Portland. It is very important that this project gets put on this list at this time because this stretch of road, Southeast Mill, is being planned to have the sewer replaced down the middle of the road, so this road, in the next couple of years will be completely torn up, and the sewer line will be replaced. There's no plans currently to change the street, so no plans to add drainage, no plans to add sidewalks at this time. So, the funds, if they were added on, could kind of connect these two projects. The goal also is to go ahead funding from Safe Routes to School. They have acknowledged that this stretch is an issue as you can see from the photos. And additionally, the neighbors who live on this street are currently working towards possibly creating a L.I.D., so the people who live on the street at this time are discussing, like, "We might be willing to put money into this fund to help pay for it." However, without the funding from the TSD fees, it's just not affordable for the people on the street to do it. So, I'm here to ask that we add this to the list. I currently don't live on the street. I also currently don't have children that go to this school, but I do use the neighborhood greenway, and the reason I got involved with this is because every single day, I see kids struggling through that street, through that stretch of street. There's a lot of kids who get off Tri-Met on 82nd. They take the 72nd bus, get off at 82nd, they cross 82nd because that's one of the only places where there's a street light currently to get to Bridger. So, they cross 82 and they are met with that road, you have photos, I think they speak for themselves. So, I'm just here to ask that we add this project to the list.

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Wheeler: Thank you Amy. Commissioner Fritz?

Fritz: Thank you for your testimony. Thank you for the photographs. They really do tell a thousand words. Thank you for your altruism, too. I mean, I'm sure the improvements for you as somebody passing through are less than those of people actually going there. So, we'll ask staff at the end whether we can do that. Thank you.

Run: Thank you.

Wheeler: Very good. Next three, please, Karla.

Moore-Lover: Are Jim Brown, Eli Spevak, and Alan Kessler.

Wheeler: Then there are two more after that, Karla, is that correct? Thank you. Good morning.

Jim Brown: Good morning, Mr. Mayor, members of the council. My name is Jim Brown, I'm an attorney representing Western Container Corporation and Trico Real Estate, LLC, in support of the city's proposed amendments to the TSDC code to adopt the 2017 rate study to establish an updated rate schedule and amend the code. We respectfully remind council that in its recent August 30 meeting, they adopted the North Suttle Road L.I.D., and PBOT, on the 23rd meeting, recommended a \$500,000-dollar contribution from the TSDC funds toward North Suttle Road L.I.D. development. We therefore request council include the North Suttle Road L.I.D. on the list of projects eligible for the TSDC funding and that they provide the recommended PBOT contribution. I have also attached, to my written comments, letters of support from Supreme Pearlite Company and Oil Re-Refining Company, who are also property owners in the north subtle road L.I.D. district. We appreciate the city's contribution towards the north subtle road L.I.D. which places heavy burdens on the local nine property owners that will be funding that. And so, we thank you for your efforts to provide additional city funding and for the city staff's help in the development of the L.I.D. Thank you.

Wheeler: Thank you. We appreciate your testimony. Good morning.

Eli Spevak: Good morning. My name is Eli Spevak. And I actually came prepared to speak on behalf of the Planning Commission, on which I serve, but I'm happy to speak in person. I'm very overlapped with them. As noted by presentation previously, the Planning Commission offered a letter of support for this program which I agree with. The letter also had a couple caveats and suggestions. And one of them I'll paraphrase or read from the letter, was that "The Planning Commission fully supports PBOT's decision to focus on personal-trips rather than VMT, and recommends the fee structure for homes and apartments have several tiers using data relating home size to average household size. This would more accurately scale residential SDCs to demands on our transportation system by the number of residents living in them since people use our transportation system, not homes, and will be closer to the way retail and office SDCs are handled. We urge PBOT to refine methodology this round." So, that was from the Planning Commission letter. So, I dug into this a little deeper and would like to share with council that, as they outlined residential subset of their fees, for apartments or attached housing, they're proposing a lump sum flat fee across all types. So, there would be the same impact fee, whether it was a 300-square-foot apartment or a three-story penthouse suite apartment, or a three-story town home. Those would be 3,000 square feet or larger. We know from data that parks has reviewed, and it's easily available at your fingertips with the American Housing Survey, that on average, small homes, like a 400 square foot apartment, have fewer people living in them than larger homes. And there's not a direct-line correlation, but there's clearly a great statistic database showing correlation between household size and number of people. Unfortunately, the consultants they've hired have not brought that into the equation and there may be some discrepancy between the type of data they traditionally use in that information, but, if you imagine a situation where a small grocery

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store, imagine the groceries are charged based on a lump sum for every store, you think the smaller grocers would be pretty upset. And that's what's happening here.

Fish: Eli, can I just ask you a question?

Spevak: Sure.

Fish: It won't go against your time. I'm having a flashback to, I think, Mark Edlen coming before us a few years ago, and he was talking about what he felt was inequity of charging SDCs based on the door. And I think the precise argument was, we want to create incentive for smaller units that are more efficient, and why should we charge the same for, as you say, the 300-square-foot versus the 1500-foot penthouse? That was a very live discussion in the past. Just so I'm clear, and I'm reading your testimony, the proposal that's before us now, would take us back to just treating the doors the same regarding of square footage?

Spevak: I think that's the status quo with transportation right now, is that it's per door, rather than square footage.

Fish: Maybe it was parks that we...

Spevak: Parks has addressed this issue. And in some ways, water has addressed it also, because homes either have a 5/8ths, three-quarter, or one-inch meter.

Fish: So, in Parks, we did make some adjustment.

Spevak: Correct.

Fritz: Just got very helpful letters from the Cully Neighborhood Association of Neighbors that actually shows the parks in comparison with the transportation. It's in the packet we just got handed.

Fish: 'Cause my understanding is, when we did the parks, you brought an amendment when lowered the charge for the micro units.

Fritz: Yeah, we had five different categories where PBOT is...

Fish: Is this the flavor of what you're getting at, Eli?

Spevak: This is the flavor. Yes. And I propose four categories. In the middle, I think that I'd would be happy with anything, but the idea is that there should be some logical relationship and consumers of small homes should not be subsidizing those with large homes, who, on average, have more people in them. So, there's an equity standpoint. And also, a policy perspective is that price is a driver. If you're paying the same system development charge whether it's a 500-square foot unit or 5,000-square foot unit, that gives you another incentive to build larger homes, larger apartments. And that runs counter to some policy objectives the city of Portland has. So, my hope is that whether the data gets resolved or not, that council can submit an amendment to just spread out the fee. Avoid the issue that Fritz raised earlier, commissioner Fritz, about the \$1200 threshold. If you do an addition to 1100 square feet and add a 100-square foot bump-out, you're gonna double you SDC from doing that. Under this current proposal. Spreading it out helps address that question.

Wheeler: Very good. Thank you. Good morning.

Alan Kessler: Good morning. My name is Alan Kessler, I'm here at least for the first bit, for the Portland Bus Lane Project. We sent you a letter. It lists ten specific projects that we would like you to take a look at, we would like you to prioritize funding on. Specifically, when you prioritize funding on those projects, we would like you to please make sure that PBOT is directed that those funds must include transit priorities. All of those spots we found in particular, we believe will particularly benefit specific bus lines. We have listed those out. We bolded the bus lines called out by the GTC and ETC in the letter. I didn't hand you a copy of the letter right now, if you're all looking for it. I'm sorry. I e-mailed it. I'll send another round but it's in testimony. If you look at the letter there's a list ever ten projects enumerated. It gives the name, and then they'll show you which bus lines those

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will benefit. And we think that it would be a shame to spend those funds without benefiting a bus service, but these are great opportunities where we can spend the funds and increase transit. Increase the priority of transit. So, these next comments are my own. I wanted to repeat something said by staff while one of the commissioners that stepped out, which is that buses are 95% more efficient than single occupancy vehicles at moving people through our neighborhoods. PBOT has told you they want to start counting people-trips, not car trips. The logical conclusion is that we should not add a single bit of additional auto capacity. More importantly when we're doing revisions to our streets, when we're restriping, doing any sort of improvements to our streets, we should be looking for opportunities to take unnecessary vehicle capacity away and reallocate it to the more efficient modes. Specifically, to transit, because that's the most efficient mode. I asked the clerk to distribute a copy of a recent plan -- okay. So, this is the restriping on Main, or these are the improvements that are planned for Main. These just came out today. PBOT gave me a doughnut the other day on Better Naito. They came out, they tabled, they stopped and talked to people who were riding by. So, I actually - I stood and I talked to one of the project managers from PBOT on Better Naito for a while, about this specific project. This was actually a couple months ago. When we talked about it, one of things that came up is that the bus lane is - you'll see it's on the right side of the paper, it's on the east side of the intersection, it used to be on the west side of the intersection. That's more efficient because the bus doesn't get stuck between the right-turning vehicles, between people trying to cross the street when the light turns green. So, if you were ever to stand and watch buses at that intersection, they take a long time to make that turn. You'll see three or four backed up at times. This is an example of an opportunity missed. The dark shading is where we're adding concrete so it's a permanent solution, but having moved the bus stop across the street here we could have increased transit priority. Additionally, had we chosen to eliminate right turns here, we could have increased transit priorities. The reason the gentleman told me that we're not eliminating right turns is because there's a lot of demand for right turns. Well, I point out the irony. We were standing on Better Naito, which used to be a freeway. What was the demand for Car Travel, on Better Naito, on the Waterfront Park during that time? It was zero, because we had eliminated it. People found other ways. I'm sorry, we need to tell PBOT with every single project, increase person capacity, don't increase vehicle capacity.

Wheeler: Thank you all three of you. Next two, please.

Moore-Love: Paul, I believe the last name is Grove, and Laura Young.

Paul Grove: Mayor wheeler, commissioners, for the record, my name is Paul Grove, I'm with the Portland Metro HBA. Appreciate the opportunity to testify today. I submitted a letter. It may have been a little late for your package, so there should be something forthcoming if you don't already have it. I'll try not to repeat what I said in the letter. But I wanted to speak in support of the proposal today. As an association, we have long recognized the importance of SDCs in addressing the impacts to the system around new development. And this proposal is in keeping with that. One of the things that struck us as an association was, in this lengthy process the degree of outreach and input that PBOT sought from all stakeholders. I think it was a very robust discussion that was had, whether it was industry development, DRAC, Planning and Sustainability Commission and other community and neighborhood groups. I think it served as a model in terms of feedback and input for folks to have their concerns raised, addressed, and then ultimately or potentially realized in the proposal. So, I think kudos to PBOT and staff throughout the process. As I noted, the association is supportive of this, and I think as Mary Helen noted in DRAC, it's not often we come forward in support of certain proposals. And so, I think in my testimony, I elicit a series of points, and they range from geographic equity to the balancing out

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affordable concerns in terms of using 50% of the maximum defensible rate. But one thing I wanted to really touch upon was the accountability aspect. I think that the process that PBOT undertook in having that move forward will ensure a degree of accountability with this program that we're encouraged by moving forward. I think whether it's refinements to the program, whether we're looking at improvements, I think it's something that can set the standard for the proposal that they have and if we want to see potential changes moving forward. I know folks want to examine certain items that we can again bring that diverse group of citizens and stakeholders together to hash out those policy objectives and move forward on that. I'll be mindful of folks' time. Again, I have written remarks and thank you for the opportunity.

Fish: Mayor, I can pose a question? Paul, you represent the industry that builds things, so I am curious of your perspective on a question that came up in the prior panel. So, the city has all these policies that are trying to encourage smaller greener footprint. We're going to get denser, so we got to go smaller and greener. What do you say to the critics of a system that treats SDCs the same for 300 square foot very efficient unit and a 2,000-square foot penthouse?

Grove: Well, I think commissioner Fish, members of council, I think I am cognizant and I have had a lot of discussions with my friends from Cully about this issue. I think at least where the proposal stands now, there's a degree of comfort for our members in terms of we have a carve-out for 1200 square feet or less in particular around ADUs, cottage style development is one things we discussed amongst our Portland members. I would defer to PBOT in the sense of we're looking at the trips. We're looking at the impacts to the system. And I think their testimony noted that more data was needed and I think we would subscribe to that.

Fish: Thank you.

Wheeler: Good morning.

Laura Young: Good morning. Thank you. My name is Laura Young, I'm the chair of the Cully Association of Neighbors. And I have letter of recommendation and comments. I had attached an example to the back of the letter, it's not actually part of the letter, just so you know. Dear mayor and commissioners, the Cully Association of Neighbors would like to offer comments on the transportation system development plan charge update. As background, the Cully neighborhood is annexed to the city in 1985. Consequently, we share, similar with east Portland, a lack of adequate transportation infrastructure such as sidewalks, safe bike routes, paved streets, and connectivity. We are therefore pleased that a number of projects important to our neighborhood are proposed to be eligible for the Transportation System Development Charge funding. At the same time, we're aware that the transportation improvements, while needed and desirable, make our neighborhood more attractive to developers, investors, and home buyers, driving up prices and exacerbating displacement that we're already experiencing. Due to these pressures, we adopted an inclusive Cully policy as a community, which proposing a variety of strategies encouraging moderately priced individual homeownership as a wealth-building, prosperity-enhancing strategy, encouraging renters to become homeowners, to build wealth, and to stabilize families in encouraging alternative designs for infill, such as accessory dwelling units, small house cottage clusters, and other strategies to promote more affordable market rate infill housing. All these strategies could be served by a slightly amended rate schedule for TSDCs. The proposed rate schedule offers three rates for residential development, single family, single family less than 1200 square feet and multi-family. The rate for the small house is half the rate for a larger house and a bit more than rate for an apartment. We appreciate the proposal seems to acknowledge the need to incentivize smaller housing units. As it stands, however, the proposal does not accomplish that. At

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most, the only housing that will be built smaller than 1200 square feet, is an accessory dwelling unit, an ADU, so there's no incentive to build smaller market rate housing. Meanwhile, the apartment rate means that a 4,000-square foot penthouse or a luxury three-story townhouse, will actually pay a little less than an ADU. And on the back side of your letter, there's an example of the proposed residential transportation rates then the parks rate system as well, as we're using as an example as a better model. The rate schedule for Parks SDCs adopted in 2014 offers a good example: It lists five residential rates for different sized units regardless of whether they are single or multi-family. This rate structure creates a clear incentive for developers to build smaller and therefore more affordable housing. We understand and support the new methodology, using person-trips to calculate TSDC rates. The Parks Bureau used data from 2011 showing large dwelling units having more people in them on average. Now, 2015 data is also available through the American Community Survey. It is intuitively obvious that more people results in more trips. I'm going to stop there. I have three seconds. I want to comment -- can I have 30 more seconds? When we talk about the Transportation System Development Charges and how they apply to Cully, it really is an equity issue. We have single-mother households: 297% of the city average, African-American: 239% of the city average, Latino: 236% of the city average, family households in poverty: 236% of the city average, and we have a higher than average rate of homeownership which means a large number of low-income homeowners. And having these projects such as the 47th Avenue L.I.D., the 57th and Killingsworth L.I.D. that's proposed by the Habitat Project and the 75th and Roselawn that didn't make the list that I would like to take a plug for you to take another look at, all these create opportunities for small infill projects to reduce the burden on individual homeowners and to get some of this infrastructure improvement completed in a way that doesn't unreasonably burden our community.

Wheeler: Very good. Thank you.

Young: Thank you.

Wheeler: Good morning.

Lightning: Good morning. My name is Lightning, I represent Lightning Superwatchdog X. In my opinion, if you want more homes to be built, we don't keep tacking on more fees to the developers. I would like to see the fees held at a certain cap at a certain rate and held for at least three years. I think market conditions right now especially on developing more multi-family is beginning to cool off, and we need to offer something to the developers to keep the current pace moving forward. Every time you tack on more fees, it's gonna kick up the prices of housing. Every time you tack on more fees, it's gonna kick up the rents for the tenants. Why not cap it, carry it out for three years, don't add more on the developers. They have done a great job in the last few years. Let them continue that pace and understand we still need more units. We still need more homes developed, and the thing about it, the reality is, is that, when you look at certain studies, we might have a surplus of smaller units as far as multi-family. We need larger units built right now. We need to have more developed for family-sized units. And, you know, the numbers make more sense to build the smaller units in these developments. We need to make it to make more sense to build larger, family-sized units. To develop more homes. We are restricting the developers moving forward. We are adding more fees to them when they have done an outstanding job in the last three years. They have added a tremendous amount of inventory. Don't penalize them for that. Continue the movement to go forward. Continue supporting the development community. And understand, look at the market conditions right now. It's beginning to cool off. We need to understand: To keep them developing more properties, quit adding more fees to these developers. In my opinion, we have got to stop doing that plain and simple. We have to stop penalizing the current developers out in the

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marketplace. Don't add more on the fees. Put a cap on it. And I don't approve was going to be passed today and you're all going to pass it, of course because it's more fees to the city. I absolutely disagree with this.

Fish: Lightning, this proposal actually reduces fees.

Lightning: It actually does not when you look at the charge from Beaverton –

Fish: It does on some

Lightning: Okay. Since you brought that up I will go back against you. If you look at Beaverton, opposed to Portland, and then you look at the increases on a single-family home, it actually went up! So, for you to say it's actually going down is incorrect. That's an incorrect statement. That is incorrect. So, my point being, if you want to keep adding more fees to the developers, it's going to stop them from wanting to develop more properties. We're already seeing that right now, and if you add more fees it's going to increase the rents, it's not going to make housing affordable. And why do you add more fees if you want more development at this time, when we have a housing shortage when we have a shortage for housing currently out there? Why do you keep adding more fees? It doesn't make sense. Do you really have to at this time? That's my question. Do you really have to when the market is cooling off? So that's my position. Thank you. Don't add more fees to developers. They have done a great job.

Wheeler: Thank you sir! Thanks all three of you for your testimony. We appreciate it. So, commissioner Saltzman has an amendment on the table seconded by commissioner Fritz. Is there any further discussion on that amendment? We're moving this to second, but we can take the vote on the amendment and move that as well.

Fritz: I have questions which I would like to ask PBOT before the second reading. I may have more amendments after that.

Wheeler: Very good. Come on up.

Fritz: I don't want to ask them now.

Wheeler: Oh, coming back in two weeks.

Saltzman: Yeah, coming back in two weeks.

Wheeler: Very good.

Fritz: I'll certainly be in touch, respond to some of the testimony that we heard. I'm sure you do have comments on that.

Wheeler: So, we could pass the amendment to second reading, leaving that open, if that would be your preference.

Fritz: Yes please.

Wheeler: Very good. And commissioner Saltzman is good with that, so the proposer and seconder. So, with that, this is a first reading of a nonemergency ordinance.

Fritz: I thought you just said we were gonna vote on the amendment.

Wheeler: Oh, you want to vote on the amendment?

Fritz: Yeah.

Fish: Lets vote on the amendment, mayor.

Wheeler: Very good. Call the roll.

Eudaly: Could we just hear the amendment since it's been a while?

Wheeler: Here it is, Dan, if you want to re-read it.

Eudaly: Or just a brief description.

Saltzman: Well, it's for colleges and universities that replace a square-foot calculation with a student calculation.

Eudaly: Great. Thanks.

Wheeler: Very good. Please call the roll.

Saltzman: Aye. **Eudaly:** Aye.

Fritz: Thank you for your testimony and thanks for the staff work. I think we're getting

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toward a really good conclusion. Aye.

Fish: Aye.

Wheeler: Aye. The amendment is adopted.

Fish: Mayor, it's going to come back in two weeks, and like commissioner Fritz, I thought it was a superb presentation, but there are follow up questions I'll have. And what we'll do is, we'll start with emails just outlining the questions, then follow up with any briefings that are necessary. But there's a couple areas around smart cities, and around this issue of whether we ought to have a further schedule, depending on the square footage behind the door. I'm just interested in learning more about that, but, thank you very much.

Leon: So, just a couple quick things, based on testimony. So, I think, on the autonomous vehicles, we don't have anything explicitly in our project list that is related to A.V. construction. So that's one thing we will provide more input in writing. Amy's testimony talked about one of the projects you just voted on with consent today, which is adding her request to the 70s bikeway. So that's already fully incorporated in our SDC project list. So, thank you Amy.

Rich [last name?]: That was two weeks ago on the consent agenda?

Eudaly: Which was that?

Leon: There was a 70s bike way.

Eudaly: Okay.

Leon: And then Jim's request about the North Suttle Road that is a project on our SDC list, so that is good. On the transit priority request, we can certainly put forward an amendment that I think would address their concerns if you want to do that, but I think inherently in our projects, we prioritize transit. It's a question as to whether or not you want to do another amendment or if you just make us to make sure that we include those in those ten projects they asked about. And then, we will provide, in writing, some more analysis about the single-family home.

Fish: Well that's incredibly responsive. Thank you.

Fritz: Yeah, that addresses two of my specific concerns raised in testimony. And the other is about why you chose two categories of single-family rather than five. Thank you.

Wheeler: Very good. Colleagues, anything else? Good. This is a nonemergency first reading of an ordinance. It moves to second reading as amended to September 27th. Very good. Next item, please.

Item 1007.

Wheeler: Colleagues, just as a reminder, this is an issue where we have already taken extensive testimony. We have already taken a provisional vote. I would move that the council grant the appeal of appellant one Erica Ceder, deny the appeal of appellant two Peter Meijer, uphold the decision of the Landmarks Commission, but remove condition G and adopt the findings. Is there a second?

Fritz: Second.

Fish: Mayor, I was absent for the hearing and I have not had an opportunity to review the complete record so I will not be participating in the vote.

Wheeler: Thank you commissioner Fish. Colleagues, anything else? Please call the roll.

Saltzman: Aye. **Eudaly:** Aye. **Fritz:** Aye.

Wheeler: Aye. The motion is upheld thank you. Next item, please.

Item 1012.

Wheeler: Colleagues, to provide efficient 911 service to residents of Portland, we must maintain and upgrade equipment systems to stay up to date with current technology. This extends to the master contract to purchase and maintain the appropriate equipment. It provides funding for upgrades and replacement of the current 911 system. A full upgrade to the 911 system is scheduled for November 7, 2017, which is funded out of the state of

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Oregon OEM911 funds. The upgrade brings the technology level to current industry standards and operating systems which is critical in a public safety environment. This will allow a transition to the next generation 911 network, NG911, that is slated to occur nationally within the next ten years. From the Bureau of Emergency Communication, we have internment director Lisa St. Helen here to answer any questions or concerns that you may have. Director?

Lisa St. Helen, Bureau of Emergency Communications: Thank you. As you just said there's not a lot else to this that I can add. I brought Maureen Kinselgraubs, who can answer technical questions regarding the contract itself and regarding the phone system that we currently utilize. I also brought along Gary Bevins with our financial department. I will turn it over to Maureen. If you have technical questions, she can help you.

Wheeler: Any further questions? Is there any public testimony on this item?

Fritz: My understanding is this will allow texts to 911, is that correct? Or that is another one?

St. Helen: We actually currently have text to 911 right now. This will enable, with the upgraded system, this will enable us to have integrated texting with our CAD system. It's not something that we are implementing straight away with the upgrade that's coming in November. That's gonna happen statewide at a later date.

Fritz: Okay. And does this transition involve the complexity of replacing the entire computer dispatch system we have done in the last years?

St. Helen: The actual computer-aided dispatch system?

Fritz: Yeah.

St. Helen: It does not. This simply replaces the phone system.

Fritz: Thank you.

Wheeler: Any further questions? Is there any public testimony?

Moore-Love: No one signed up.

Wheeler: Please call the roll.

Saltzman: Aye. **Eudaly:** Aye.

Fritz: Thank you for your patience and great work supporting the people of Portland and of Multnomah county. Aye.

Fish: Aye.

Wheeler: Aye. The ordinance is adopted. Thank you for your patience. Next item, please.

Item 1013.

Wheeler: This is second reading, but commissioner Eudaly would like to introduce three amendments.

Eudaly: Thank you. You had raised a concern last week about one of the amendments pertaining to businesses, established businesses being exempted from the 1,000-foot rule if a new school is opened. So, the concern was that our language was more restrictive than the state, so this amendment just serves to align our language with the state language. Amendment 1: Change Subsection 14B.13.040E, Number 4B. From "The ownership of the business changes by 50% or more, requiring a new application" to "A new application is required." Amendment 2, add the language "and received final inspection approval" to the end of Subsection 14B.130.050A.6, and amendment number 3, add the language: "If ownership of the licensed entity changes by 51% or more a new application is required" to the end of subsection 14B.130.050A.9.

Fritz: Second for purposes of discussion.

Wheeler: And commissioner Eudaly moves, commissioner Fritz seconds all three of the amendments for discussion purposes.

Fritz: yes.

Wheeler: Is there any public testimony?

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Fritz: Oh, may I discuss?

Wheeler: Yeah.

Fritz: So, I'm a bit confused. Because Amendment 1 says if a new application is required then they would not be grandfathered in. Is that correct? Am I reading this properly?

Eudaly: Maybe Brandon, please come up to answer the commissioner's questions?

Brandon Goldner, Office of Neighborhood Involvement: Hello. For the record, I'm Brandon Goldner, program coordinator for the city of Portland's Cannabis Program. Yes, commissioner Fritz, you're correct. So, the discussion from last week was about that requirement. If the ownership changed by a certain percentage, you would no longer be eligible for grandfathering. Some of the discussion last week was a concern that that language was maybe too specific or restrictive, and there was a suggestion that perhaps changing that to simply say if a new application is required, that you would not be eligible for that grandfathering so that if our requirements for needing a new application were to change, that this rule would kind of change along with it. Again, that's the same way the state is approaching this issue. And so that's why we changed the language and clarified when you do need a new application.

Fritz: Well that makes sense to me, but it doesn't make sense, because Amendment 3 then goes back to saying if this changes by 51% or more, a new application is required –

Goldner: That is correct.

Fritz: - which doesn't get past our direction that if it just changing from – the example that was given was an 80% to one owner, a 20% that they shift when the 80% wants to retire. Under this Amendment 3, they would have to apply again, and then they wouldn't get grandfathered.

Goldner: Yeah. That is true.

Fritz: So, that doesn't respond to the concern that we have.

Goldner: And I apologize. My understanding of the discussion last week was that there was a suggestion to simply say, if a new application is required, that that would be added to the language for the retailers, and then we could define when is it that you would need the new application. And if we want to make changes to that, I'm certainly open. I apologize that I didn't reflect the intent of the discussion last week.

Fish: Commissioner Eudaly, can I make a suggestion?

Eudaly: Yes.

Fish: So, first of all, I'm especially grateful for the work that you and your bureau and team have done to bring this forward, and I thought the hearing was very interesting. This question about tracking state law while also making it clear that we're not the final decider, and then figuring out change-of-ownership, I thought was spot on. Because we're now talking about very specific fix, which I think for which there is support, would you consider just passing what's before us on a second reading and just taking a week to get council support on the amendments and bringing it forward as a separate package?

Eudaly: I suppose. I have to say I do share commissioner Fritz's confusion about why the 51% language is still in here when the goal was to simply align our language with the state language, and not unnecessarily trigger a reapplication process.

Goldner: Yeah. And, to be clear, the intent with this was to say, rather than calling out that if you're ownership changes by 51% or more, that that would be tied directly to the part about the grandfathering, to simply make it a little more broad, and say, if you do require a new application, you wouldn't be eligible, and then, to define it elsewhere. And so, again, I apologize that that didn't reflect the intent of the discussion.

Fritz: I would be happy to have some conversation about that. I think commissioner Fish's suggestion is good, although I think we could just continue it for another week. Because Amendment 2 is what we were asking for, and thanks for that. And that's the main thing in

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this application, right? I mean, the most important thing is that similar to retail owners not having to wait for final inspection, that certain of the processes would not have to wait for it either. They would get it after being compliant the following year.

Goldner: And just to be clear, as it stands now, at the state level, if your ownership does change by 51% or more, you would not be eligible at the state level to get this grandfathering either, just, again, to make that point clear.

Fish: If we did continue this a week, and commissioner Eudaly brought these amendments and we slapped on an emergency clause, it would actually kick in quicker than if we passed it today and brought back as an amendment. So, while we would lose commissioner Saltzman I think we have the support to move this.

Fritz: That's a good suggestion.

Eudaly: Sure. And I apologize for the confusion. I just... This was handed to me this morning and I thought we had clarity on it, so...

Wheeler: Very good. I think that's a good resolution, Commissioner Fish, and let's go ahead then and continue this to next week. We have room on the agenda for next week. I'm seeing a head nod yes. So that item, item 1013 to amend the marijuana regulatory license procedure, is continued to next week. Next item, please.

Item 1014.

Fritz: Could it possibly get any more in the weeds of things that we, the council, take great responsibility for, and make sure we do correctly? I think we can summarize this is essentially an administrative action that formalizes a long-standing memorandum of understanding and agreement between Parks and Metro. Staff are here to answer any questions.

Wheeler: Any questions, colleagues? This one, I do agree, commissioner Fritz, I think it wins the In the Weeds award for the day. There's no detail too important for this city council.

Fish: So, we have gone from amending the regulatory license agreements for marijuana now we're in the weeds, mayor? I think this is a pattern here.

Wheeler: Oh, no. Here we go. Somebody save us. Is there any public testimony on this item?

Moore-Love: No one signed up.

Wheeler: Of course not. All right. Any further comments or questions? Please call the roll.

Saltzman: Aye. **Eudaly:** Aye.

Fritz: Thank you to my very dedicated and patient staff for sitting here. I'm sure you enjoyed the previous things as much as I did. Aye.

Fish: Aye.

Wheeler: Aye. Thank you. The ordinance is adopted. Thanks commissioner Fritz and your staff too. I'll second what she said. Next item, please.

Item 1015.

Wheeler: Anything further on this issue? Please call the roll.

Saltzman: Aye. **Eudaly:** Aye. **Fritz:** Aye.

Fish: I want to thank Sarah Culp who is with us today for what I thought was a superb presentation. Aye.

Wheeler: Aye. The ordinance is adopted. Thank you, commissioner Fish. Next item, please.

Item 1016.

Wheeler: Anything further on this item? Please call the roll, Karla.

Saltzman: Aye. **Eudaly:** Aye.

Fritz: Commissioner Fish, it's not so long ago the 25-million-dollar contract, going forward, would have had both chambers packed and no trust from the community. And I really

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applaud the way that you've brought back that trust. Thank you. Aye.

Fish: Thank you very much. Aye.

Wheeler: Aye. The ordinance is adopted. We're adjourned until 2:00 PM. Thank you.

At 12:08 PM. 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 13, 2017 2:00 PM

Wheeler: Folks, this is the afternoon session, September 13, 2017. I would like to start by welcoming the young people here today from Prescott Elementary and Park Rose. And your teachers were delighted to have you here with us. And I know that you're part of our first item, but I wanted to give you that acknowledgment first, that we're so happy that you could be here and be part of this important presentation. Karla, please call the roll. [Roll call taken] Please call the first item.

Item 1017.

Fish: It's my great honor to welcome two leaders forward to the table, Craig Gibbons, the Arts Oversight Committee chair, and Nancy Helmsworth. They are going to kick off the presentation and the performance. Craig, welcome, and thank you for your service.

Craig Gibbons: Thank you. Hello, all. We are glad to see you here for this presentation. I'm going to turn it over to Marna Stalcup, from RACC, to introduce our performers today.

Marna Stalcup: Thank you so much. It's a delight to be here. At the Regional Arts and Culture Council, we put students first in all of work in arts education, so we're doing that today in this presentation in that we're presenting what we like to call a story from the field. And you're going to hear it directly from students rather than through our lens. So, we would like to welcome the Prescott students up for a performance for you and their teacher,Carolynn Langston.

Carolynn Langston: My name is Carolynn Langston, and I am the music specialist at --

Fritz: Excuse me, I'm awfully sorry, but could you speak into the microphone? Otherwise the captioners can't hear.

Langston: Sure! [Laughter] My name is Carolynn Langston, music teacher at Prescott Elementary School in the Park Rose School District. Our very supportive principal is here with us today as well, Mr. Sam Maranto. I joined Park Rose in 2013 when the Arts Tax was implemented citywide. We went from having one elementary music specialist in the entire district to having one in every building. With the return of music in our schools, the change in Park Rose students is truly remarkable. Our students sing with joy, dance with gusto, and play instruments with finesse. They vibrate with enthusiasm, they resonate with excitement, and they turn sound into the most beautiful music. The effect reaches far beyond the children's musical prowess. Our academic scores are higher, attendance has improved, and our school is more connected to our community. Park Rose students love what we have to offer, and our pre-k to 12 music programs are growing exponentially. Just like many other districts in the Portland Metro area, we're so grateful that the residents of Portland value the arts and pay an additional tax each year to ensure all elementary students get a well-rounded education. Thank you for your continued support of our children, the impact we are making will last a lifetime.

Wheeler: Thank you.

[Students singing] ¶¶ we will find a way I do believe ¶¶¶ ¶ we will find a way ¶¶¶ ¶ together we will find a way ¶¶¶ ¶ band together and we will find a way ¶¶¶ ¶ we will find a way I do believe ¶¶¶ ¶ we will find a way ¶¶¶ ¶ we will find a way ¶¶¶ ¶ we will find a way I do believe

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¶¶¶ ¶¶ we will find a way ¶¶¶ ¶¶ we will find a way ¶¶¶ ¶¶ we will find I do believe ¶¶¶ ¶¶ we will find a way I do believe ¶¶¶ [applause]

Stalcup: We have one more surprise offering for you today. I would like to ask Henry. Henry Bolsch has a gift of his own artwork for the mayor, and also copies for each of the commissioners. His brother Walter is here to help him. Henry was a fifth grader last year at Richmond Elementary Japanese Immersion Program. So, for your offices.

Wheeler: Thank you!

*****: Thank you for supporting us.

Eudaly: Thank you!

Wheeler: Thank you:

Fritz: Thank you very much.

Fish: Thank you, young man, for joining us here today.

Wheeler: Thank you very much, kids. Excellent. Well done.

Fish: Can we give them another round of applause? [applause]

Fritz: On your way out -- I want to thank you, children, for the card on the package too, because I know that you sold those as a fund-raiser, and I bought a bucket, so I really appreciate it. Thank you.

Fish: Well, that's the show.

*****: Try to top that.

Wheeler: Tough act to follow.

Gibbons: Well, thank you for having us here. By way of introduction I would like to start with a brief review of the Arts Tax and what it is before we get into what our committee has been studying this year. The voters approved the tax in 2012. The purpose was to fund one teacher per 500 K through 5 students in the Portland area. The remainder of the money that was collected was to go to RACC for distribution to cultural organizations and the administrative costs to the city were not to exceed 5% over five years. That's the tax in a nutshell. As part of that, the forecasted revenues were about 12.5 million dollars a year. The 12.5 million dollar forecast was based on a demographic group of adults and on a compliance rate of about 85 to 89%. Well, the Arts Tax was passed, and the initial action was that the demographic group that was affected was reduced pursuant to law and to some other actions, so fewer people were scheduled to pay the tax. The second thing that happened was that the compliance rate was about 10 to 15% less than the anticipated compliance rate. As a result, the revenue from the tax is about 10 million dollars a year. And the costs, because revenues are not what they were anticipated to be, the 5% has been exceeded and costs are at 7.7%. That's the story in a nutshell. We're going to go through some slides and talk about some of this. And our job on the committee is to see that the Arts Tax is being used the way it was anticipated to be used. And I need to introduce some committee members who are here with us. Could you all stand up, please, and introduce yourselves?

Alison Chambers: I'm Alison Chambers.

Nancy Helmsworth: Nancy Helmsworth

Niel DePonte: Niel DePonte.

Madeline High: I'm Madeline High.

Gibbons: Those are four of our members. So, has the Arts Tax been doing what it was supposed to? Oh, wait, we have gold star winners here. These are people who have helped the committee out in our work. Commissioner Fish, of course, Jamie Dunphy and Amira Streeter from his office, and from RACC, we have Jeff Hawthorne and Marna Stalcup. From Portland Public Schools, Kristin Bryson, and of course our former chair, Stan Penkin, have all helped the committee out this year.

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Helmsworth: That's me. I'm going to speak to the slide. This is slide, as you can see, says the school districts are maintaining their obligation to fulfill one full-time equivalent arts teacher for every 500 K-5 students. As you can see in this slide, the number has continued to improve every year since the Arts Tax was implemented. In the base year, there were 997 students per teacher. And in the most current year, 2016-17, it was 381 students per teacher. The AEF funding supported 62 teachers across Multnomah county. That's two-thirds of the 92 teachers reported by all the districts. In the report, and you have the full report, you will find specific numbers for each school district. The numbers are broken down for each elementary school, but also for each middle and high school. Our committee metrics team looks over the arts staffing ratios and tracks progress from year to year. Please know that the first 5th graders benefiting from the Arts Tax are now entering high school. This year, we began to look deeper at the continuity of the arts programming. We're hoping that you will review this report, but also that school districts revisit the information as to where they are and where they want to be growing in the opportunity that the AEF provides.

Gibbons: Any questions so far?

Fish: Yes, just a general question, Mr. Chair: In discharging your responsibility under the Arts Tax, and in working with the various school districts that are receiving funding, are you getting the level of cooperation, in terms of responsiveness and data, that you require to do your job?

Gibbons: Yes. We are getting the response and the data that we need based on what we have asked for.

Fish: Thank you.

Gibbons: So that's the schools. Let's talk a little bit about the revenue division and the revenue that the tax is generating, and how it's generating it. This is a chart that shows -- let me back up. The Arts Tax is talked about in terms of tax year. So, just like your income taxes for your tax year 2012, you pay it in 2013. So, this chart shows that for tax year 2012, by August of 2013, slightly less than 8 million dollars had been paid. The next column is the tax year 2013, and this chart shows that by August 31 of 2014, slightly over \$8 million dollars has been paid. The point is to show you that initially, the tax is generating more revenue each year. The issue here is voluntary compliance. More people are paying the tax sooner. That's the point of this chart and it gets to what the Revenue Division is doing. This is a chart that shows, as of June 30th of this year, how much money was collected in tax for each tax year. And, you can see that the high year is 2014, tax year 2014, and it's slightly over 10 million dollars. 2015 and 2016 are less because there has been less time to collect the tax. The tax has a long tail because everybody doesn't pay it on time. Does this make sense? Okay. So, now we talk about Regional Arts and Culture and their responsibility to distribute the money that they receive from the tax. And this is a chart that shows how many grants have been awarded annually. The trend line is up. RACC pulled back a little bit this year, and I believe they were a little overaggressive last year in the number of grants because revenues weren't what were anticipated. So, they sort of tapered off and they want to hold the number of grants steady for a while as the tax stabilizes. So that's what RACC is doing. Okay. Now, the big issue this year that we have dealt with is the 5% expenditure cap, and you all have dealt with it too. It's been clear that the trend is that the cap is going to be exceeded, and last year, I believe you had a resolution that said to the Revenue Division to come back to you with a solution for that issue. This chart shows the administrative costs as percent of gross revenue, and the average has been about 7.8% a year.

Fish: Mr. Gibbons, would you remind us, under the ballot measure, is the administrative cap calculated based on a five-year average?

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Gibbons: Yes. It is on a 5-year average. That's what the orange line is.

Saltzman: So that's, what? 7.7%?

Gibbons: Yes.

Saltzman: Okay.

Gibbons: You will be receiving, from the Revenue Division, a proposal to deal with this. And the committee has considered that proposal, and we have a recommendation for you at the end of this, at the end of our presentation, on the Revenue Division's proposal.

Fish: But to be clear, since you earlier had a slide in which you said because of some changes the council made, and because we're at 73% compliance, we're below what was originally contemplated in terms of what we were going to collect. If we were closer to the 12 million that was originally contemplated, would we be below the 5%?

Gibbons: You would be smack on 5%. Yes.

Fish: So, the original model was based on assuming you would collect 12 million. That was not locked in stone but that was the goal.

Gibbons: Yes.

Fish: And so, just by way of preview, we have to lower our administrative costs somehow, or we have to find some way to supplement it from some source.

Gibbons: Yes.

Fish: Okay.

Gibbons: Let's look at it a little further in this next slide. We have looked at this issue in depth in the committee. The fact is that the citizens voted for a tax to support the arts. They also voted for a 5% cap. And what's turned out is that those two things for this particular type of tax are mutually exclusive. It's kind of either one or the other. This little cycle shows what happens: If we reduce spending on enforcement and collection of the tax, then one assumes fewer taxpayers will pay. And if fewer taxpayers pay, then less tax will be collected. And if there's less tax collected, then the amount available under the 5% cap is even lower. So, really, from my point of view, there are two mutually exclusive provisions in the ballot measure. And it has to do with voluntary payment of the tax. So that's the situation with the tax. Does this make sense?

Saltzman: I'm not sure I buy it, but it makes sense. I mean, your logic, I'm not sure I buy where you're going with this.

Wheeler: Yeah, I want to second that. I'm not going to agree to that statement, but I know what you're saying.

Gibbons: Okay. Understood. We're going to switch over to our Arts Tax committee and what we will be doing this year.

Nancy Helmsworth: So, I'm going to read the slide. The Arts Tax committee membership is almost 100% new. All the original committee members' terms have expired, so this flowchart illustrates the workings of the Arts Tax and our major agenda for the year which is to get everybody on the committee up to speed in their understanding of the mechanics and the flow of the AEAF monies. The specifics can be a little tricky as a new citizen-member. Our committee terms are two to three years. So, the continuity and longevity of this committee, we're trying to build a system and simple documents to facilitate the onboarding of new members. The committee is in its second or third generation depending how you're counting, and there's still work to do now, and we expect the work to continue to evolve. We're preparing new members to take over and lead the next generation.

Gibbons: So here are our recommendations for the year's work. You will be receiving from the Revenue Division, in a couple of weeks, an analysis of the 5% cap and several recommendations on how to deal with it. We support the Revenue Division's recommendation as presented in -- as you will be presented with in the memo. I worked in public entities for 30 years, and it is an extremely difficult to say, to say that the voters

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voted for this 5% cap and it needs to be examined and maybe modified. It's tough to say. And on the other hand, the way I see it, it's kind of one or the other, and I have expressed that to you. so I understand. Our second recommendation --

Helmsworth: Second recommendation, the committee recommends that the council establish an expectation that each school district will produce a State of the Arts report documenting the impact of the Arts Tax funds. The purpose of this request is: Number one, to provide a fuller picture of how the Arts Tax benefits schools. Some of the effects are -- pardon me. This confuses me. Some of the effects are direct and measurable. And that is already reported, but many of the benefits are indirect or tangential. We hope to learn more about what these are. We do not know how the seed will grow. Number 2, a State of the Arts report is a reflective activity that might aid each district in their internal tracking of arts and related growth in their schools. This task stimulates self-monitoring of the AEA, use, and more. And number 3, the State of the Arts will generate a narrative which will be information that we can all access and share to celebrate as examples of the AEA success. Positive PR is needed on all levels, from the individual school to the district, to the city, to the county.

Gibbons: And that's our presentation.

Fish: Are we going to hear from Thomas afterwards?

Gibbons: That is not planned, as I understand, as an agenda item, for a couple of weeks away.

Fish: I mean, I think because you've salted the discussion --

Wheeler: Definitely! [Laughter]

Fish: I think because you salted the discussion, mayor, I would suggest that -- let's take a few questions because the committee has done yeoman's work doing mind-numbingly difficult stuff in terms of tracking the dollars, they have no control, as a body, about the administrative expenses they are reporting to us and we're going to have some options presented. So, do we want to hear from Thomas, or do we want to first pose questions to the committee about their report?

Fritz: I just have a question we know that Park Rose, David Douglas, and Portland's are all parks within the city. How are the districts where some of the children are in the city and some not, like Centennial -- they get a proportion, right? Because they're in the city.

Gibbons: Yes, they do.

Fritz: Do we know whether they are providing more arts teachers for the school district areas within Portland than there are outside, or are they matching it so that it's across the entire district?

Gibbons: No, they are using the proceeds within City of Portland schools. Yes.

Fritz: So, if, in Centennial, your child happens to go one that's in the city of Portland, you would be likely to have more arts and music teachers than one that is in Gresham, for example?

Gibbons: Yes.

Fritz: Thank you.

Fish: Mr. Gibbons, how do you and the committee monitor the school districts to ensure that these dollars create new value and are not in effect being used to backfill existing positions?

Gibbons: We have worked on that issue for four years, and we have a base year of -- it must be 2012 that we work from. And we compare the teachers today with the teachers that were in effect in that base year before the tax went into effect. And that's how we compare it. So, we're comparing - they do not backfill against that base year. That's as much as we know.

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Helmsworth: And the improvement is distinct from 900 students per teacher all the way down to 381, so it's a clear, clear difference. It's not a nuanced difference by any means.

Fish: And your recommendation about an annual State of the Arts report, which I think is a very good recommendation, what form would that report take in an ideal world?

Gibbons: This is the art world. I personally think it should take the form that matches the district, but the objective is to give you all and the citizens evidence to show that the tax is working as it is meant to be, that it's effective. I don't know that we can prescribe the nature of the report, but we as a committee could think about that and talk about it and see if we would like to set out some standards for the report.

Helmsworth: I want to say one other thing. I think that one thing of being on the metrics committee, I realize that we look at the data that's generated from the maybe the personnel office -- I'm not sure exactly which office, but I think of it as in the bowels of the school. And one other thing, as I think that if we could get the district to even review their own data, districts are -- it must be like sitting in a box with knives coming in. They are pushed and pulled so many different directions and regulations, to just to hopefully get them to look at their own data, and then really think about how it plays out in their district. So, I would hope -- obviously we will talk about it, but it would involve looking at real numbers and also some narratives that describe what those things are in each school.

Fish: I would strongly encourage you to put the data and the narratives as part of your template. The stories that we keep hearing about the impact of the Arts Tax on kids, particularly at the Right Brain Initiative, generates a lot of good data and great stories. The more the public hears about how this is enriching kids' lives and frankly improving achievement in other areas, because of what we know about arts education, I think that's very compelling, and I think the districts should be encouraged to share some of those stories.

Fritz: If I could just follow on from that, and I know there are others wanting to speak too -- my question earlier, about Centennial, some of the schools have arts teachers and others don't, that district ought to be able to look -- if everything else is equal in that district, which I assume it is because that's what they are trying to do, the outcomes should be better on standardized tests in the schools with music instruction, compared with those who don't. And that would be the ultimate validation of our tax, and also maybe encourage school districts to prioritize arts funding within their own budgets.

Helmsworth: True. I want to say one thing. Marna hosted a wonderful kind of conference of arts and education with some national people yesterday. He was reviewing a lot of statistics about the benefits of arts education, and the one thing he said public officials are very in tune with is that the first thing it improves is attendance! So that might be an easier metric to begin with.

Wheeler: Could I give a weird contrarian view, since this is an Arts Tax, and so I feel like I can be a little artistic with my narrative here? I think the public overwhelmingly understands the value of arts education. When I think about this, I don't think that there's a hard argument to be made to convince people that arts education is important. That's just my personal bias. I would be totally wrong.

Helmsworth: You're not wrong.

Wheeler: I would be happy to hear contrarian views. So, really, question for me that I think people are asking, isn't "Does arts education work?" I think they will be focused on a whole completely different set of narratives. "Does my kid have access to it? Do underprivileged kids have access to it? Do kids of color have access to it? Do kids that speak a second language have access to it?" And that's why this 5% thing is really important to me, because it's a bellwether on how we're spending the dollars. And if you're spending it on overhead, that means you're not spending it on access, and equity issues, around an arts

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education. And so, that's why I heard what you were saying, and as commissioner Saltzman said, your logic is unimpeachable, but I want to hear a little more and dig a little deeper.

Fish: Mayor, there's a missing piece of this. We should ask the experts, but my understanding is we're hitting the amount on the one, we're still fall short on the other and the fee. So, this tax was contemplated to raise funds for two buckets. One was arts education, the rest was grant making.

Wheeler: Correct.

Fish: And the first dollars go to arts education. We're meeting that requirement. We're falling short on the grants, and because it's a tax and not a property tax measure, and it's a tax that has to be collected, we're spending a lot administering this, that you wouldn't on a property tax measure. That becomes a question. How the money is spent is an open debate, but dollars for the arts education piece is being met, as I understand it, and the question is we said to voters we would do both. We would do arts education first and the remaining dollars would go to grant programs, which are also very popular. We are hitting those dollars. So, the question is, are they getting to the right people, and making a difference. The grant money is the part that is falling short, and that's what in part complicates the cap.

Wheeler: So, commissioner, help me out here and just be more specific. It's falling short because in the context of the ballot measure we promised more towards grants? Or in what way are we falling short?

Fish: So, I didn't draft the ballot measure, but my understanding is, when it was crafted, in the last few months of the Adams administration, and the council referred it, it was, someone sat down and said, "Okay, here's the formula, we expect to generate x, we would like to keep administrative costs at a certain level. And if we generate x, then we can stay below a 5% cap. Council came in, and based on some legal advice, tweaked the Arts Tax. We did some things to make it fairer and address some legal concerns that were raised. That took some people out of the pool. So that brought the amount down. And despite heroic efforts by Thomas, we're now at 73% compliance, not 100% compliance. So what Thomas is gonna – when he comes back in a few weeks and we have this broader discussion, the question is there's a cost of administering it and the cost of collecting, and even if we fall short – there's still a challenge, he's going to argue, to staying below an administrative cap under that system - council is gonna have three or four options, and my guess is that people are gonna have very strong feelings about those options. That's not today's program, but we're gonna get a preview of it. But that's essentially why. It was designed as if it was going to generate x dollars, and so the administrative cap could stay below 5% because it was assumed to cost a certain amount to administer it. The additional money we're spending trying to collect it is helping to blow the cap, but because it's a tax and not a levy, for example, Dan Saltzman doesn't spend half of every day chasing property tax filers. I mean, his is baked into the property tax, property taxes are paid, Dan gets his allocation. [speaking simultaneously] [laughter]

Wheeler: Dan Saltzman's property tax. I follow you, commissioner! [All laughing]

Fish: I only draw that distinction because they were two different kinds of programs funded differently. Dan doesn't get up in the morning looking at the spreadsheet from OMF every day about property tax collection. This is a tax that requires everybody to participate and we're at 73% so we're either going to downsize administration with consequences, we're either going to raise the cap, and if we raise the cap, one of options that would be presented to you, I suppose, is to use a couple hundred thousand general fund dollars to do it, to see whether you can boost the success rate above 73%. But there are three or four choices, and ultimately council has to decide. And we have had this question staring

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at us for the last three years. Each report has said there's this problem. We now have to structurally fix it, and Thomas is gonna come back in a few weeks. Am I right on that, Thomas?

Thomas Lannom, Director, Revenue Division: Actually, it was a few weeks ago, I provided a – excuse me, I'm Thomas Lannom, Revenue Division director. On August 25th, I sent your offices a memorandum laying out some options. So, they have that information, I'll resend it to make sure --

Fish: Yeah, and I think we're gonna have a robust discussion, I have a feeling where some of my colleagues are leading. That's not today's hearing, because these wonderful volunteers have absolutely nothing to do with the question of the overhead. And I think the question I would put to Thomas is: We're up to 73% now, of the folks who have to pay the tax, but that's up from a low of what?

Lannom: We began in the low 60s. If I could offer some comments and some context, I think it might be helpful.

Fish: Please:

Lannom: So, the proposition to voters in 2012 was simply this: That for every dollar that you pay the city in this tax, 95 cents will go to the arts, arts organizations and to school districts to hire teachers. That's a measure of efficiency. That's a good measure, but a better measure is a measure of effectiveness. So, the dynamic that Craig was talking about is that with a 5% cost cap, what we have said in a nutshell is: We're willing to spend \$1 to collect \$20 for the arts, but we are not willing to spend \$2 to collect the next \$20 for the arts, because that exceeds the cost cap. If we were approaching this from a private sector, purely business perspective, we would say that's a pretty good deal, to spend \$2 to collect the next \$20, to maximize the revenue going to the Regional Arts and Culture council. So, the 5% cost cap is actually constraining us from maximizing the revenue. So again, it's a measure of efficiency, but not effectiveness.

Fish: If I could hold on that for a second. Again, I'm gonna use the Dan Saltzman example. If someone doesn't pay their property taxes, Dan doesn't get a knock on the door saying you got to pony up children's levy money to supplement the county and city efforts to collect property taxes. It's handled differently. So, I want to urge council not to prejudge this issue today, because I know we're going to have strong feelings, and I think it's a very important debate. But the question of collecting a tax, to me, is broader than just what was in a measure, and if there are extraordinary barriers that we're facing, I think the council at least deserves to hear the range of options are. Because we are collecting a tax that has a public benefit. And I think it's, in some instances, unfair to just assume that that is exclusively the burden of the Arts Tax, since we are talking about collecting a tax, and the city ultimately is the administrator of this program.

Lannom: A few remarks if I may: No income tax is 100% collected. The IRS, for example, tremendous powers to garnish wages, seize assets. They are reporting an all-in compliance rate after voluntary compliance of 85 to 86%. And that's the IRS. So, we're never going to get to 100%. A property tax, usually you're looking at a compliance rate of 98 to 99% because ultimately you have got a lien on the property to secure the interests of government. So, it's extremely efficient to collect a property tax, compared to an income tax. The arts thanks approximately one FTE for every 100,000 accounts administered. So, closer to best practice would be one FTE to 7500 to 10,000 accounts, just to give you a sense of, you know, kind of how far out of standard best practice you might see, in terms of maximizing revenue. There are a number of things that we're bringing online now that should increase the compliance rate to, we think, 80% or more, so getting much closer in line with what we have seen from the IRS. That's the IRS data exchange, so we're receiving taxpayer information directly from the IRS, and when we fully engage and are

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fully able to utilize that information, it will really help us to figure out who we haven't heard from and to collect more of the tax. You have also authorized three years of funding for us to modernize and update our databases which will again be a sea change in terms of how we could use that data and how we can collect for the Arts Tax as well as other taxes, like the Business License Tax, the Transient Lodging Tax and others. And then finally, we continue to use the collection agency as authorized by this body last year, for accounts that are seriously past due, that owe \$100 or more, that have received a final demand letter, have received fair notice, have been given multiple opportunities to rectify the account. And so, we're taking all those measures, and are seeing results. If we had strictly adhered to the cost cap in 2016, we would have terminated all collection activity in April of that calendar year. In other words, we would have taken all the checks we had received voluntarily compliance, we would have put them in the bank, we would have had about 8.2 million – we had 8.2 million dollars in revenue at that point, and we had hit the 5% cost cap. We had spent 425,000 dollars at that point. So, if we adhered to the cost cap, we would have been done at that point. But that's not good business sense. So, we continued to spend money to collect more money. And so, from May to December of 2016, we spent an additional 524,000 dollars to collect 2.5 million more dollars. So, the cost of collection on that second part of the year was 20%, way above 5%, but still a pretty good deal because that's 2.5 million that RACC would not have had, had we adhered to the cap. So that's the dynamic that we're faced with around the cost cap. So, the fix that we're recommending, in brief, is that we believe that had taxpayers been given a different choice in 2012, had they been given the choice of maximizing dollars available to RACC, and holding noncompliant taxpayers accountable, as opposed to “Just stop after you have spent 5% and whoever didn't pay gets off the hook,” they would have chosen the first option. It's the option that makes most business sense, and certainly the option that RACC understands best because it hits their bottom line in a very big way. And I think that's why the AOC is recommending that we do this, make this change.

Eudaly: I'm gonna take us in a different direction, so go.

Saltzman: Well, I guess, you know, I understand logically everything you're saying, but I guess I also understand that – it seems to me, if we're serious that we want to increase our administrative rate, in other words decrease the amount of money that goes to RACC and the schools, which is really what we're saying, in a way, and when voters think 95% of the money is going to go toward supporting programs, and we're telling them it's not 95% any more, I mean, that sort of begs the question that maybe we should go back to the voters with the proper numbers, or ask the question the way you want to have it asked. And I know nobody wants to go there, because nobody wants to dare ask the voters to reconsider the Arts Tax, because everybody is afraid they will can it, and they may, but you know, in the same sense of candor and being straight with people, it seems like that is really the question you're asking: Should we go back to the voters with a revised ballot measure that more truly reflects the conditions as we understand them today? I mean, that's, to me, that's the most straightforward, straight-shooting approach to it. I realize nobody in this room wants to do that, because we're all scared. But I welcome your thoughts.

Lannom: Well, I certainly wouldn't recommend that. I think it's important to recognize even at 7.7%, which is where we stand now, by any measure that you find out there, about the efficiency and effectiveness of, say, nonprofits that you can give money to, like the United Way for Disaster Relief, that's considered an excellent benchmark. I think 5% was too aggressive out of the gate. I'll be very candid, I think 5% polled very well in 2012 as a number to shoot for, but it was never realistic. And so, I think that's all come home to roost now. And, I think the average taxpayer, again - and this may go right back to your point,

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commissioner, but it makes no sense for us to stop collecting at 5% and effectively walk away from 2.5 million dollars at the expense of \$500,000 dollars to collect.

Fish: I have a comment – Commissioner Eudaly?

Eudaly: I'm going to take it in a different direction. I would rather you just make your comment.

Fish: So, look. It's a vague memory in the waning days of the Adams Administration when this came to council. I do think the Children's Levy was kind of a model that people looked at. In fact, many of the same people were involved in crafting this. And again, it's just, I don't want to beat a dead horse here, but the Children's Levy staff doesn't spend the bulk of its time doing collections. They administer it. They set criteria. They evaluate requests. They monitor how dollars are spent. In other words, I'd say it's an accountability piece.

Lannom: Right. I would actually go so far as to say, it turns out it's easier to give money away than to collect it.

Fish: Yeah. This is turning into something else. The way this was structured, the administrative overhead is really about funding Thomas's collection agency. And I actually, my initial reaction is that as long as we figure out, over time, to keep faith with the 5% cap, which just means that no more than 5% of the dollars we collect goes to some non-- 95 cents of the dollar goes to students or arts organizations and 5% goes to everything else, I would make a different argument, which is, I don't think it's broken! I don't think we have to go back to voters. I think the city should step up with the general fund, and supplement the difference. And my understanding is, that would be a couple hundred thousand dollars now and again, but I think we should think about it as an investment in boosting the success of the Arts Tax, not criticizing an obvious structural flaw in setting a cap that wasn't related to a meaningful indicator. Because it's no one's fault we're spending extra money to collect the money. And as you pointed out, it is completely counterproductive not to collect the money, because then everyone loses! The kids and grantees, and the voters who are expected to have a certain amount. So, I am going to at least ask that as among the various options, we consider referring it back to voters, cannibalizing the program, doing the various other things, thinking about a general fund. Because there's nothing in what we refer to voters that says we can't cover a city function of collecting dollars to actually benefit a program called the Arts Tax.

Lannom: And that's one of the options we identified in the memo.

Saltzman: And so, what if we spend the extra money, and we still don't get the extra revenue? Then what?

Lannom: We're spending the extra money, and we are getting the extra revenue now. So, the cost cap issue, one of the ways that it can be resolved is that if there was a general fund subsidy of approximately \$200,000 a year, what we would do is charge the collection expenses against that subsidy first, before then charging them to the Arts Tax fund. And that's how you actually get to the 5%. So, the dollars that taxpayers send in are not the first bucket that you dip into, to cover the collections to get to the 5%. The added benefit of that approach, I mean, there are pros and cons to all of these, and they're laid out in the memorandum, but one benefits of that approach, is, dollar-for-dollar, the 200,000-a-year flows to RACC, because the expenses in the fund are being reduced dollar-for-dollar, and the third bucket, which is the bucket that's receiving all of these extra enforcement dollars, is RACC.

Wheeler: Let me suggest this. I mean, this is a hard conversation. It's not one we're going to resolve here today. And this is not really what the committee is reporting on today, although I think they are right to give us a preface of the discussion to come. And it is not going to be an easy conversation, and it gets to the question of priorities, and it means we will probably have to revisit some of the narrative that's been coming up year after year

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after year since the day this was originally implemented. And if I had known anything about these colleagues on this particular city council, we are willing to make hard choices to correct problems that have existed in the past. We're willing to own those problems. We're willing to be transparent with the public about the mistakes that we made, and the consequences of those mistakes, and what we're going to do to fix them to be right with the people who we represent. But we're not going to resolve it here today. So, I would like to go to commissioner Eudaly, if I could. Commissioner Fish, and you're going to take us in a different direction related to the report we're actually hearing today. Is that correct?

Fish: Is that 3:00 time certain or this?

Wheeler: No, we're just finishing up on this. But I think we have gone down the rabbit hole of the Arts Tax collection --

Fish: Karla, who signed up to testify?

Moore-Love: Just one person. Cedric Wilkins.

Eudaly: Well, at the risk of going down another rabbit hole, first, I would just like to say thank you for the report. I was a supporter of the Arts Tax, I was an invited participant in the community town halls that had been leading up to it. I largely agree with the tax. I do not agree with the exemption level of \$15,000 dollars. But first, I want to talk about outreach. Because I know just, you know, anecdotally, there remains a lot of confusion in the community about the Arts Tax. If you're new to town, you may not know it exists. Even if you are not new to town, you may think that you're paying it in your other tax bills. You may think that if your husband or wife or spouse pays it, that you don't have to pay it. And, you may simply not be able to afford it. And in that case, you're accruing a penalty. So, I see in 2016 that, you know, you ramped up outreach. I guess, we don't have to really delve into it now, but I just want to put it out there that I see that as one of the ongoing problems. We have this gap in compliance for eligible taxpayers of, what, 22% -- are we at 78?

Lannom: We're at 73, and we really would like to see it 80 or more.

Eudaly: 73. Okay. But we have an extraordinarily low number of people who are actually exempt applying for the exemption. So, there's just clearly still a lot of misunderstanding in the community. And then my other question, which is, I don't want to spend too much time on it, I don't know how that \$15,000 exemption was arrived at. It seems arbitrary to me. It seems too low for 2012 and certainly too low for 2017 when we have seen rent increases of 60% in the last several years, when the wage required to afford housing in Portland is somewhere around \$24 an hour, \$15,000 is just a couple thousand dollars above the federal poverty level. So that means a single-parent household, making -- could actually be living below the federal poverty line, and still on the hook for our Arts Tax. That's not acceptable to me.

Lannom: Right. So, it was a decision in 2012 to make the exemption level at 100% of poverty. There were a lot of voices that wanted to make it higher. The push-back is less money, unless you raise the rate from 35 to 50 or some other number. So, you know, ultimately that was a political decision to place it there, but I can tell you without any hesitation, that my staff takes a great number of very difficult calls from people who are in financial distress who are barely able to pay, or are just barely on the wrong side of needing to pay. We do our level best to temper our collection efforts, taking those persons' circumstances into consideration. We have payment plans, and we also have a very targeted collection approach where we attempt to identify those taxpayers that are noncompliant that have the highest income, and focus our efforts on them, those areas, first. The main reason for that, of course is because of a risk basis, those are the people most able to pay. So, there's some steps that we are taking. I guess the other thing I would say, not everyone uses third-party tax preparation software. Many, many people do. Over

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half of the people in the community do. We just secured – and commissioner Fritz, in particular, has been pushing this issue year after year, she's a Turbo-Tax user, I don't think you would mind my saying so [laughter] – and we finally secured their agreement. We have been in the Turbo-Tax application for some time, but they finally have agreed to pre-populate the data, and to make it more like the state form, where you're not required to reenter everything, it's just going to flow to that part of the form, and make it that much easier for people. The same thing with the H and R Block application. So, we're doing some things like that. In terms of a more direct outreach budget, we do mail to every single household every year, so if you moved into Portland that year, you should still get notification. Also, our penalty waiver guidelines recognize that people that just moved here wouldn't have had the five years of history and understanding about this thing. So, anyone who moved here and fails to pay and file can apply for a penalty waiver, on the basis of "I just moved into town." And those are approved automatically. So, we're doing our best to be fair about how we collect this tax.

Eudaly: Thank you.

Fritz: A quick question for the city attorney. Is the council allowed to change the Arts Tax without going back to the ballot measure?

Ben Walters, Chief Deputy City Attorney: As a citizen approved amendment to the city code, the council retains the ability to modify the code. It's a political restriction more than a legal restriction.

Fritz: Thank you. And so, commissioner, for the last four years, I have been interested in making some of the changes that you outlined. I think that's a conversation that we should be having.

Fish: Mayor, let me make the following suggestion since we're bumping up against another time certain. Thomas has laid out some options for consideration. There's some related issues that our colleagues have. I think we should ask Thomas to have those conversations with each office, see if we can get to some consensus about next steps, and we have one person who signed up to testify, then I think we should thank and discharge these wonderful people.

Wheeler: Very good. Thank you. How many have signed up? Just Cedric? Come on up, sir.

Shedrick Wilkins: I'm Shedrick Wilkins and I support the Art Tax in lieu of the cuts under measure 97. I think the arts is central to education. I'm not too sure if high school football is, or chemistry classes, where you could blow yourself up. You don't really have to do that. [Laughter] It's better just to explain how you mix the chemicals together. But it's central that people learn to perform. In fact, just as kids learn to perform, so does the city council. If you look at just the paper that – the sheet of what's – you make it come alive. You talk about it. And that's the arts. It's not just something you stare at. 'Cause I don't know what's important on this thing, you know. You have to come here and say something. So, in that way, you're performing artists. And I like the way music sometimes makes history. When my kids were in middle school – they're in their 20s – they were learning world history. So, I threw in Billy Joel's We Didn't Start The Fire, where he makes everything rhyme, Khrushchev, Kennedy, and all this stuff, and I love Billy Joel's Allentown, about how you use up all the coal, and everybody doesn't have a job or something. This is a way of, like, saying this stuff, of saying history, but you hum it in your head and it kind of sticks in there.

Fritz: Yeah, thanks for getting it stuck in my head. [All Laughing]

Wilkins: Yeah, Billy Joel is just amazing, I mean, he's a philosopher, not just a performer. So, when you get the arts, you get philosophy. If you're going to cut things, things like sports or science, don't cut the arts.

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Fish: Mayor, I move we accept the report.

Fritz: Second.

Wheeler: We have a motion from Commissioner fish, a second from Commissioner Fritz. Any further conversation? Please call the roll.

Saltzman: I appreciate the work of the Oversight Committee. Where did they go? Oh, there they are. Thank you. Thank you for your work. And it sounds like we'll have a protracted discussion about the issue of administrative expenses under the Arts Tax and we'll have that at a later date. Aye.

Eudaly: Thanks for the report. Aye.

Fritz: Thank you for your work and for the report. This has been an ongoing thing. It's good to see others have stepped up when the first group have been turned out. So, thank you for that. Commissioner, I'm really happy to hear you're interested in perhaps some changes. Maybe something, when we consider the next batch of things to do with administrative costs, what if we had a scholarship fund so that, again, the general fund could help out some of the folks that you mentioned as being particularly cost burdened, rather than making changes, because of course, all of us do want to do what we promised we would do in ballot measures. So, there's a lot of values and principles involved in that discussion. I look forward to having it. Aye.

Fish: First I want thank Prescott Elementary School kids and their teacher, Caroline Langston, for joining us today. I love it when we begin council meetings with children performing music. It's as good as it gets. Thank you to chair Gibbons and Nancy Helmsworth. On page 3 of the report are all the other members of the committee. We owe them a debt of gratitude for their service. We have a couple of tough issues to grapple with as a council but today, I think our role is to accept the report, and thank you for a job well done. Aye.

Wheeler: So, I want to be very clear, I support the premise behind the Arts Tax. And I was there at those early conversations. I think Sam called it like the Creative Coalition or something. I can't remember.

Fritz: He had great names. [Laughter]

Wheeler: Exactly. He was very good at that! And I enjoyed those early conversations and I felt like we built a strong community consensus for the need for this revenue source. It has, of course, been plagued with administrative issues. As I said, I think this council is up to the task of resolving those administrative issues. And I look forward to hearing the ideas that will come out of the revenue office. I hope we also think more broadly about creative financing structures. I have heard people say, in some of these discussions over the last five years about the tax collection, I have heard people say, "You know, the tax I pay in my household, it's a bargain for what we think we get out of it." And then, on the other hand, you have households who say, "You know, truthfully I can't afford it. This is one more thing that just adds to the cost of living, and we're already struggling to make ends meet." So, I hope that in the weeks ahead, as we have these conversations, I hope there's a creative solution out there that gives people, who really are passionate about arts education, and the grant opportunities that commissioner Fish mentioned, is there a way to meld private nonprofit and the public sector here? Is there an opportunity for people to make contributions, voluntary, that they would like to see towards the arts, towards arts education, towards supporting the kinds of programs that the young people exemplified at the beginning of our session today, to potentially be a source of funding to help supplant or offset some of these other shortfalls that we have seen in the program? Or alternatively, create, effectively, a scholarship program for people who truly cannot afford this tax? I just feel like there are creative answers we haven't put on the table yet that should be on the table, creativity worthy of an arts discussion. So, with that, that was longer than I wanted to

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do. I vote aye. I support this report, accept the report. I thank those of you who are willing to volunteer to be on this committee. The fact that we talked so little today about your actual report, I think, speaks volumes about the trust and support we have for you as our fellow residents in this community and we really appreciate your all stepping up to do the work that you do. It's much, much appreciated. Thank you. Aye. The report is obviously accepted.

Fish: Can we take a two-minute compassion break?

Wheeler: Two-minute compassion break, then we'll get into our second and final issue for today, which is the engineer's report for Providence Park.

At 3:07 pm council recessed.

At 3:11 pm council reconvened.

Item 1018.

Wheeler: Commissioner Saltzman.

Saltzman: Thank you, mayor. This is a report related to Providence Park expansion, as the title implies. And it would allow them to do an encroachment of our right of way. And I'll turn it over to PBOT for more details.

Bob Haley, Portland Bureau of Transportation: Good afternoon mayor and commissioners. My name is Bob Haley. I work with PBOT's development --

Wheeler: Bob, I'm sorry, is your microphone on? Can you see if the light is on?

Haley: Oh. There we go. [Laughter] Again, good afternoon, mayor and commissioners. My name is Bob Haley. I work with PBOT's development review section, up in the 1900 building. And I'm here to present the city engineer's report and recommendation.

Wheeler: One moment, I'm sorry. Karla, are we getting the feed? Okay. Our screens are black but if you're seeing it up there I assume -- there it is. Okay.

Haley: I gave you hard copies in case it goes black again, of the PowerPoint presentation.

Wheeler: Very good. Thank you, sir. It's working now.

Haley: Okay. So, we don't usually see these very often. At least council doesn't. We brought two last year for an OHSU sky bridge and small extension of Portland State University. And those were the first two in over ten years. And one of the major policies of the encroachment review process is to discourage the private use of public right-of-way. So that's why it's very rare you see them. You'll see arcade instructions on East Burnside, newer ones which are now allowed without city council approval, because there's actually design guidelines that encourage that type of development on East Burnside from about MLK to 12th. So, the Design Commission is charged with reviewing the encroachment within the public right-of-way, and making a recommendation to the city engineer, who then brings this report, with a recommendation, to city council. Design Commission recommended approval for this on August 3. And subsequently, the city engineer's report was published, and now we're here today. So, I'll go through a very short presentation. The site is zoned -- as you know, it's zoned open space with a design overlay zone. Open space zone continues out into the middle of the right-of-way. The approval criteria are found in June of 1982 Encroachments on the Public Right-of-Way. The approval criteria are all in Section 1, and therefore downtown general policies, downtown policies, pedestrians district policies, and standards for encroachments. Included in the city engineer's report, you'll find findings and responses that address all of related policies for this review. One of the major ones for encroachment is that there be a public benefit. What's stated in the city engineer's report is there's two that PDOT is strongly -- or at least one that PDOT is strongly in favor of, the other one, I think, is more of a city-wide issue. This is a 50 to \$55 million voluntary improvement for a city-owned facility, Providence Park. In addition, we believe we'll have enhanced pedestrian safety on southwest 18th with the additional of a sidewalk width widening from 12 feet today to 17 feet. And within the

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structure itself has been an increased amount of exits added in alignment with the crosswalks on Southwest 18th. Tri-met was concerned that after games, it just gets pretty chaotic out there, with people spilling across the street into the light rail line, so we'll try and continue to improve that. There was discussion during the design review, whether we do a permanent railing along the curb line, or just allow the Providence Park to continue to use the temporary railings they do. The consensus was, let them try the temporary railings, and see if they continue to make that work.

Wheeler: I'm sorry, I hate to be ignorant. I don't know what you're talking about. Could you be more specific?

Eudaly: Yeah.

Haley: Okay. Along Southwest 18th, currently, when games get out, the exits sort of bring you out on to the sidewalk. There's two crosswalks, but people tend to just go straight across, meander across 18th mid-block, across the bus lane and across the two light rail lines, to get to the other side of 18th and to the light rail station on that side. What this proposal does is takes that sidewalk, widens it, continues the use of these temporary railings they place along the curb lines, except for at the crosswalks. So, it's really directing people there. This will put more room on the crosswalk for people to comfortably move that way. But in addition, the interior remodel of the stadium has added additional exits at the crosswalk alignments. And this is shown on the current slide here, where you have two circles, is where there's been additional turnstile exits to leave the stadium.

Wheeler: I see, and, then, in between these two areas that are circled in red, there will be a railing to guide people to the crosswalk? Is that what you're describing?

Haley: During Timbers events there's a temporary railing they'll put up during the games. There was a discussion making that permanent railing, but I think, with all the wires coming down and the mesh on the front of the stadium itself, that another metal railing would possibly feel a little too cage-like inside that sidewalk corridor.

Wheeler: Okay. I see.

Fritz: If they wanted to have one later, would they have to go back through a design review?

Haley: I think if there's a permanent one, they would have to go back. It may be something as a Type 2. The other thing, just to mention for information, in seeing these slides, pictures of banners and signage on the outside of the stadium, those have not been approved by the Design Commission. That's a separate Type 3 to go back for signage.

Wheeler: Is that true even with temporary banners? You still go through design review for that?

Haley: I don't know. We have design review staff here who could discuss whether or not we have temporary banners.

Wheeler: It's not critical. I was just curious.

Fritz: I don't think they are temporary, though. I think they're intended to be permanent.

Fish: Seems to me, when we did the MLS all-star game, we authorized some temporary banners, I don't think they went through a design review.

Haley: I think that's possible. 'Cause those might be in the right-of-way. I know we do it for the marathon and a lot of other special events where we allow banners on our street light poles down town. But there may be some. Yeah.

Fish: Maybe just don't tell Julie. We do it and we just hope she doesn't see it when she's riding to work.

Haley: [Laughter] Okay, I'll continue on. [Laughter]

Fish: By the way, the extra five feet on the sidewalk is because you're removing the parking, essentially?

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Haley: Correct, we're moving the curb out five feet. So, there was a sort of substandard with parking lane there.

Fish: And the benefit is a safer sidewalk?

Haley: Correct.

Fritz: Where would people using mobility devices get dropped off?

Haley: I'm not sure. I think maybe right after this place there's sort of a curb cut and a driveway into the sort of emergency access between the Multnomah Athletic Club and here. Whether or not that could be assigned for ADA pickup and drop-off, I'm not sure. We can look into it at public works.

Fritz: Thank you.

Haley: Okay. Here, you just have an aerial, orienting you, on the east side is Southwest 18th, west side is Southwest 20th, and Morrison is on the north side. This was presented as one of the inspirations for doing a major encroachment. This is the original architect, AE Doyle's rendering from 1925 that shows a fully arcaded structure along southwest 18th.

Wheeler: Was this ever constructed?

Haley: The design team can tell you. I don't believe it was ever constructed. It was just part of the original design drawings, and it changed before it was finally constructed.

Wheeler: I see.

Haley: There is hints of that on the Southwest 20th frontage. There are bays. This is sort of a cross-section, and I drew in the property line in red so you can see everything on the right of that line is what's the encroachment. That's the structure that will be in public right-of-way. It'll be approximately 94 feet tall at its height.

Fish: And just to be clear here, the structure that's encroaching is owned by the city of Portland.

Haley: Yes. Providence Park is a city of Portland – it's managed by OMF. And so, it will significantly increase the value of that city asset with this improvement. This, if you can read it on the top is the existing curb alignment along Southwest 18th. You can see where the little indent is, where the existing parking lane is. And the width of sidewalk is 12 feet from property line to the curb. On the bottom shows after the curb has been moved out five feet, we get a 17.5-foot sidewalk corridor including the curb. On your right-hand side of the screen is the existing sidewalk and street configuration with a 12-foot sidewalk, 7.5-foot clear for pedestrians, and then a 4-foot furnishing zone with street trees, street lights, catenary poles for the light-rail are located. And on the left side, you see the widened sidewalk where there's 11-foot clear between any structures and then an additional five feet beyond the structure in the furnishing zone. That will be less cluttered because we are combining the street lights with dual capacity acting as the light-rail support, as well, for their wires. I can't remember exactly how many. I think there may be four or five total. The engineering phase will try to space them so they are aesthetically centered with symmetry to the improvements of the tube structure coming down. It's also the encroachment itself, besides the tube – the building section that comes out, which is going to contain hallways, rest rooms, vendor facilities, those types of supports, there's no seats in the actual encroachment. Those are still within the private property line of the park. The clearance over the sidewalk is a little over 22 feet. And you can see there's a pending light system that will light it up quite well. This is just a drawing of what it will look like from the inside of the park. These are some renderings of the top views, what the existing looks like, looking north on 18th, and the bottom is a picture after the encroachment and the sidewalk widening, of what that southwest 18th corridor will look like. This is just a wider view of how it will be done. The street lights and the wires, the support system for the light-rail, are all beyond where these tie-backs or these tubes come down and get mounted to the sidewalk. It's proposed to be constructed in two phases. Phase 1 will begin, they're hoping,

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this October, next month. And what that will include is almost all the work that's done in the right-of-way. We're moving the curbs, relocating the street lights, catenary poles. The only section of the encroachment that will be built in this first year, between October and March is putting in the foundations in for where the tubes come down and connect. And those will be covered up again, so at the end of March, you won't really see anything, other than the new widened sidewalk.

Wheeler: What are they anchored to?

Haley: A very highly engineered deep footing. I'm not sure the depth of it'll be below grade, but that's what will hold 'em. Phase 2 is next October. October 18 of 2018, through March of 2019. That's the work that will include the majority, if not all, of the work of the above structure over the sidewalk and including the cable structure and the new sort of transparent roof system that they have designed. So, with that, the city engineer is recommending approval subject to following conditions: I provided a memo where I amended condition 1. This report was written five, six weeks ago. We're taking a while to work things out. The original condition stated that the applicant shall enter into a lease agreement with the city prior to issuance of a building permit. In speaking with managers of our right-of-way acquisition group and representatives from OMF, it was determined that a formal lease may not be needed, and they may be able to accomplish the same thing with an inter-bureau agreement. And in addition, instead of having to have that agreement completed by next month, they said it's not going to go into effect until Timbers fans can actually sit in the seats, not until, you know, the season of 2019, that condition says either a lease or inter-bureau agreement must be finalized prior to Phase 2 building permit. So that moves it up from this October to next October for the city to negotiate those agreements in-house to make sure whatever they do is in line with existing agreements between OMF and the Timbers organization. And I'm here if you have any questions.

Wheeler: I have a question.

Haley: We have staff from a number of bureaus and the public to speak.

Wheeler: Okay. So, I have a question. And, 'cause I know this will come up later, and I want to know what we're going to say in response. So, the prior, the current existing design, has an overhang, and it's fenced all the way to the edge of the overhang. So, the public right-of-way is exposed to the elements. Under the new design, the public right-of-way is covered, protected and lighted. Who is responsible for security in that new, large, covered public right-of-way?

Haley: That's a good question. I would imagine it falls to the city, but maybe someone from OMF, I don't know if there's agreements. You're talking about probably during non-Timbers games events?

Wheeler: Absolutely.

Fritz: Well, both.

Haley: Okay, for both?

Wheeler: Yeah! That's fair.

Haley: I believe the Timbers organization is responsible for their - they have a crowd management program where they have security staff and others to help direct people where to go. During the rest of the time, I would assume it's the same people who have responsibility for activities on our sidewalks, which is gonna be the city.

Fritz: I think we need to get that clarified, don't we, mayor?

Wheeler: I think we need to get that clarified.

Haley: Okay.

Fritz: And what the arrangement is with Peregrine and others, because...

Wheeler: [Laughter] You shoved him in! "Get in there! You're in!" [Laughter]

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Fish: Before you jump in, since you're not on my screen, we're sure that the public can see it? Is there some reason we can't see it? Can we turn off the...

Wheeler: There it is.

Kurt Kreuger, Portland Bureau of Transportation: Thanks Brendan. Good afternoon mayor, commissioners. Kurt Kreuger, with development review of transportation. Unless otherwise specified by city code, the sidewalk maintenance obligation falls to the abutting property. So, to answer your question, the city would be obligated to maintain that right of way out to the curb line.

Fritz: That is going to be something we'll need to look into in terms of the contract with Peregrine for this.

Haley: I think the maintenance agreement is clear. Throughout the city it falls with the abutting property owner, so this would be OMF, for the maintenance of the service facilities. We maintain the street lights, Tri-Met maintains catenary poles. But I think you were asking about security issues.

Wheeler: I'm trying to head off a PR disaster.

Fritz: Yeah.

Wheeler: I'm a strong supporter of this project, so, make no mistake about it. I supported it, I vote for it, I think it's a net huge positive for the city, for the people who live here, but let's be honest: When you create a long, block long covered space, given what's going on in our community, it's going to be full of people who, many of whom will call it home. Then people are going to start calling us including potentially the Timbers organization, saying "What are you going to do about it?" So, before we get there, and while we still have plans on the table, let's talk about it. What are we going to do about it?

Haley: We do have a representative from the Timbers, the senior vice president of operations is here. I wasn't sure he was planning on testifying on this issue. And also, I think from the design team and the architecture team and land use team, they may have some ideas of what they've planned for those operations.

Wheeler: Good. I just think it would be naive of us, and irresponsible, not to have the conversation now, when we can.

Fritz: Particularly since the condition of approval says all areas underneath the arcade shall be open to the public.

Ken Puckett: Correct. My name's Ken Puckett, I'm the senior vice president of operations for Providence Park. And I have actually run your wonderful building for 17 years. I was hired in June, June 26, 2000. So, I have been through all the construction projects, and been there since then. We have a robust security plan. We have covered areas on both plazas now that we take care of, we clean, we police, our agreement with OMF is that it's our responsibility to keep that area clean, to keep sidewalks repaired, and we have done that for 17 years and don't see that changing, to be completely honest.

Wheeler: So, is that your expectation with regard to the new covered area that would be created?

Puckett: 100%. Yes. We have covered areas on both plazas today that we actively clean, take care of, police. We have 24-hour security at the park. We have 365 days a year, even on Christmas. The building is always staffed and we're always taking care of the city's jewel. I take that really responsible.

Wheeler: Thank you sir, I appreciate it.

Fritz: Who pays for that?

Puckett: We do.

Fritz: Who's "We"?

Puckett: Peregrine.

Fritz: Peregrine does?

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Puckett: Yes. It's in our operating agreement with the city.

Fritz: And your expectation would be, things like the Timbers army camping out the night before would not be shifted to this area, it would continue to be along...

Puckett: Well, they do go around that corner on Seattle games. So, I mean, I'm sure they'll go there. But the line starts around the corner. So, it depends how many get in line.

Fritz: Isn't that, though, going to generate a question of who gets to be there if Timbers Army tents get to be there on game days, or the day before, but tents, sheltering people, who, as the mayor says, may call it home, would not be allowed there? I think that's a problem.

Puckett: Well, I mean, folks don't camp out to get - they just stand in line. Some bring tents, some bring chairs... It's kind of two different things I think. And normally, they don't - unless it's Seattle, they don't camp out for multiple days, you know, they...

Fritz: Well, I have seen tents up the night before.

Puckett: Yes. I'm not going to dispute that.

Wheeler: Yeah, but the bottom line is, you're responsible for security and maintenance of that.

Puckett: 100%. And we have been for 17 years. And in all of the different agreements, you know, I've worked when it was the Civic Stadium, PGE Park, Jeld-Wen Field, and now Providence. So...

Wheeler: I also would vote for you for facility historian as well! That's a remarkable run. Thank you.

Puckett: Yes, thank you. Yeah. I really appreciate it.

Fish: Can I, since you're here, can I ask you a question?

Puckett: Sure!

Fish: So, I live around the corner, and let's say I go to a Thorns game or something. The one, kind of, choke point currently is just down the street, you know, next to the Providence Health facility, when you're trying to get in, um, sometimes that's backed up a little bit, and you've got people checking bags, and then you've got to go through security, and there's two doors - does this redesign improve, in any way, the access point along that street?

Puckett: It does. I think we're adding - we have two current gates there, I think we're going to five in that area, and then we're improving that - we're moving the Providence Clinic entrance back, to add some more sidewalk, and some more queuing area in that spot, and then the other thing we're looking at doing is actually, now, if you get a ticket, you can come in any gate that you like. So, moving forward, we're going to have, like, if you're sitting in section 201, you'll be directed to a certain gate, and your ticket will only work at that gate. So, that'll help spread out the fans a little bit more, to the different access, to get in a little bit easier. So, we thought that one through as well.

Fish: Good. Thank you.

Wheeler: Very good. Is there anything more to your formal presentation?

Haley: That's it.

Wheeler: Thank you for clarifying. Colleagues, anything else before we call for public testimony? Very good. Karla, how many people do we have signed up?

Moore-Love: I have two, and we also have the amendment, still to vote to motion, to move that amendment.

Fish: Dan, do you want to move the amendment first, before we take testimony?

Fritz: We moved the amendment to condition one.

Fish: Second.

Saltzman: Okay.

Wheeler: So, commissioner Saltzman moves, commissioner Fish seconds. Any further discussion on the amendment? Hearing none, please call the roll on the amendment.

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

Wheeler: Aye. The amendment is adopted. Now we'll hear public testimony.

Moore-Love: We have two people: Julie Livingston and Robert Butler.

Julie Livingston: So, hello, mayor Wheeler and commissioners, my name's Julie and I am the chair of the Portland Design Commission, and I'm here today to tell you that the Design Commission supports both the expansion to Providence Park and the major encroachment. The arcade is an excellent response, both to the central city fundamental design guidelines and the Goose Hollow design guidelines. Both of which are applicable at this site for a handful of reasons. Just very quickly, the response both emphasizes Portland themes and enhances, embellishes, and identifies the area. It responds very well to the Goose Hollow guidelines that are specific to improving the stadium area. It is coherent. It responds well to the guidelines request for architectural integrity. The commission felt that this design, as proposed, is a very strong response to A.E. Doyle's original ideas from 1925, about how a completed arcade might look in this position were it to be designed and built today. It's just a really nice historic continuum of the stadium in this area. Probably most importantly are the guidelines B2: Protect the Pedestrian, and C10: Integrate Encroachments. The proposal does a great job of delineating the pedestrian zone, it creates a wider pedestrian zone, it provides weather protection in an area when it's needed, it enhances visibility into and out of the stadium, and it does all of this in what we believe will be a landmark piece of architecture for our city. So, thank you very much, I'd be happy to answer questions.

Wheeler: Thank you.

Fish: I have one question for you, since you took the time to join us.

Wheeler: Commissioner Fish:

Fish: The last time we heard from the Design Commission about an arcade was, I think, along Burnside, and it was a lively discussion about whether it met some of the guidelines. It sounds to me like, from your view, this is really setting the bar pretty high for –

Livingston: So, it is. It absolutely is. This is a remarkable piece of architecture. And, with respect to the arcade district on East Burnside, that is a gateway into the central city. And I think it's notable that at East Burnside, we have a gateway into the central city that is marked by a series of arcades. They are expressed in many different ways, some of 'em are very traditional arcades, some of them are more of an interpretation of an arcade. And now, at the west end, the west entry into our central city along Burnside, we also have a new arcade. So, it's really a nice way to bracket the central city. One final thought.

Temporary banners do not come into the Type 3 [sounds like "hearings room"].

Wheeler: Thank you. Appreciate it. Good afternoon!

Robert Butler: I'm Robert Butler, 226 Southwest Parkside Drive, Portland, Oregon. I guess she wasn't at the meeting, but I guess she wasn't chair then. So, the conclusion of the design people was: Why would the neighborhood want this arcade for what they're giving up? What's so special about it? That was the conclusion of the Design Commission hearing. Why? Well, it's because it's to get a \$55-million-dollar project, whether or not there's right-of-way taking or not, there's going to be a \$55-million-dollar project there. Trust me. There's the money for it. There's the money in it to do it, and it will happen. Enhance safety? I'm giving the 14 reasons why this is less safe, and I'm speaking to you as, at the moment, for a former licensed professional engineer, this report really sucks. I can't imagine any engineer signing this report as something as factual. So, you have the facts in front of you. That's what we're giving up. That curb-side loading and unloading for events at the stadium is vital. And of course, the vice-president of the Timbers will disagree because he knows more than I do, but I do know more than he does in that respect. I've been there 37 years. Peter Corvallis trucks are loading and unloading. Hood to Coast:

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Truck after truckloads, materials for that event, we've got chairs, tables, all kinds of things, awnings, to put up... Curb-side loading and unloading is what you need for that, safely. To take that away and put it across the street is unsafe! Same for people that -- the charter buses come in and load and unload. And look at you're A.D.A. You are asking about A.D.A. Well, you shouldn't even ask the question about A.D.A, should you? That Providence facility should have provided for it. That A.D.A. parking spot there didn't occur until a number of years later! Providence did nothing for it. They're doing nothing for it now! This project takes away the A.D.A. parking and takes away seven other parking stalls! Then the architect says, "Trust me, when you walk down this corridor without the trees and the open sky and whatnot, you're going to find it a more pleasant experience!" Oh, really? How do you buy that? So, the deal is this: You're supposed to get a benefit for a benefit. The benefit we're going to get is that this is going to trash our neighborhood with the fact that the police cannot get people to stop living on our sidewalk. They're going to live there and you can't stop them, state of Oregon can't stop them, no one can stop them. So, we're going to have a slum there. Benefit for benefit, what do we gain for that extra right-of-way we give them? They won't answer us. I'll tell you what it is, it might be 100 more seats, so you get more 3,700 more seats instead of 3,800. That's the net benefit-for-a-benefit? What a sorry deal. We're gonna trash our neighborhood for that. So, hey, it's great, they're going to build it. You know what? They're gonna build it. Trust me. It's a question of whether we're going to trash the neighborhood in the process. Thank you.

Wheeler: Thank you, sir. Appreciate your testimony.

Fritz: Can I have staff come back up, please?

Wheeler: Sure.

Fritz: So, when I asked about A.D.A. accessibility earlier, you said it would be addressed during the public works process. Mr. Butler has also reminded me about deliveries. Where else is there -- are there areas for both people drop-off and deliveries?

Haley: Southwest 20th has on-street parking that can be reserved for those functions. So, it's just around the corner and I think there's some service entries to the back of the stadium on that side as well.

Puckett: Right. We unload everything. We bring everything in: Food, beverage, beer, everything on the 20th plaza at our loading zone. And then there's another set of loading zones down along 18th. The area that Mr. Butler's talking about are actually parking stalls. So, we don't load and unload trucks, generally, in those parking stalls. We have bagged them at times, we bag them during games and park police cars there, and then we also put 100 temporary bike racks there during games. Those bike racks are going to be relocated along the Morrison Street closure that we do every game, so we're not gonna lose, we're actually gonna add some bike parking in that area. But operation of the stadium, as far as those parking stalls being loading and unloading is very rare. Down the street a little bit from there, in front of Providence, there's a truck loading zone right in front of the Providence Clinic, and then of course, there's our entrance, the roadway between us and the MAC Club, which we call Gate 35, but it's just a road that - the easement road between ourselves and the MAC Club.

Fritz: Thank you very much. And so, would we then reserve the parking spaces on 20 for people with disabilities?

Haley: Well, every parking space is available to someone with disabilities. I don't --

Puckett: In our parking lot across the street, we have A.D.A. parking.

Fritz: Okay. That people can get into at the same cost as on-street parking?

Puckett: Um, I don't know what your on-street parking rates are during games. I think you've raised the rate, so I'd have to check on that before I can answer accurately.

Fritz: I think, was it \$3.75, something like that? The stadium rate?

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Haley: I think that's accurate but I don't want to speak out of turn.

Fritz: So, what would be the cost of the ones that you have in the lots?

Puckett: Uh, we charge, usually, generally, \$15-\$20 a space.

Fritz: That's more expensive. Okay. Something to look at, please.

Puckett: Yeah, absolutely. I mean, right now, there's one A.D.A. parking stall within a pretty good radius around us. Most of the folks get dropped off on the 20th plaza, and that's what we encourage our fans to come through there, that need that assistance. We usually have a guest attendant meet them if they need a wheelchair, they take them to their seats, or, you know, we have a pretty good program set up for that.

Fritz: Okay. Thank you.

Eudaly: So, we're eliminating parking spaces, right?

Puckett: Excuse me?

Eudaly: We're eliminating some parking spaces?

Puckett: We are.

Eudaly: And you mentioned you sometimes use them for public safety vehicles now?

Puckett: We do.

Eudaly: Where would those vehicles park?

Puckett: Police can park wherever they want, so we'll... [Laughter]

Eudaly: I'm aware of that, but...

Puckett: We'll figure out where, I mean, we have areas along 20th avenue that we relocate. At every game we have E.D.U. bomb dogs at every event. We park them there because there were trees to keep the dogs cool when they stay in the cars, so we'll just have to find another location for them.

Eudaly: And the temporary barriers, what are they?

Puckett: It's actually – they mischaracterized it a little bit. Tri-Met, along with us, put up temporary "cattleguards," is what you call 'em. They hook together, they're metal racks, and we put them out before game day and try to direct the traffic towards the crosswalk. We call it the Frogger effect. We're trying to stop people from crossing that street in front of the train, so, along with Tri-Met security and our security, we send folks – along with Portland police that we employ at every game – up to that street to kind of control that, uh, stop any of the traffic we need to stop to flush out the fans, so they're just cattle guards, bike racks, that go up into place.

Eudaly: And I appreciate that, because people do use that area as, almost, like a pedestrian plaza, rather than recognizing it as an actual street. But...

Puckett: Right. And this will improve the lighting and the flow along that sidewalk. I mean, I can't tell you – with the tree wells and the parking meters, you know, you're at six foot four inches at a good spot, and now we're talking, we're gonna have 11 clear, all the way through there, so, I think that will benefit both game days and non-game days, just for folks moving through the neighborhood.

Eudaly: So, in the event of an emergency evacuation, how hard would it be to remove those barriers?

Puckett: You just push 'em out of the way. Yeah. They're used quite a bit in a lot of large venues. The Moda Center...

Eudaly: Alright, thank you.

Wheeler: Very good! Thank you. Colleagues, any further questions, comments? Very good! Please call the role.

Saltzman: Aye. **Eudaly:** Aye.

Fritz: Well it's nice to see somebody in the audience with a PTFC scarf on. And I'm also glad we're doing this with everything that's been well-thought through. Thank you very much. Aye.

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Fish: Yeah, I appreciate the hearing and about the presentation, your testimony, sir, answers to our question. I actually live in this neighborhood, so this is my neighborhood and I think this will be a tremendous enhancement and I think the public benefit side on this one is extremely clear. But I appreciate that PBOT has scrubbed this, so that we are doing this the right way. And I agree with what you said earlier, sir, that on game days, that sidewalk is awfully narrow. Although, I think, without the police cars parked there, you have to find some other way to deter people from jaywalking around there. [Laughter] 'Cause there is a deterrent effect of having those parked police cars. But I would think it would be even better to have, actually, police officers physically stationed.

Haley: Sure. Absolutely.

Fish: And, by the way, the reason that you enforce those rules is for public safety. You just don't want people dodging cars and MAX trains. So, thank you. And I'm pleased to vote aye.

Wheeler: Aye. The ordinance is adopted. We are adjourned until 2 p.m. Tomorrow.

at 3:46 PM 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 14, 2017 2:00 PM

Wheeler: Alright, good afternoon everybody. This is the September 14th afternoon session of the Portland city council. Karla, please call the roll. [Roll call taken] We're back for a second afternoon of hearings related to the Central City 2035 Plan. Sally, could you give us an overview of the day, please, before we call the first item?

Sallie Edmunds, Bureau of Planning and Sustainability: Thank you very much. Sallie Edmunds with Planning and Sustainability. So, we're pleased to be back for the second round of hearings. The record for this plan is now up in the balcony. All 20-some boxes.

Fritz: We need to get a state law changed so that you don't have to keep bringing the boxes. Sorry to deflect us even right out the gate, but that just seems a bit difficult.

Edmonds: Yeah. So, are you asking whether the boxes need to be here every week?

Fritz: I know they do now, but how would we get that changed? Would it be through state law change?

Edmonds: We can look at that. I think, as long as they are here, and you have the opportunity to look at them and refer to them at some point during the legislative process, is really what's key, since there are new items today that aren't from last week. We definitely want them still here now.

Fritz: Okay.

Wheeler: Well, and it's an incentive program. Whoever goes over their testimony by the longest amount gets to move the boxes back to from where they came. [All laughing] Go ahead, Sally.

Edmunds: Okay, I thought I would walk you through the schedule for today and going forward. So today, we have a 2:00 p.m. Time Certain for the new Chinatown/Japan Town historic guidelines. And a 2:45 p.m. Time Certain for the Scenic and Environmental amendments outside of the central city. We also have a continued hearing on the U.S. Post Office Early Implementation and also a continued hearing on the main components of the plan. Then on September 28, we have the 3:00 p.m. Time Certain for the post office and 4:00 p.m. Time Certain for the new Chinatown/Japan Town design guidelines. Following that, we have a fall lineup for you. October 18, November 2, December 6, we have set aside Time Certain starting at 2:00 p.m. on those days to go through amendments or anything else that council members would like to discuss. We have a 2:00 p.m. Time Certain on January 18 where we will have city council hearing on amendments, and then we will move forward to a council vote in March or at such a date that will follow the effective date of the comprehensive plan as I went through last time. We cannot vote until the comprehensive plan is effective. And then, this plan would be effective 30 days later. So, again today, we have 2:00 p.m. Time Certain on the new Chinatown/Japan Town design guidelines. This ordinance is scheduled to be continued on September 28 at 4:00 p.m. Time Certain, and this would be adopted as an amendment to the existing comprehensive plan, and you'll hear about that in a few minutes, but there is invited testimony for that. Then at 2:45 we have another hearing on environmental and scenic outside of the central city, this is part of the central city package, and therefore, would be amendment to the new comprehensive plan. Then we will have a continued hearing on the

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U.S. Post Office. This is an amendment to the existing comprehensive plan. That hearing will be continued on September 28th at 3:00 p.m. There is invited testimony for that. A couple of people. So, we'll remember to call them up. Then finally, a continued hearing on the main Central City 2035 package and we have quite a bit of invited testimony for that, and have some seats saved for those people as well. So, I think that's it for today.

Wheeler: Very good. Any questions, colleagues? Alright, let's jump right in. Karla, please read the first item.

Item 1019.

Wheeler: The purpose of this hearing is to adopt new design guidelines for the new Chinatown/Japan Town Historic District. Historic Districts design guidelines are discretionary land use approval criteria that apply to alterations, additions and new construction projects. New Chinatown/Japan Town is listed in the National Register of Historic Places in 1989 for architecture, culture, and Chinese and Japanese history, and it's the only historic district in Portland significant for its association with ethnic history. Following adoption of the guidelines, development in the historic district will honor the rich legacy of those Chinese and Japanese Portlanders who made the historic district their home from the 1880s up to the present time. So, with that, Brandon, if you could introduce your name for the record and jump right into your presentation!

Brandon Spencer-Hartle, Bureau of Planning and Sustainability, Thank you, mayor. Commissioners. Brandon Spencer-Hartle, historic resources program manager at the Bureau of Planning and Sustainability. I have a brief overview of the new Chinatown/Japan Town design guideline process and the specifics of the design guidelines. We do have invited testimony today from the Historic Landmarks Commission, which is the recommending body for these guidelines. So, to kick things off, I thought I would do a quick background on the historic district in question. New Chinatown/ Japan Town is a National Register of Historic Places district north of Burnside Street. I'll use the cursor here to give a little bit more context. The historic district is a ten block district between Northwest 3rd Avenue, Northwest 5th Avenue, Burnside, and Glisan. The Chinatown gate is focal point and entry into the historic district on 4th Avenue, and the Chinese Garden is just outside of the historic district between 3rd and 4th. The historic district does overlap with the Skidmore/Old Town historic district, and some of you who have been on council for a couple years, remember we came before you about a year-and-a-half ago with design guidelines for that historic district. This is the next in our process of updating and developing design guidelines for the Central City. And as a quick orientation to this map, and for those of you who may be new to historic districts, in the historic district, we have contributing historic buildings which are buildings that are from the historic period and have associations with the Chinese and Japanese occupants in the district or are architecturally meritorious. And we also have non-contributing buildings which are newer buildings, or buildings that don't have that historic significance. In historic districts, the Portland Historic Landmarks Commission, and the Bureau of Development Services review new construction, addition, and alteration projects. And the contributing historic buildings are subject to a Type 4 Demolition Review in front of this body. Historic Resource Review, as I mentioned, is a discretionary land use review process that applies in all of our National Register Historic Districts. It's administered by the Bureau of Development Services. And larger projects go before the Historic Landmarks Commission. In the new Chinatown/Japan Town Historic District, the approval criteria today are the River District Design Guidelines and Central City Fundamental Design Guidelines, but because we have not developed historic district specific approval criteria, the Historic Landmarks Commission and Bureau of Development Services staff look for those guidelines and those umbrella Central City guidelines to look at issues of compatibility, alterations, and

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how to treat historic resources. And what is being recommended is adoption of district-specific guidelines to replace the more general River District Design Guidelines, but to continue to have the Central City Fundamental Design Guidelines also apply. And that would be consistent with other Central City Historic Districts where we do have district-specific design guidelines. We got started on the development of the new Chinatown/Japan Town Historic District guidelines about a year and a half ago, the project was a partnership between Prosper Portland and Bureau of Planning and Sustainability with the input of a 10-member stakeholder advisory committee and the Historic Landmarks Commission. The guidelines were identified as a priority in the West Quadrant Plan and in the development of the guidelines process, we did hold multiple community open houses, briefings and work sessions with the Landmarks Commission and Planning and Sustainability Commission, ultimately resulting in a recommendation – unanimous recommendation – of the Historic Landmarks Commission to adopt the guidelines before you today. And what we are recommending is adoption of these guidelines prior to your vote on the larger Central City 2035 plan. Just quickly in terms of how design guidelines and this set of design guidelines are organized: There are three chapters in the guidelines. The first two chapters provide background and orientation. Chapter 3 is what will serve as the Land Use Approval Criteria. And specifically, we offer design guidelines for all projects called General Design Guidelines. But then, specific guidelines for alterations, additions, and new construction. And again, only chapter 3 serves as Land Use Approval Criteria. When you look through the design guideline document, every specific design guideline has a one-sentence statement about what that guideline intends to achieve, and is accompanied by examples and further narrative description to assist an applicant in what their approaching to meeting that guideline might look like. I pulled a few example design guidelines, just to give you a flavor of what they look like. Guideline A-1, which is in the General Design Guideline section, really underpins the larger set of design guidelines by encouraging applicants to integrate authentic Chinese and/or Japanese design elements in keeping with district character. The guidelines provide examples of what that might look like, ranging from larger than usually allowed signs, balconies, awnings, textured storefronts, other approaches that really do honor the history of this district and speak to the unique aesthetic qualities that were brought about by Chinese and Japanese occupants in the district during its historic period. Other design guidelines put into place approval criteria that are consistent with how the Landmarks Commission reviews alterations and additions in historic districts, and provides that clarity to an applicant about what the land use approval process will be seeking to gain approval. And with that, I will end my presentation. We can talk in more detail about specific guidelines if you'd like, but I do want to make sure that the Landmarks Commission has an opportunity to give you some more context on these design guidelines and how they'll be applied.

Wheeler: Very good. Thank you, Brandon. Are there any questions of Brandon before we move along? I would like to invite Wendy Chung from the Landmarks Commission to come up and provide some invited testimony. Thank you, Brandon.

Wendy Chung: Good afternoon, mayor.

Wheeler: Good afternoon.

Chung: Commissioner Eudaly, Fritz, commissioner Saltzman. I'm Wendy Chung. I'm testifying on behalf of the Portland Historic Landmarks Commission, regarding the adoption of the new Chinatown/Japan Town Historic District design guidelines that Brandon described. As mayor wheeler pointed out early in this hearing, this historic district is unique in that it's the only district in Portland that is primarily significant for its association with ethnic history. Sadly, you know, a lot of the cultural significance, the extensive cultural history seems to have dissipated, and that there's a lot of growth in this

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district, and it's really exciting to us, and as a commission, we see a lot of projects come in in Chinatown/Japan Town that we're really excited about. We are enormously enthusiastic about these design guidelines, because it's going to make our jobs a lot easier. What I mean by that is that it will, as Brandon commented, encourage the use of design elements and architectural styles that authentically express the Chinese and Japanese history of the district while allowing for development to replace surface parking lots, and rehabilitation and reuse of the underutilized buildings. Um, I think most importantly, the adoption of the guidelines will provide some clarity and consistency to the applicants because oftentimes we get applicants who have these great projects, but they don't have a clear idea of what is expected in terms of our design review and their gaining approval. I know the commission has previously testified before this body concerning, similarly, heights. I know my colleague Chris was here last week and she spoke to that issue, F.A.R. and heights and whatnot. And I know the rest of this hearing will be dedicated to talking about the Central City Plan generally, but as vice chair Minor mentioned last week, you know, those types of expectations that are established early on really do make our jobs a lot easier so that when developers come in, or applicants come in with these great projects, we can point to a specific guideline or specific criteria, approval criteria, that will allow us to approve their projects more expediently and, you know, make sure that our expectations align with theirs in terms of compatibility. I think this is particularly crucial in Chinatown/Japan Town because of the fact that it's our only ethnically significant historic district, and as Brandon mentioned, we do have district-specific guidelines in other historic districts. I think that the key is getting an authentic -- being more likely to get authentic elements, design elements, in the plans that we see. So, do you have any questions, or can I add anything?

Wheeler: Commissioner Fritz?

Fritz: Well first, thank you very much for your service on the commission and for your taking time to come today. I believe that commissioner Minor asked, last week, for a specific approval criterion saying you may not be able to get the height and F.A.R. and still meet these guidelines. Do you believe that the guidelines we're talking about today, do they have enough of that language in? Or would you like to see something further?

Chung: You know, ideally, commissioner Fritz, I would like to see what I guess the Landmarks Commission has called Right-Zoning. Because I don't think that the F.A.R. and height limits match what's in the design guidelines, either the current guidelines, the river district, et cetera, or the new guidelines. So, I do think that there is still a gap in terms of compatibility, and even though our code, as you know, places the design review criteria above the base zone, there's still this perception that more can be built than can be. I think the problem with that actually goes to the cost of the land and the buildings, right? Because somebody could say, "Well, I could build 120 feet or something here and then I could perhaps place a higher price on that parcel because of that." And then, it's disappointing to the applicant when they get to the -- you know, by the time they get to us, as a design review applicant, they don't understand why they can't build to that, because it is incompatible with the district, or it doesn't meet these guidelines. So, what I would like to see, in terms of - since you're asking, it would be great if we could have Right-Zoning of the heights and F.A.R. When I say Right-Zoning, I'm not talking about downzoning. I think the density is great. And, by the way, I will say that, you know, Chinatowns, across the country, historically, have occupied some of the most dense parts of our inner cities. And sadly, with gentrification, often-times, they often get pushed out to the suburbs because the buildings become more expensive, the land becomes more expensive. The disjointedness between the F.A.R. and the heights and the design criteria exacerbate that problem because it makes it more valuable. I know we have a lot of affordable housing

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units proposed and in Chinatown/Japan Town now, and I'm hoping that will continue, because I would hate to see all the development in that area be limited to that which would pencil out given the inflated pricing.

Fritz: Well, as you said earlier, we should have clear expectations so that everybody knows.

Chung: Exactly.

Fritz: So, since this historic district is a relatively small area, I would certainly appreciate hearing from the Landmarks Commission in the next couple of weeks which are the sites where you're thinking that it's going to be really difficult to allow the height and F.A.R. that would be very helpful. Thank you very much.

Chung: Absolutely. We'd would be happy to. Thank you. And I would just add that with respect to the size of this district, you know, I'm sure the commission and mayor know, only 2% of the entire city is designated historic anyway. So, this is a very teeny part of that 2%. But yeah, we appreciate the opportunity, and really look forward to providing that information to you.

Fritz: Thank you. And if there are contributing or historic buildings in the west end and elsewhere, I am interested in the commission's advice to see where we can set really clear expectations so that nobody goes home disappointed.

Chung: Yes. And actually, now that you mention it, commissioner Fritz, the west end and other parts are the central city contain a lot of over 200 historic buildings not listed either in a district or individually listed. Those are really vulnerable to demolition because of the fact that – and many of them do occupy affordable housing units. For instance, there's a building on 12th and Alder, I think it is, that has 55 and over affordable housing. And a small business, a small local business, in its main floor. That may not be possible if those heights, as proposed in the Central City 2035 Plan go forward, because, you know, there would not be incentive to maintain those buildings, but instead, to demolish them and put in luxury -- I'm not opposed to luxury town homes or luxury buildings, but it's just, I think we need more affordable housing, obviously, and more affordable - not only housing, but businesses. So that local businesses both in the west end as well as in Chinatown can still operate. You know, my – well, I'm probably going off the rails here, but my family had operated a small business in a dense urban area, and we couldn't have done that if we had to pay exorbitant rents because of gentrification.

Fritz: I'll be certainly looking out for your further feedback. Thank you very much, I appreciate your diligence.

Wheeler: Thank you, Wendy. Are there any other elected officials or members of city commissions who would like to testify first? Very good. Karla, please call up the -- how many do we have signed up for this item?

Moore-Love: Ten.

Wheeler: We have ten? Two minutes each. State your name for the record, please. Karla will call you up in order.

Moore Love: Okay. The first three are Tracy Prince, Helen Ying, and Peggy Moretti.

Tracy Prince: Hi! I'm Tracy Prince. I have researched and written about Portland's Chinese and Japanese history in all three of my Portland history books. I'm testifying today, representing the Architectural Heritage Center. Research is clear that the most affordable and most sustainable building is the one already built. We believe that saving our historic buildings in the central city saves massive amounts of affordable housing units. There have been efforts to diminish the importance of culture and ethnicity as reflected in the district's architecture and to focus, instead, on architects and builders of importance. The Architectural Heritage Center supports these design guidelines, which focus more on the recent "Place Matters" understanding of historic preservation, rather than emphasizing

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architects. We support efforts to encourage use of upper story setbacks and balconies, to use compatible building materials, matching cornice lines, and similar massing in order to contribute to, rather than contradict, the overall fabric and Asian aesthetic of the district. The architectural characteristics most clearly identified with the Chinese community in Chinatown are the use of red and sand colored bricks, second floor balconies with wrought iron railings, and first-floor storefronts, which often mid-floor sleeping lofts or balconies. These buildings were all one to three story high and infill should reflect this historic character. Though some may argue for increased heights in the district, and this is going to the issues that Wendy raised, many of those are property owners who have benefited from the tax breaks of owning a building in the historic district. They should not be able to have it both ways. A tax break when the building was standing, and then receive increased heights to encourage demolition of Portland's important Chinese and Japanese history. The Architectural Heritage Center supports the proposed heights of 125 feet even though that may still be too high to protect Portland's Chinese and Japanese heritage. Thank you.

Wheeler: Thank you. Appreciate it. Good afternoon.

Helen Ying: Hi, mayor, commissioners. I'm Helen Ying. I'm gonna wear two hats today. So first, I'm going to wear the hat of representing the Chinese American Citizens' Alliance, Portland Lodge, and so I'm going to first share a quote from Alan Speer, who I just met in D.C. He represents the National Parks Conservative Association. He says, "The absence of our people into historical landscape of our country is in itself a civil rights matter." And I think that's why I'm here today. Tomorrow, we're dedicating a plaque, a gift we gave to the city. And commissioner Saltzman will be there with us on 2nd and Pine in front of the Pine Street Market. That's a plaque dedicated to commemorate the history and contribution of Chinese Americans to Oregon, to Portland. So that's where the old Chinatown was. But does anyone know about it? Of course not. 'Cause nothing would tell us about that. So that is why it's so important that we have these design guidelines: To preserve the history in the new Chinatown/Japan Town. And along that line, now I'm going to switch hats, as chair of the Old Town/Chinatown Community Association. We had represented our voice on the design guideline committee and we fully support what they are proposing. Thank you so much.

Wheeler: Thank you for your testimony. Good afternoon.

Peggy Moretti: Good afternoon mayor and commissioners. I'm Peggy Moretti, representing Restore Oregon, the statewide historic preservation nonprofit for Oregon. And I was also pleased to represent us on the committee that drafted the design guidelines for New Chinatown/Japan Town. We enthusiastically support their adoption. And I wanted to share that arriving at these guidelines posed some really unique challenges because of the cultural and architectural aspects that need to be considered in them, but I really do believe, with all of the really careful and detailed conversations that we all went through examining and arriving at these, that we do strike a good balance with these guidelines that addressed both aspects, and also afford ample flexibility for development and for good compatible infill. I think it's really important, given the significant, large outsized development pressures right now, in the central city, that council consider how easily this very small-sized, very rare and unique district could be overwhelmed and swallowed up by inappropriate new development. These guidelines coupled with the city's support of reduced heights and your support of the Landmarks Commission, who is gonna have no small task of threading the needle here with all of this, really are going to be essential to ensure history and character of the district are not lost. It is so small and so precious. The direction and clarity that these guidelines present will, I think, make for a much better opportunity for good new development and will just really bless the entire city so that we can pass this forward to new generations. Thank you.

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Wheeler: Thank you, all three of you, for your testimony. We appreciate it. And these folks clearly understood it. I'll just remind people, council rules require any lobbyists to please disclose that you're a lobbyist, and if you're representing an organization, that's obviously helpful as well. Next three, please, Karla.

Moore-Love: Are Marcus Lee, Roberta Wong, and Jackie-Peterson-Loomis.

Wheeler: Welcome.

Marcus Lee: Thank you. Good afternoon, mayor Wheeler and commissioners, thank you very much for the opportunity to come before you today. My name is Marcus Lee, I'm here as a private individual member of Portland's Chinese Community. I try to give back to my community by volunteering my time, serving on a number of boards having to do with the Chinese community, the Oregon Chinese Consolidated Benevolent Association, Portland's Lee Family Association, Portland Chinatown History Foundation, and the Lone Fir Cemetery Foundation, where we are working on Block 14 and Metro's own first cemetery which is the Pioneer Chinese Cemetery. My background is, born and raised here in Portland, my history, the history of my dad's side of the family is fairly common for the Chinese Community, a number of members in the Chinese community, in that my great-grandfather came here latter half of the 1800s, set up a Chinese general merchandise shop named Kwang Song Wa in the original Chinatown down on Southwest 2nd between Washington and Alder. That building no longer stands on that location. Over time, as Chinatown moved over to Northwest Portland, their store then moved over, the family store moved to what is now the northwest corner of 4th and Flanders. And used to occupy a ground-level storefront there in a building which is no longer there. My family, my dad's side, resided under the Rainier Hotel, which no longer stands. I think that as Brandon showed in his presentation, we have a couple of shining examples of what can be done. The former Sui Sing building, the Society Hotel -- is that my time?

Wheeler: Yeah, but please continue. You've got your notes there.

Lee: Thank you. So, I am here to support the new historic guidelines. I believe this is a time for Portland to honor the Chinese and Japanese communities' contributions in our history of place. And the contributions to the building of Portland, the state of Oregon, as well as the Pacific Northwest. And we ask that you please join us in supporting the passage of the historic guidelines to help us preserve what we have left in order for us to be able to pass it on to future generations. Thank you.

Wheeler: Thank you, sir. Good afternoon.

Roberta May Wong: Hi mayor wheeler and commissioners, my name's Roberta May Wong, I'm a resident of Portland, born and raised in southeast Portland. And I share my testimony in favor of the Portland New Chinatown/Japan Town Historic District Guidelines. In 1930, my grandfather, Sun Yuck Wong, became the proprietor of Tuck Lung Grocery, a Chinese business at 309 Northwest 4th. Subsequent generations carried on the family business. My father, Francis G Wong relocated the business in 1962 to the Overland building on Northwest 4th and Davis. And they added a luncheon café, whose popularity led to the business' third and final expansion in 1977 by my brother Albert Wong. A new two-story building was built, the first new construction post-World War II in the district, and the first by a Chinese resident or a Chintown business since the Chinese Consolidated Benevolent Association was erected in 1911. It's located at 140 Northwest 4th on Davis, where the new Tuck Lung Grocery Restaurant and Lounge spurred a revitalization in Portland's Chinatown, leading to the Chinatown gate and the creation of the new Chinatown/Japan Town Historic District. In the '50s, with the changing property laws, most Chinese and Japanese left the areas to buy their home in other quadrants of the city. By the '60s, only a few Japanese businesses remained, and Chinatown consisted of two grocery stores, a handful of restaurants and a curio gift shop. On weekends, Chinese

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families would return to enliven the streets of Chinatown. During the '70s, Tuck Lung's lunchtime popularity developed patronage from downtown professionals and workers, broadening Chinatown's appeal beyond the Chinese community. Consequently, with the growing influx of new Chinese/Asian immigrants in the '80s, Chinatown experienced a mini-renaissance with the new business started by the new Chinese immigrants, adding to Chinatown's economic prosperity. In the '90s and '20s, we saw the closure of Tuck Lung, but also provided an opportunity for other businesses to fill the void. What solidified Chinatown over the years, however, was the city's investment, guided by the Portland Development Commission, PDC, now Prosper Portland, and community support for the Chinatown gate, the Lan Su Garden, and the festival streets. PDC's financial support of the new Portland Chinatown Museum is a new investment which signals its continuing support of the new Chinatown/Japan Town Historic District and of Chinatown's sustainability and growth. The passing of the new Chinatown/Japan Town Historic district guidelines will assure that the cultural continuity of the area will be respected, and the district's development will be monitored and guided with the intent to maintain the historical integrity of the community's past and future. Thank you.

Wheeler: Thank you. That was a wonderful history. We appreciate your sharing it with us. Good afternoon.

Jacqueline Peterson Loomis: Good afternoon, mayor, commissioners Eudaly, Fritz, and Saltzman. My name is Jacqueline Peterson Loomis. I live at 2427 Northeast Mason. I am a long-time advocate worker in the fields in Old Town Chinatown since the late '90s. I'm also currently the executive director of the Portland Chinatown History Foundation, and we are about to build, we are building, a new museum for Portland in Chinatown. We are acquiring a building at Northwest Davis and 3rd, the Kita building. We sit across the street from the CCVA, the Society Hotel, the Merchant Hotel with its soon to be Starbucks, something tells us that something is happening in Old Town, a block from the Lan Su Garden. We are in an enviable position even though I think that a year ago, we would have thought this was impossible. But with tremendous support from the Chinese Community and from the current owner and from PDC, it looks as though we're going to be open in the spring of 2018. We are, in many ways, I think, a recipient, even before they are passed, of the new design guidelines. And in fact, they have helped to inform and perhaps even to encourage us to move forward. I think that the museum was spurred by the promise of revitalization and long-term sustainability for a new Chinatown that is embedded in Prosper Portland's New Chinatown/Japan Town Design Guidelines, and its five-year plan for Old Town. Our organization sees the museum as an early example of what the guidelines can offer, and future owners of historic buildings in the district and developers of infill can learn from. We're developing in two phases. We have a building that's one story, it was remodeled in the '20s, so it's not even contributing. But rather than even contemplate demolition, we're going to be opening by completely restoring the inside, meeting all city codes and adding sprinklers. And adding - you'll be very surprised, you're gonna see an absolutely first-rate museum when it opens in the spring. But our long-term plan, about five years from now, basically is to build up five stories with inset floors for housing, for student and affordable housing, that would include a museum on the first floor, and perhaps even much needed parking below. We think we can adapt the guidelines. We can use neon, we can use balconies, we can use brick, we can create a sense, at least, of the old without being fake. I want to close simply by saying that the elders for whom I have worked for many years, and who many are in this audience today who are our board members, these are people who grew up in a neighborhood where they could not own property, so none the buildings were built by them! That's the irony, that the district ends in 1943, the very year that they are given citizenship and the right to own land! [Laughter] And so, the

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architecture we're dealing with were created by others, and they embellished it. So, much of the look of Chinatown that we're all trying to restore has to do with signage, with neon lighting, with balconies, with the sort of character we can find in historic photographs and what still remains. It's fragile, but that's precisely what the nomination – let me just leave you two sentences. These are the first and last lines of the Statement of Significance. Criterion A which is historic. This is 1989. "The Chinatown Historic District is nationally significant under Criterion A for its history as the largest and most intact Chinatown in Oregon. It is locally significant as the largest remaining and most viable example of the Chinese ethnic community." Last line: "The district is evaluated in the context of the ethnic heritage of the Chinese people, and the development and growth of the Chinese community in Portland." I hope you'll help us save this very important and precious community. Thank you.

Wheeler: Thank you. And folks, obviously I took a little bit of latitude with the time restrictions here, because I think it's important for all of us to hear the historical context by which these guidelines were developed. So, I took some latitude, but please be aware that that two minutes goes super quickly, so amend your notes accordingly. Thank you, all three of you, for your excellent testimony. We sure appreciate it. Next three please.

Moore-Love: Next three are Sarah Stevenson, Lynn Fuchigami Parks, and Ruth Anne Barrett.

Wheeler: Good afternoon.

Sarah Stevenson: Good afternoon. So, I'll jump in and start quickly. I'm Sarah Stevenson, I'm here today as co-chair of the Land Use and Design Review Committee of the Old Town/Chinatown Community Association. And I just wanted to say thank you to the city and to Prosper Portland and to the volunteers who worked on the stakeholder advisory group for developing these guidelines, for putting in the time for doing it quickly, because it was very important to our community that these guidelines be in place before the zoning and height changes come before you and take effect. Our community association has heard from our constituents and has long advocated for guidelines to help balance the sometimes conflict between development of the area that is coming and is happening and historic context and historic fabric that is so important that you heard about it today. So, just wanted you to know the Community Association stands in full support. Thank you.

Wheeler: Thank you. Thanks for your leadership.

Lynn Fuchigami Parks: Mayor wheeler, commissioners, my name is Lynn Fuchigami Parks, and I'm the executive director for Oregon Nikkei Endowment. And we're a nonprofit whose major projects have the Japanese American History Museum, and the Japanese American Historical Plaza along the waterfront also known as the Bill of Rights Memorial, and all located in this part of town. That was once a very vibrant Japan Town up until 1942, when of course, an unconstitutional executive order caused it to disappear overnight. So, I'm here, also, to testify in support of the recommended draft of the Historic District Design Guidelines. The proposed guidelines envision/celebrate the cultural and multi-ethnic history of New Chinatown and Japan Town as well as highlight the district's importance to the city of Portland's past, present and future identity. And this is verbiage that was borrowed from the guidelines because I felt it was so well articulated. The guidelines create a thoughtful framework that will allow transformation to occur in a manner that brings vibrancy to the district while retaining significant and architectural qualities that make this historic district so unique, one that our city really needs to treasure. A great deal of time, energy and effort went into its creation, and the opportunity for community input was both appreciated and clearly considered. And I would like to thank again the same entities that made this – you know, for their hard work and commitment to establish these

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guidelines that really strike a balance to support both retention of his existing historic resources and encouragement of compatible development, but all with respect to the preservation of the district's cultural significance and authentic character, something that we were very concerned that was at risk without these kinds of guidelines.

Wheeler: Thank you. Good afternoon.

Ruth Ann Barrett: Hi. Mayor, commissioners, I'm Ruth Ann Barrett and I live in the historic district. And I don't mean to speak for everybody who lives there, but I will speak for myself. And I totally support guidelines like this and I only have two comments.

Wheeler: I'm sorry --

Karla: I think the assess at the time listening device is interfering with the microphone. If you could move it away or turn it off?

Wheeler: On, I see. Okay.

Karla: Yeah. Sorry.

Barrett: I don't know how to turn it off. Oh, wait. Here. My electronics are not under control. Anyway, I'm totally for the guidelines. I only have two issues. One, process. To my knowledge, there were no residents involved in these guidelines. In the design guidelines. I was told that they couldn't find any. Anyway, so, I think that's a process problem, not just generic to these, but in our neighborhood in general, and I would like to see it addressed in the future. We apparently, as residents, are not stakeholders. Which I found interesting. The second thing is, and you will hear it and have heard it, is that the idea of land use – and Sarah and I discussed this – is that it's the buildings, it's land, but for me it's who is using the land. If we don't address that, we'll have Starbucks in a kind of building that looks Chinese. We have no neighborhood-serving businesses. So, we have no green grocer. Chinese or Japanese style. We have no pet store. We don't -- as a resident of this neighborhood, you buy everything, I mean everything, outside of Chinatown. And yet, the Chinese, as I have experienced them in my life, are some of the best in the world at providing neighborhood servicing businesses. In fact, I think they are the best. So, unless we look at land use and look at development with an eye to what is called, I believe, a retail strategy, in the end, I don't think we're going to get exactly what it is that we are imagining. Thank you.

Wheeler: Well said. And the complete neighborhood strategy would embrace what you just said. Thank you for that. That's an important perspective. Thank you all for being here this afternoon. Next three, please, Karla.

Moore-Love: The last person is Wayne Trentow.

Wheeler: Is it Wayne or Duane?

Moore-Love: Looks like a W to me, on Southwest Washington.

Wheeler: Is there somebody signed up who has not been called yet? [Inaudible off-mic speaker] Oh okay, let's wait 30 more seconds just to make sure we don't miss out on somebody.

Moore-Love We asked. Nobody is there to testify for this item.

Wheeler: Okay. Very good. So, the record will be left open for written testimony until Friday, September 15th at 5:00 p.m. So, if people who are hearing this would like to continue to provide written testimony, you're certainly allowed and encouraged to do so. That's until Friday, September 15th, at 5:00 p.m. Deliberations on this item will be held on September 28th at 4:00 p.m. Here at Portland City Hall in the council chamber. Karla, please read the next item.

Item 1020.

Wheeler: So, colleagues, this ordinance is much more interesting than it sounds. [Laughter] The ordinance we're going to hear now is for scenic and environmental resources that are located outside of the central city. As you'll recall last week, we took

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some testimony on the central city. It's part of the Central City 2035 Plan, because there are viewpoints that emanate from places like Washington Park and Terwilliger Boulevard. But the decision we make here will impact other views such as those from Rocky Butte, Mt. Tabor, Council Crest, and Powell Butte. The crux of the discussion is about vegetation management, particularly tree trimming and removal, and we had some similar situations last week, to open up and preserve these important public views. Staff is going to give a short presentation. Mindy, thank you for joining us.

Mindy Brooks: Yes. Good afternoon, mayor, commissioners. Mindy Brooks of Planning and Sustainability. So, as the mayor just said, last week you heard a lot of testimony on Central City 2035. We talked about view corridors, and today we're going to talk about views outside the central city. And, as the mayor alluded to, you may wonder why we're talking about views outside of the central city when this is central city plan. And it's because during the process, we identified a number of viewpoints from Washington Park, Terwilliger Boulevard, West Hills, that cross the central city. And so, we talked about view corridors last time, that had to do with building heights, but we're not talking about building heights today, we're talking about how to maintain those views through vegetation management. So, this is an example from Japanese Garden. Historically, this was a view of the skyline and Mount Hood. And as you can see from the picture, vegetation has grown up and blocked much of the view of the skyline. Last week, we talked about extending that view corridor down the slope, and today we're talking about how you manage that vegetation inside of the yellow box in the picture there. And so, the recommendation is to allow tree removal and trimming within that space. This is a common problem. These are a number of views from the West Hills where vegetation has grown up and is blocking the intended thing to see, the mountains or the skyline in these cases. And today, many of these view corridors overlap with one of our environmental overlay zones, the conservation and protection overlay zones. When that happens, when there's an overlap with a view corridor and an environmental overlay zone, in order to remove trees, you have to go through an environmental review. And so, the standard that we're looking at here is to allow that tree removal and trimming through the standard instead of a review, replacements of trees would be required. This standard lives in the zoning code in chapter 33.430 and that chapter applies to all of the city. So, any time a view corridor crosses an environmental overlay zone, the standard would then apply. Back in 1991, when the Scenic Resource Protection Plan was adopted, the views all over Portland were designated at that time. And the decision was made not to apply the scenic, the s-overlay, to these view corridors. There's a reference in the zoning code to the Scenic Resources Protection Plan and it's assumed that people, through review, would know where these view corridors are.

Wheeler: So, what's the practical implication of not having the s-overlay? Why should we care?

Brooks: Why should you care. It's confusing for people. In order to know where the standard applies, you need to be able to see on the map where the S-overlay is. So, we're recommending that we re-apply that S-overlay to the view corridors that were designated in 1991. But we're not changing the view corridors from '91, we're just applying the S-overlay to them.

Wheeler: Okay.

Fritz: And on that slide just before, we did hear testimony asking for the scenic resource to be all the way around Rocky Butte. What was the thinking on not making it 360?

Brooks: In order to do that, we need to update the Scenic Resource Protection Plan, the whole plan, from 1991, and we would need to do -- it's a Goal 5 resource, so we would

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need to do an entire update to that Goal 5 resource, including the economic, social, environmental, energy, the ESEE analysis, so it's quite a bit of work to make that.

Fritz: How often are we required to do that anyway?

Brooks: We are not required - Goal 5 is not part of the requirements underneath the update.

Fritz: Okay. Thank you.

Brooks: Yes. So, I want to mention a few things that this ordinance that you're looking at today does not do. So, this ordinance does not require people to remove trees. This is just a standard for if people want to remove trees, to be able to do it through a standard instead of review. This proposal does not change any heights, building heights outside of the central city. It does not change the level of protection that was designated in 1991, and it doesn't change title 11, trees, or the jurisdiction of the urban forester. This proposal really does one thing. It says: "If you want to remove a tree or trim trees within one of these S-overlays that overlap with an environmental zone, you can do it through a standard instead of review." So, I'm going to leave it here for a minute if there are any questions, and then I will go over the three amendments that were released last Friday, related to this ordinance.

Eudaly: I have a couple questions. Could you go back to slide 4, please? So, it was my understanding that the request for this corridor did not involve removal of any trees. So, when did that change?

Brooks: So, the Japanese Garden requested that we extend this view corridor down the slope a little bit, so they can manage trees. They don't have any plans, at this time, to remove trees, but the standard would allow that if they needed to remove a tree in the future to preserve this view, that they could do it through a standard instead of review process.

Eudaly: And so, along similar lines, if we were allowing individuals or entities to remove trees in the scenic corridors, are we also planning on limiting the type of trees that can be replanted? Because obviously, some are gonna get a lot taller than others.

Brooks: Yes. So, the requirement is to replace the trees. They have to be replaced outside of the view corridor on the property that is owned, or property that the entity has control over. Many of these are parks properties that we're talking about, so they have space to put the trees. And so, they would be outside of the view corridor, and then the trees need to be from the Portland plant list.

Eudaly: Okay. Thank you.

Brooks: So, I will move on, then, to the amendments. So, last Friday, September 8th, the mayor released an amendment package with three amendments, and I just wanted to summarize them and take questions about them. So, the first one relates to Broadmoor Golf Course. As part of the comprehensive plan that was just adopted, a small portion of Broadmoor, that lower section in gray, was rezoned from open space to industrial. And this is part of the industrial lands, watershed health working group work that came forward with the comprehensive plan. There's a view corridor there, shown in blue. The view corridor is there because in 1991, it was stated that this is - the golf course layout includes a view of Mt. St. Helens. There's no development restrictions within this view corridor. It's about maintaining the vegetation. Through the comp plan, changing this to an industrial area, the intention is to develop that as industrial use, and the view would be eliminated. So, to reconcile the view corridor with the comprehensive plan, the amendment is to remove that view corridor from the map. Are there any questions about this before I go to the next one?

Fritz: Isn't it unusual to have a view corridor that's from private property rather than public right-of-way or public space?

Brooks: It is. We've, in our work that we're doing through Central City 2035, we're only designating views where the viewpoint is starting from a street or a sidewalk, or... So this is

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a little unusual because it's stated that the viewpoint is from the parking lot, which is a little weird. And then it just extends across the golf course as it is laid out.

Fritz: Do we know if there's any more such view corridors from private properties?

Brooks: Not that I'm aware of. Almost all of them are from streets or actually in parks. So many of them are like Rocky Butte and Council Crest, and places you know about, or from trails. This is a very unique situation.

Fritz: Well, if anyone knows the history of that, I'm just very curious to find out how that got designated. But since it isn't a public viewpoint, I can concur with the changing it, unless someone tells me why I shouldn't concur with it.

Brooks: [Laughter] Yeah. The next amendment is really just a technical amendment, and this is to add the view, the overlay zone maps into the Volume 2-A, Part 3. These were not included in the volume itself and need to be added in there. And this is just another example that I have provided. So, it's a very technical change. And the last one is not about scenic resources. So, it's a little confusing. Why is it in here, right? So, because we're updating zoning code 33.430, which is the environmental zone, that's why this is in this portion instead of the Central City main document portion. Back a week ago, September 7th, there was an amendment entered that clarifies that the zoning code, the whole of the zoning code, does not regulate dredging in water bodies except for in the central city. That's the first portion of what's on the screen. Because we've clarified that the zoning does not regulate dredging in any other water bodies, there's no need for an exemption in 33.430, for dredging. It simply does not apply. So, the amendment is to remove that exemption, because it is unnecessary.

Wheeler: Very good. Colleagues, any further questions on these amendments? As Mindy just explained, there are three amendments on the table, the first removing the Broadmoor View corridor to reconcile with the comp plan. The second is to add the Scenic Overlay Zone maps to Volume 3-A Part 1, and the last to remove the exemption dredging because it's unnecessary. I move to include the amendment package dated September 8th so that the public can testify on these amendments today. Is there a second?

Fritz: Second.

Wheeler: We have a tie. We'll call it unanimous. I'll give it to commissioner Fritz because she is sitting to my right at the moment. She will get the second on that, so we're able to take testimony. Colleagues, are there any other amendments you'd like to put forth at this particular time? Very good. We can accept testimony. Karla, please call the first three.

Moore-Love: We have a total of four people.

Wheeler: Very good.

Moore-Love: The first three are Michael Ellena, Ed McVicker, and Tracy Prince.

Wheeler: Good afternoon!

Michael Ellena: Good afternoon.

Moore-Love: We lost the quorum.

Wheeler: So, we did!

Ellena: Shall we wait?

Wheeler: Yeah, we have to, unfortunately. So, how about that rain that's coming?

[Laughter] I never thought in Portland, Oregon, we would be so excited about the rain.

[Laughter] That's all I got.

Fritz: How about the Thorns being in the playoffs?

Wheeler: Yeah. That's good.

Fritz: That's all I got. We have sparkling conversations between the mayor and me.

Wheeler: It's all been said. Alright, my daughter has a joke. Ten cats are sitting in a boat. One jumps overboard. How many are left? Not nine, none. The rest were all copycats.
[groaning] [laughter]

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Fritz: Please come back, commissioner Eudaly and commissioner Saltzman! [laughter]

Ellena: I think that was pretty much well encapsulated in the closed caption also! So, you will be remembered.

Wheeler: Yeah, Open Signal's very unhappy, their ratings are crashing by the second. Oh, look who's back. You have saved the people. Commissioner Eudaly, woman of the people.

Ellena: You're our quorum.

Wheeler: Good afternoon, sir. Thank you for your patience.

Michael Ellena: Thank you, mayor Wheeler and commissioners. My name is Michael Ellena, I'm a volunteer at the Portland Japanese Garden for the past eleven years, and a trustee on the board for the past nine years. Today, on behalf of the Portland Japanese Garden, I would like to address the scenic and environmental zoning codes 33.430 and 480. My testimony last Thursday before city council regarded the Portland Japanese Garden's CCSW06 view corridor. And the requested extension of that corridor. I share with all of you its iconic place in the hearts of many Portlanders and visitors to the garden. I thank all of you for your support in extending the view corridor, and giving us the ability to maintain that incredible vista of our fair city, the Willamette Valley, and Mount Hood. Today, my testimony is submitted to express the Portland Japanese Garden's support for the new standard that allows tree and vegetation removal and trimming through a standard instead of review process. We feel the standard process will simplify the current permit process and allow us to maintain our corridor in a more efficient manner. We encourage the city to adopt the standard process and streamline and simplify the process of maintaining view corridors. Thank you for your consideration in this matter.

Wheeler: Thank you, sir. Good afternoon.

Ed McVicker: Good afternoon. My name is Ed McVicker. I'm also here speaking for the Japanese Garden. I am currently a committee member for a committee at the garden called the Garden Resource Committee. The Garden Resource Committee has been a functioning committee since the beginning of the garden more than 50 years ago. Its primary concern is stated with the condition and just maintaining the garden itself. I have been a member of that committee for about ten years or so, and I can say that the notion of how we manage trees within our garden, and also within the area immediately adjacent to the garden, that's owned by the park or controlled by the park, has changed in the last few years as this permit process has kind of been the order of the day. So, I'm here today to represent that committee and the garden in general, and speaking in favor of changing to a standard as opposed to that. The permit process has often created confusion, not a clear direction and in our specific case, because we often have to deal with, from where we sit, multiple city bureaus, it has created a rather cumbersome path to get any kind of action done in the few things that we have tried to do. So, this will clarify and simplify the process quite a bit. I can't speak to the content. I can speak to the process, which, I think this will be a great improvement for that.

Wheeler: Thank you, sir. Good afternoon!

Dr. Tracy Prince: Hi, I'm Dr. Tracy prince, vice president of the Goose Hollow Foothills League. We are proud of the fact that half of our board members are low income and half are renters. Three years ago, we changed our bylaws so that board members can no longer vote in their own financial interests. We encourage commissioners Eudaly and Fish to require all neighborhoods and business associations to follow our lead. No one should be advocating for their own financial interest while receiving city funding. Goose Hollow supports proposed changes to allow vegetation management and tree removal through a standard instead of environmental review. This is important for maintaining public views. However, we suggest even more rigorous vegetation management. We were shocked to read explanations in Central City 2035 listing many views as unimportant and therefore no

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longer protected because vegetation has grown to block the views. And this is all over the city. For example, the Olmsteds designed Terwilliger Parkway, the Vista Bridge and Vista Avenue as a way to provide public access to views of Mount Hood and Mt. St. Helens. Yet many views near both Terwilliger and Vista are being lost because no vegetation management has occurred, so trees now block views. If we believe all Portlanders should have access to views, and not just rich people, which I hope you're all committed to, then we will need more aggressive vegetation management to save views that should be publicly available to all. The problem is that the proposed fix does not fix the problem because vegetation management still won't be allowed where today the public views can be seen. Section 8.5 indicates that within a view corridor with special height restrictions, trees may be removed or trimmed to preserve the view. We recommend that the phrase "with special height restrictions" be removed and that this same rule apply to scenic corridors. So, the sentence will read "within view corridors and scenic corridors, trees may be removed or trimmed to preserve the view." Most current views are being lost in Central City 2035 often because trees have grown to block views, so every remaining view is important. Please fix this bureaucratic conundrum where, on the one hand, city regulations prevent vegetation from being managed, and on the other hand, city staff list a view as insignificant because vegetation has blocked the view. This small step will keep many public views available to all in a city where our planning bureau and planning commission leadership have made it a policy to privatize many beloved and iconic public views only for the rich. Thank you.

Wheeler: Thank you.

Fritz: Dr. Prince, have you sent that in writing?

Prince: I haven't and I will. Yes. Thank you.

Fritz: Thank you.

Wheeler: I would appreciate that as well. Thank you for your testimony.

Moore-Love: The last person who signed up is Mark Velke.

Wheeler: Good afternoon.

Mark Velke: Good afternoon, mayor, commissioners. My name is Mark Velke, and I live in the Goose Hollow area. I'm also on the board of the Goose Hollow Foothills League Neighborhood Association. We support the changes to vegetation management in this draft, and believe that you should require even more vegetation management to save many views. Section 8.5 says that "trees may be removed or trimmed to preserve the view in a view corridor with special height restrictions." We recommend that the phrase "special height restrictions" be removed and that the same rule apply to scenic corridors. This will save many views outside the central city. Though this is outside of the Goose Hollow boundaries, our board believes that we must fight for the many Portland residents who haven't been able to read the thousands of pages of code over the last three years to understand what's happening. Two more points I would like to personally make is that apparently, the writers of the CC2035 draft are unaware that there are tools available that you can use to trim back trees and bushes. I have been to meetings where I have been told by the Bureau of Planning and Sustainability they have to do away with the view corridor, as just one example, because a tree that was planted a few years ago grew up, and now some branches are blocking part of that view. Rather than doing away with protected views, it seems to me that trimming back trees and bushes is a no brainer way to save our views. Just so you don't lose the tree hugger vote in the next election, all I'm asking in many of these is trim the edges, not cut down the whole thing. Thank you.

Wheeler: Thank you, sir! Appreciate your testimony.

Fritz: Mr. Velke, I think I'm a certified tree hugger, and I support these changes because they require even more trees to be planted.

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Velke: Good job.

Wheeler: Very good. And that's the completion of public testimony, is that correct?

Moore-Love: Yes.

Wheeler: The record will be open for written testimony on this item until Friday, September 15th at 5:00 p.m. if people would like to chime in further on this important issue.

Deliberation on any amendments related to this item will be held November 2nd at 2:00 PM, Time Certain here at Portland City Hall. So, let's continue the hearing about the early implementation of the post office from September 7. Karla, could you read item 1021, please.

Item 1021.

Wheeler: Folks, we have some invited testimony today from the current post office steering committee. Sarah Stephenson and Nathan Kadish, are you both here today? Looks like it. They're both here. Very good. Come on down. Thank you again.

Nathan Kadish: Thank you. My name's Nathan Kadish, I'm the director of investment strategy for Ecotrust, and the chair of the urban design subcommittee for Prosper Portland's Broadway Corridor Steering committee. Ecotrust's headquarters, the Jean Vollum Natural Capital Center, is directly adjacent to the proposed USPS development site, which has caused us to closely track Prosper Portland's community engagement process and the design guidelines. We appreciate your consideration and action to adopt an increase to the height and F.A.R. on the USPS site, consistent with the Broadway Corridor Framework Plan. Today, I would like to share brief thoughts about the public process that Prosper Portland designed, and has been following, in order to gather input and information about how to make the Broadway Corridor development an inclusive, attractive, and all around additive asset for the city of Portland. For the last 15 years, I have worked in public, private and nonprofit sectors, and I can safely say I have not experienced a more robust process for gathering input than this project. The process to date, in going forward, consists of two phases. The first phase is the Broadway Corridor Framework Plan, the second phase is the Developer's Solicitation and Development Planning Process. In Phase 1, the development of the Broadway Corridor Framework Plan, which started in 2015 and it included engagement of a stakeholder advisory committee and extensive outreach to other community stakeholders. The intent of the framework plan and engagement of the committee was to inform the feasibility of acquiring and developing the site largely based on assessment of the development potential and value. An investment requiring to deliver on public infrastructure requirements and community benefits such as affordable housing. The committee worked for five months and ultimately concluded that increases to the height and F.A.R. of the site were critically viable to the project. The recommendations are included in CC2035, and Prosper Portland is seeking early implementation of the recommendations to move forward with Phase 2, development planning for the site. In May 2017, Prosper Portland held the first meeting of the Broadway Corridor Steering Committee, of which I'm a member. The steering committee is comprised of 42 community members who are demographically diverse and represent a broad range of geographic and subject matter expertise and interests. The steering committee has met monthly over the last five months, and at each meeting, has welcomed public comment. Our committee is currently informing the project goals and priorities to be included in developer solicitation and RFQ to be issued this fall. Clarity regarding the development height and F.A.R. are critical to ensuring the successful response to the RFQ. Following the selection of a developer partner, the steering committee will continue to engage with Prosper Portland to inform the develop plan for the site. This will also include a formal master plan for the site which is subject to type 3 design review by the design commission. A robust community engagement and communication

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strategy will also be implemented during this phase of work. Thanks for your time and consideration.

Wheeler: Thank you. Appreciate it. Good afternoon.

Sarah Stevenson: Thank you for finally summarizing everything. I will add just a few things. I'm Sarah Stevenson, here now in my capacity as a member of the Broadway Corridor Steering Committee. And not to reiterate, but just to add to what Nathan said, I'm on this committee in my capacity as a member of the Old Town/Chinatown Community Association, and also as an affordable housing provider. I'm involved in this phase of the development. My co-chair for the Old Town/Chinatown Land Use and Design Review Committee participated in the framework planning process. So, the neighborhood has been involved in both stages of planning for this, and it was a framework planning that happened in 2015 where the height and F.A.R. recommendations were developed. Our current task is not to revisit those recommendations, but rather to, as Nathan said, inform the RFQ, or the solicitation for a developer that will take the site and move it towards its development potential. So, we were not tasked with revisiting the height and F.A.R. recommendations, but rather, with informing the priorities and the different goals that Prosper Portland and the rest of the city hopes to get out of the project ultimately. Because we're moving forward on this, time we have a fairly strict timeline, we're meeting monthly, and we are working to get the RFQ finalized so that it can go out to developers. But it's critical there be clarity regarding the heights and the F.A.R. before we can fairly ask a developer to respond to solicitation. That's why early implementation of the height and F.A.R. recommendations that have been developed through this prior public process are important. Thank you.

Wheeler: Thank you. Appreciate it, both of you. Karla, how many people are signed up to testify?

Moore-Love: We have two.

Wheeler: Two! Very well, please call them on up.

Moore-Love: They are John Hollister and Patricia Gardner.

Wheeler: Good afternoon.

John Hollister: Good afternoon. My name is John Hollister. I have spoken to quite a few people in the last week regarding this property and I continue to be educated. This amendment, as I understand it, is specifically to raise heights, which I support, but if adopted, I hope the new height allowance will still have flexibility if additional height is determined the best use of the site. I have heard people say there should be a design competition, which I do not support. I have heard many times that winning designs, although beautiful, are not buildable. They often don't address the market needs or are not financially viable for the developer. I believe part of this process is to bring the developer on early so design, market, and finance are dealt with on the front end. I hope in the request that they can mention that there's still, "Here's the guidelines for height but there's some flexibility based upon your expertise as the developer," so that can be part of their response. Thank you.

Wheeler: Thank you John. Good afternoon.

Patricia Gardner: Hi. Patricia Gardner. 1200 Northwest Marshall. I'm only going to paraphrase a little bit about my letter that I sent in on behalf of the neighborhood association for 2035. What we stated in that letter is that that we were a little concerned that pushing this forward was precipitous. There's a public process that's ongoing. Our representative didn't know that this was coming before city council until we read it on your agenda. It should have been an agenda item at that steering committee that's ongoing now. On a personal note, I sat on all the previous committees, so West Quadrant Plan, where we were told we're not talking about the post office, the framework plan where we

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were told we're gonna see if this thing makes sense, and we're gonna have economic folks come in and tell us if this makes sense for the city to buy, and I have been told afterwards, "Well, no! We were determining what was going to actually happen there." And it feels like a step was missed in the public process, which is, "Hey, oh, by the way, we're really going to talk about what the code wants to be." And so, I just wanted to state that personally but the position of the Pearl District Neighborhood Association that is we should respect the public process that's going on now, and they should have been told about it. So, thank you.

Wheeler: Very good. Thank you.

Fritz: Thank you. And just a heads up for staff, I'm going to want to each of the Pearl District's neighborhood comments, I would like to go through that on our next briefing to hear your responses. Thank you.

Wheeler: Very good. We'll continue this hearing to September 28th at 3:00 PM Time Certain. Of course, the written record will remain open until then, so if people would like to email us their thoughts, you're certainly welcome to do so. So now, we'll go on to the hearing on the main ordinance and resolutions. Let's continue the hearing on the main part of the plan from September 7th. Karla, can you read the ordinance and resolution titles, please, for items 22 to 24.

Item 1022.

Item 1023.

Item 1024.

Wheeler: Very good. Sally, could you come up and introduce this part of the hearing, please? Good afternoon again.

Sally Edmunds, Bureau of Planning and Sustainability: Yes, good afternoon. So, this hearing, this continued hearing will be on the main part of the plan as Karla mentioned, plus the package of amendments that we had last week. We have updated that package to include commissioner Eudaly's amendments and there are copies of this document out on the table out front. We have some invited testimony today from at least six people, and then staff from PBOT are available to answer any questions that you might have after that. Thank you.

Wheeler: Very good. And the first individual is Karmen Fore on behalf of governor brown. Thanks, carmen. Good to see you.

Karmen Fore: Good afternoon, mayor, commissioners. It's an honor to be invited to be here on behalf of governor Kate Brown. I'm Karmen Fore, senior director for Federal Affairs and Transportation in her office. And I know you're having a conversation around transportation in general for the city, and you're also aware that the state recently passed a very robust transportation package, House Bill 2017, at the end of this last legislative session. I also know you have requested representative McClain to come up and speak as well. And I'm going to leave more of the details about the bill itself, and the elements from the bill for her remarks, and what I'll do is maybe tee up how we got to the point to get the legislation passed in 2017. The conversation around the need for improvements in transportation, looking statewide, really started in 2014. Governor Kitzhaber formed what ultimately became known as the governor's Transportation Vision Panel. We invited a group of business leaders, civic leaders, and legislators from around the state to answer a few questions, and kind of stripping away the things that would normally stand in one's way when looking at transportation investments. And the questions were, give this vision. What should Oregon's transportation system look like in 30 years? And as part of that endeavor, look at all modes of transportation. We're a very diverse state, we have very diverse topography, from surface ports to maritime ports, roads, bridges, rail, but where do we want to be going in the next 30 years. Craft a vision. And then, as part of that effort, do

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a four-year action plan. How do we start making the steps in the right direction in order to achieve that vision? So, over the course of about 18 months and governor Kate Brown, when she came into office, sustained the effort to complete the Vision Panel's work, we had a series of meetings with subject matter experts, stakeholders, very robust public process, looking at a broad array of transportation modes. They developed a series of findings, and then we went out and we traveled all around the state, and held public meetings to assess those findings and hear from Oregonians in urban, rural communities, and all points in between, "Give us your feedback. What really is important to you in your community? What are those things we need to do to make improvements in the state to help you and your community live and thrive?" At the end of the process really four main themes – and if you dig into the report, there's more there, but I'm going to give you four because they are really important. The thing that rose number one for Oregonians across the state was the importance of preserving and maintaining the transportation system that we have today. We have put tens of billions of dollars into that asset and maintaining it. And we not only heard that in community, but when we do the Oregon's Values and Beliefs Survey in a series of formats, we hear consistently from Oregonians that they care about the transportation system that we have today. And they don't want to see it fall apart. But then, three key themes came up in every community across Oregon. First and foremost was that Portland area congestion is impacting all corners of the state. And in fact, the one piece that really leapt to mind for me was: We were in Medford, and when we posed the question "What's impacting you here most in your community?" So, being in Medford what's impacting you? Before we could get the sentence out of our mouth, the room was yelling "Portland area congestion." And that community, by drive, on a good day, is five hours away from here. The second thing we heard in all communities from Portland, Eugene, John Day, Medford, Bend, Coos Bay: The need for transit. Everyone, regardless of urban or rural communities are wanting more transit. It looks different in different communities. So, when we were here, we heard more bus service, greater frequency, better options. More options for the choice to make the trip. But if I live in enterprise, I need a bus that works at night. I need a bus that works on the weekend, so I can get to my job, so I can go to the grocery store, or maybe I can stay in my home and not have to move somewhere to get close to a medical facility. Real practical needs for transit. And then thirdly, seismic. We're at a point where Oregonians are well aware of the potential of a Cascadia Subduction Zone event, and they're also well aware that we have gaps in our system in terms of the supports of that system. But we heard "seismic" most loudly, not on the coast, where you would just naturally think we'd expect to hear it. It was actually in central Oregon. The loudest voices around seismic preparedness were there, and the question was "Why?" And I think the point that seemed obvious when we were there, it's "Well, when the event occurs, and communities like here on the coast are going to be more severely impacted, where are we all going to go? We're all going to go over into central Oregon," and they are very aware of that, and feel the urgency to be prepared as a consequence. So, at the end of their report, it actually dovetailed really nicely at the start of the legislative process that established the joint committee on transportation. Governor Brown, speaker of the house and the senate president, came together and said, "You know, we want to have a joint – it is a top priority for us to pass a package during the 2017 session, and we want to do it in a transparent, open, public process, and we want to do it in a bipartisan fashion," and formed the joint committee it. First thing that they themselves did was, they traveled around the state much like the Vision Panel did, and again, heard the same themes from Oregonians all across the state about the needs, these four needs I have enumerated, but also the importance of improvements in bike and pedestrian infrastructure, urban and rural. Need for better inter-modal facilities, so we're able to better

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move freight commerce around, when you're really looking at how agricultural products are moving across the state. The need to operate and have funds to operate our state-owned dredge, to maintain our state harbors, so our commercial fishing fleets can safely get out to fish during the fishing season. And also to remove derelict vessels that are on the Columbia River, which is a huge problem for us right now. And also, what, of those things, can we do to start transitioning our fleet. Things like AV vehicles is in the bill, there's actually rebates in the bill for that endeavor. At the end of the day, when the legislature passed the bill, they really incorporated a very robust bill that speaks from stem to stern to all modes of transportation, and as I've worked on and seen transportation packages across other states, or even in congress, that's highly unusual to have a package where you're dealing with maritime ports, aviation ports, maintenance of your transportation system, dealing with seismic congestion, with airports. It's really extraordinary. Ultimately, what our legislators did, and the voices from our neighbors across the state, how they came together, and everyone held together to really pass a robust package. Part of the details of the bill that are important to you all, are those congestion area projects that the legislature focused on as part of the work group and then also, the legislature's requirement for the Oregon Department of Transportation and the OTC to apply for a value pricing pilot with the U.S. Department of Transportation's Federal Highway Administration. So those are critical pieces that will be ongoing public processes associated with those, but those were key elements to the bill that were important, particularly for this community, but I would also say, in addition to those transit components, etcetera, on down the line. So that got us to where we were today. I sort of felt representative would be here next to me, and she could, you know, pick up the work of the legislative work group in detail, but I'm happy to answer questions before then that you may have.

Wheeler: Well Karmen, I appreciate you being here to testify. You made an important point. A number of people have characterized this as merely a freeway expansion. And you've reiterated the fact that a significant portion of the funding, in fact about half of the funding, is going towards bike, ped and transit, which is also one of our key objectives here. So, thank you for that.

Fore: You're very welcome.

Wheeler: Appreciate you being here. Appreciate the governor's leadership.

Fore: Terrific.

Fritz: Yeah, it's really great to hear what the comments from the rest of the state are. Every year, we prioritize the rest of the state in our legislative agenda, but to hear that they, too, are being affected by the congestion and have similar goals. In fact, when you're talking about transit, we all want better night and weekend transit as well. So, there's a lot of things that we can share. And I really appreciate the governor and the legislature getting that package passed.

Fore: Wonderful. Thank you. And Maybe if I could add a point, 'cause I think there are a few, some of the public testimony from Portland left dramatic impressions. I know Senator Beyers talked about knowing workers who come into the city to clean office buildings and not being able to get home at night because there isn't enough transit available. The other part which I have to make a strong impression about was how neighborly Oregonians are across the state. And I think it was a two-way street that when you travel around the state, and we talk to other neighbors across Oregon, they hear the concerns and the transportation problems impacting people in the Portland metro area. They also wanted to be heard and recognized for their needs and how they can get their products to market or how they get around as well, and that that was valued. And I tip my hat to the legislators and the folks across the state who raised their voice. And we stuck together and held a package that addressed those needs. But also, I really think what an important effort this

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was, that we really heard and looked at each other as our neighbors and really took everyone's needs to heart at the end of the day.

Fritz: Thank you.

Wheeler: Thank you. We'll hear next from Kelly Brooks from ODOT. Good afternoon.

Kelly Brooks: Good afternoon. Hi. For the record, my name's Kelly Brooks. I work for the Oregon Department of Transportation here in Region 1, and I'm the policy and development manager here in Region 1, so my unit has major projects within it, who is working very hard on the Rose Quarter project. So, I am here today actually in a resource capacity similar to the PBOT staff in the room. So, if it's okay with you, I'll step back and let the good representative come up and share her thoughts, but I'll stay in the room in case you have questions specifically for me.

Wheeler: Fantastic. We appreciate that. Representative Susan McClain, thank you for being here today.

Susan McClain: Well thank you mayor, and thank you commissioners, for allowing us to come and testify today on your Central City Plan and your update on your transportation portion of that. And as I was sitting here listening to your other good work, I was curious to look at your goals. I found them on page 1. And besides what the governor's office has shared with you as far as the goals of the transportation plan for the state, and as far as what our citizens said statewide, that we really needed to take care of the pillars of a good balanced transportation plan, the five goals that you have on page 1, which is: Save lives, reduce injuries, limit traffic congestion or transit and freight vehicles so they can move more reliably – and that means limit that traffic congestion – reduce climate pollution and promote healthy lifestyles and keep more money in the local economy as we spend less on vehicle fuel and create great places. And what I'm excited about coming to talk to you about today are three projects in the Portland area. And my name is representative Susan McClain. I represent Forest Grove, Cornelius and Hillsboro. And I was really honored to serve on that joint committee transportation, preservation and modernization. And as the governor's office and carmen pointed out, we did follow the other commission around in the next 18 months, so we had like three years of open public houses and we were at 12 or 13 different communities from Medford to Ontario, Hermiston, Newport, Eugene, Hillsboro, Portland, Gresham. We went to a lot of these places so that we could hear again, and make sure that we'd understood what the message was. And we had also 23 cities and three counties in our area who put in a great deal of time talking about what will reduce congestion in a very practical and also on a good, sound, safe environmental way. And three projects popped up. And those three projects, because it was an economic corridor and something that affected the entire state and all communities, were the Rose Quarter I-5, Highway 205, and Highway 217. And they are a system. They work together. And so, if we were going to reduce congestion in an environmentally friendly way that's also going to continue to help with freight and our economic engine, we're really going to have to do those together, and so, we dedicated funds in the package to those particular projects, including the Rose Quarter. Safety was a very important issue. Statewide on many levels, whether it's bike and ped paths to the schools, or if it was trying to look for better corridors for bike and ped activity, we also wanted to make sure that in any type of road project that we also were considering safety because it was mentioned many times especially in the Portland area. So, safety for all means that it's really important for us to really look at and try to make sure that we are looking at the Rose Quarter and trying to stop the many crashes that are happening right now. It, by the way, has the highest rate of crashes in the state, that particular area that we're talking about. So, besides improving safety on a very, very dangerous corridor, we also need to reduce crashes and delays, generally speaking, in that same area, because this is an interstate freight and a very

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economically important corridor that gets much of our crops and products out of state and to other communities that are either international or national. So again, the rose quarter actually a popped to the top out of those three projects that the rose quarter was the number one that all folks were really concerned about us being able to address in the package. It was a situation where besides enhancing freight mobility, trying to reduce crashes and delay, we also were trying to help ourselves on the environmental side with the gas emissions and trying to really think about what were some of the projects that could do that. We all know that this project is not a massive freeway type of project. This particular project, or expansion, rather, is building new sections through lanes that will be built relatively short auxiliary lanes that will be between the interchanges that will improve the flow of traffic and allow vehicles to safely and efficiently get on and off the freeway or off the roads. So that's important because that helps us not have delays. An existing corridor in the central city, and adding an auxiliary lane will not induce additional traffic in the same way that building a brand new, larger corridor would. This project will improve bicycle and pedestrian connectivity across the freeway, making it safer and easier to get around on foot and by bike and access to transit, and the project will help facilitate the city of Portland's plans to for redeveloping some of your north and northeast quadrant. And also, the central city. Allowing for a denser urban core. It's really important that these bottlenecks, which are causing a lot of idling and stopping and have got conditions that waste fuel and contribute much more in the greenhouse gas emissions. Research shows that management of these traffic operations, including congestion mitigation, which the governor's office also mentioned, is part of the package, these strategies actually reduce severe congestion and increase traffic abilities, and it reduces the emissions at the same time. It's really important for us to realize that we have, for the first time, a dedicated fund for transit funding. Statewide. So that indicates that we are not just working on maintenance of our roads, our freeways and our interchanges like these very important three projects in the Portland area, but we continue to try and make sure that we have all kinds of opportunities and choices for people as they are making their ways around our community. Again, this money in the package is dedicated to those three projects. And that's what the money is dedicated for. That's what the money will be spent on. And so, I know that there's been some push that you could use the money in different ways for different projects. These were the projects that not just the 23 cities and their mayors and J-PAC and the three counties indicated were important in the Metropolitan Portland area, but these with the projects that, statewide, pop to the top for the most important congestion projects. So that's where we put the money. And I think that's an important element. I really think it's important to realize that we are dedicated to a balanced package, a balanced investment, and that we're working on transit, walking, biking and maintenance of our roads, and modernization of our freeways. That we're going to have a very bright future, I think, with this 5.3-billion-dollar investment package over a ten-year period, and this is going to give us an opportunity for seamless, balanced projects in the Portland Metropolitan area including the Rose Quarter, 217 and 205, with the state to support this bipartisan transportation investment. I'm happy to answer questions. I really tried to cut my testimony down, because it seems like you have a lot of really important issues on your agenda today. I'm happy to answer questions.

Wheeler: Colleagues, questions for the representative?

Saltzman: Thank you for being here.

McClain: Oh, you bet.

Wheeler: Thank you. You answered one question that came up maybe 50 times last week I think. And I just want to make sure I understand. Let's decide that - or let's say that we

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decide that we don't like the auxiliary lanes for whatever reason. And instead, we would like to take that funding, and put it into something else. Could we do that?

McClain: Right now, the process is starting for the design. We know that we have not completed the design on the project, and that ODOT and Portland are working together on that. You're going to use the money on this project because that's what it's dedicated to in the package. We have certain judiciary responsibilities of setting that out in any kind of a bill that we're going to bring forward. And so, you're going to spend it on the freeway, but there's a lot of opportunity in the design phase to talk with ODOT about what the goals are, and see if we have explored all opportunities for the very best ways to take care of those goals.

Wheeler: And as I mentioned up front, about half the funding here is bike, ped and transit. Do we have leeway in terms of how we allocate those resources within those buckets?

McClain: Our budget is pretty specific as far as where the money is going to go. And so, we have money in the package for bike and ped and safe pathways to school and additional trails and we have other money that's set aside to do those things. And so, you know, we have other opportunities to take care of some of those issues that you have just mentioned.

Wheeler: Very good. I appreciate your being here today. Commissioner Fritz?

Fritz: Thank you. I have one question, whether Fore or Ms. Brooks. What we heard last week was that the crashes are usually not serious crashes, there might be property damage. You said it's the highest crash place in the state. If I could get maybe – can you address that, please?

Brooks: Do you mind if I jump in?

Fore: Sure! No, please!

Brooks: Okay, for the record again, Kelly Brooks with ODOT. Yes, we do have a high number of crashes in this location. It is fair to say the majority of those are sideswipe type crashes. I believe it was between 2010 and 2014 we had 690 of those, however, that's a lot of them, in the southbound direction in this area, it's been a top 5% site. That's the highest category that we have for crash locations. So that's how it's been elevated. It's unfair to say we don't have any severe crashes, however. We've actually had, in that same time period, two fatalities, seven serious injury crashes as well.

Fritz: Thank you very much.

Wheeler: Thank you.

Fore: One other the statistic that I forgot to mention that I cut out, I want to put back in, and that is on the environmental side, that with these additions both for safety and for actually accessing the most productivity in the corridor, there would be a savings of 2.5 million hours of travel time because people are not having to stop and idle as much. So again, it's helping us with air quality and other issues to make sure the corridor is very functional.

Wheeler: Great! Excellent. Thank you for your testimony. We appreciate it, both of you. Owen Ronchelli, Wade Lang and Matt Arnold, all from the North/Northeast Quadrant sack. And just out of curiosity, do we have anyone here representing the Freight Committee? They were not sure whether they would be here or not. Very good. So, I guess this will be our last invited testimony.

Wade Lang: Mayor Wheeler, commissioners, thank you very much. My name's Wade Lang, I'm vice president/regional manager for American Assets Trust, located in the Lloyd neighborhood. And I come here today in support of the Oregon Department of Transportation's I-5 Rose Quarter Improvement Plan. As one of the original members of the city's North/Northeast Quadrant Plan Advisory Committee, I spent almost two years reviewing, discussing, debating the pros and cons and options of improving the I-5

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Corridor at the Rose Quarter. The I-5 Improvement Plan has always been about safety, and we, on the advisory committee, approach the discussion from that angle. Throughout the North/Northeast Quadrant planning sessions there was always time for public comment/public input. Once the North/Northeast Quadrant Plan was completed, there was again numerous opportunities for the public to weigh in. To this day, I'm confident the committee collectively came up with the most reasonable improvement options based on the impacts to safety and cost. As a member of the boards of Go Lloyd, Lloyd Eco-district, the Lloyd Enhanced Service District, Locus Oregon and Portland Street Car, I have been intimately involved in the growth and needs of Lloyd. Beyond the safety improvements the I-5 Rose Quarter plan brings to the freeway, it also creates a more sensible and safe way to move into and through Lloyd. The improvements proposed including the lids on-ramp access bike through ways all work to create better flow for all types of traffic around I-5 and the Rose Quarter. With future development including the Convention Center Hotel and much more residential growth, Lloyd needs to work diligently to see that the infrastructure keeps pace with our growth. The I-5 Rose Quarter Improvement plan is a very smart first step in making Lloyd livable. Thank you.

Wheeler: Thank you, sir. Good afternoon!

Owen Ron Kelly: Hello. My name is Owen Ron Kelly, and I am executive director of Go Lloyd. We are a nonprofit transportation management association in the Lloyd neighborhood. And we've been around since 1994, we have 160 members, and we represent over 13,000 employees in Lloyd. We're proud of the results that we've been able to – transitioning employees and residents and visitors out of their cars and into alternative modes. We actively promote and manage programs to shift people's travel behavior away from single-occupant vehicle trips, and we live and work in transportation demand management every day. Our organization, and many others, participated in the North/Northeast Quadrant Plan, which, to be honest, was exhausting. But it was also rewarding, too, because after 24 months and 19 SAC meetings, 14 subcommittee meetings, four open houses, two charrettes, and three community walks, it culminated in an agreed-upon plan. That was the rewarding aspect of it. The plan involved a great amount of compromise. And just as an example, we looked at 70 different freeway alignment options to arrive at the one we have included in this plan. So, please honor the public process, the volunteer time that citizens and city staff went through to get the plan to where it is today. The main reason Go Lloyd is supporting this project is because of the surface transportation improvements. Half of the project's budget, as has already been stated today, is going towards those types of improvements. We are genuinely excited about the projects, not only because it's gonna fix long-deficient and unsafe bike and pedestrian facilities, but it will also create new ones that don't exist today. Like the Northeast Clackamas crossing and the crossing at Hancock, down to lower Albina. Each of these will allow pedestrians and cyclists to avoid the Broadway box entirely. Everyone going through that area, no matter what mode you choose, whether you're on foot, in a car, on a bus, street car, you -- I think we can all acknowledge the fact that it's a pretty lousy and potentially dangerous experience going through there. This project intends to address this and making it a safer place and more intuitive for all users. Northbound cyclists traveling east on Weidler have a great separated crossing at Williams, between Weidler and Broadway. South and eastbound cyclists coming down Vancouver will only have a small fraction of the traffic that they do today, because 70% of those vehicle-turning movements will be eliminated from Broadway, turning on to Vancouver. This will go a long way to reduce peak hour delays for street car, as well. This project does a good job of reducing the number of vehicles traveling through the box. As an example, Westbound traffic on Broadway will go through four fewer lights than they do today, to get on to I-5

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South. And a transit-only lane will be created on Wheeler to reduce bus delays crossing Broadway and Weidler. These are the exact types of improvements that we desperately need if we hope to encourage more active transportation use, both for timid and reluctant users, but also attracting new users that are arriving in Portland every day. The improvements included in this project are thoughtfully designed and community vetted, and will result in, and improve operations for all users. The allocation of funds is significant, but appropriate to address the needs of the transportation system in the area. The project is being paid for everyone who drives a gas-powered vehicle in Oregon, too. Please don't buy into the fallacy that's being circulated that this is a freeway-widening project. It's an investment in our multi-modal transportation system that will transform access for all users in the area for an area that needs it for a really long, long time. Thank you.

Wheeler: Thank you for your testimony.

Fritz: Thank you for your service in the committee.

Matthew Arnold: Hello, mayor, councilors. My name is Matthew Arnold. I am the director of urban design and planning for Sierra Architects, here in Portland, I also am the former chair of the Portland Bicycle Advisory Committee, and it was as chair of that committee that I also served on the North/Northeast Quadrant Steering Committee. You're here today discussing a major transportation project in central Portland. But I would submit, as Owen was just getting at, this project -- the question really isn't "Should we widen I-5?" The real question is, "What is the Portland that we want to become?" As you all are aware, Portland has experienced a market increase in auto traffic in recent years. 11,000 additional auto trips per day were recorded in 2016. Meanwhile, bike commuting has slipped from a mode split of 7.2% to 6.3% in 2016. Kind of a bruise for a city that touts itself as America's most friendly in terms of bikes. Carpooling and transit ridership, especially by bus, have also declined. The North-Northeast Quadrant area is expected to grow by 8,000 residents, and 9,000 employees over the next 15 to 20 years. So how are those folks going to commute? Where they are going to shop? How are they going to access services? More broadly, as we think about this district, how do we stitch lower Albina and close in northeast Portland back together with the Rose Quarter? How do we seamlessly connect the Lloyd district with downtown? How do we transform this area into a tirelessly vibrant neighborhood again? During the formation of the North/Northeast quadrant plan, we propose answering those questions with compact, sustainable urbanism, and heavy doses of active transportation. The project components that I and most of my colleagues focused on and fought for were those that would provide the most livability return on the significant investment. The North/Northeast Quadrant Plan, which this council actually adopted in 2012, puts forth great local solutions, better design and development controls, transit enhancements, redundant bike and pedestrian facilities, a new signature bridge at Clackamas Street. Most eye-catching, maybe the lids proposed to cover I-5 in the district. And frankly in my opinion, those lids should probably be a lot larger if you really want to promote that kind of continuous urbanism. But these are the infrastructure improvements that will support not only the kind of redevelopment and travel patterns that we want to see, but also the 24/7 activity and level of community to which we would aspire in our central city. As you all weigh our city's official position and commitments to this district, I ask that you focus on the local and sustainable return on investment that the citizens in Portland come to expect. Said differently, it's not our job to build roads and infrastructure, it's our job to build communities and to foster and support those communities. And I ask for your strong leadership in tackling that job. Thank you.

Wheeler: Thank you, we appreciate it. Thank you, all three of your, for being here. I understand somebody from the freight committee did show up. Is that correct? Come on up.

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*****: [audio not understandable]

Wheeler: That's fine. Name for the record, please.

Bob Hillier, Portland Bureau of Transportation: My name is Bob Hillier, I work for the Portland Bureau of Transportation, I am the freight planning coordinator for the city, and I also staff the Portland Freight Committee. Our chair, Pia Welch, and vice chair Rihanna Ansary, were unable to attend today, so they did submit a letter for the record, so, just to reiterate some of the points that were made earlier today from some of the folks. They suggested to implement the Rose Quarter project as a complete package has been recommended, and the PAC members, they served previously on a north-northeast quadrant planning process. Uh, they wanted to recognize that the I-5 interchange is one of the most congested in the state. And, mainly to honor the commitments that were made in recommendations for the northeast Quadrant Plan Stakeholder Committee, and also House Bill 2017. So, they were the main points they wanted to make in the letter. So, they support the current package. And I can answer any questions.

Wheeler: Thank you. Colleagues, any particular questions? Very good. And last but not least, we'll ask our peers and Mauricio Leclerc, from PBOT. Colleagues, I don't know if you have specific questions?

*****: [audio not understandable]

Wheeler: As a resource. Does anybody have any immediate questions? All right. Very good. They're here in case we need 'em. Karla, let's bring up the next people from the list from last week. I know we had an extensive list of people. My guess is many are not here today, but let's take them first, because we made that promise that we would. Are there people in the overflow room or not?

Moore-Love: Yes. I've got 38 people that have checked in from the seventh to speak today. And I have two new ones and I also want to let anybody know, if you're here from the 7th and you did not check in with staff, please do so out front here.

Wheeler: Out in front of the main council chamber. We do have seats in the main chamber. Looks like we have six -- seven --

Moore-Love: Yeah, security's going to let them know.

Wheeler: Oh, security will deal with that.

Moore-Love: Yeah.

Wheeler: Okay. Very good. Thank you.

Moore-Love: Okay, so, the first three are Number 39, Micah M.; Number 42, Rose Qualski; and number 50, Cal Toth, and they'll be followed by Number 51, Mark Velky; 53, Brian Newman; and 54, Christe White.

Wheeler: Good afternoon!

Micah Meskel: Good afternoon, mayor and city council thanks for having me. My name's Micah Meskel, and I represent the Audubon Society of Portland. I'm not gonna repeat the testimony from last week that my colleagues gave, but, I wanted to show support for an amendment that commissioner Eudaly proposed to expand the -- the green roof surface area 100%. Audubon supports that. We appreciate efforts and conversations that city council had about how we could potentially improve the different green policies that are included in the central city plan. We think that's a great step, and we also hope that some of the other discussions that took place last week could move to council directing BPS to -- BPS staff to think about how we can improve some of the other green policies, whether it's the Willamette Greenway Lighting standard that could potentially be looked at for the whole city, or for the whole central city, or for such things as how we can move current development that's in the 50-foot greenway, but not river-dependent, how we can create mechanisms to eventually move those out of the greenway if they aren't river-dependent.

Wheeler: Thank you. Good afternoon.

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Rose Kowalski: Good afternoon. My name is Rose Kowalski, I'm a volunteer at the Architectural Heritage Center, the Bosko-Milligan Foundation, and a resident of Washington park. I apologize for my lateness to the table today, I was going to see if I could race out and feed the parking meter, but I'll just be quick here.

Wheeler: Don't worry. Commissioner Saltzman's not here anymore. [Laughter]

Kowalski: [Laughter] My original focus in coming to testify was to have been on saving the rose garden views of mount hood and the skyline with vegetation management, but that's been well-addressed, and so even though I support that wholeheartedly, I'm going to speak to the larger issue today of protecting views with height limitations and reductions which I understand is now starting to be referred to as Right-Zoning. To me, Right-Zoning, in this case, means to lower heights to 100 feet. In particular, I feel strongly that maximum heights in the west end should be right-zoned to 100 feet. But in a larger context, I hope to illustrate, with my -- with my little handout, how right-zoning maximum heights to 100 feet in order to protect iconic views will have affects that go far beyond the sale of picture postcards. One example of the synergistic effects of right-zoning maximum heights might be that by deterring demolition of historic properties, those saved properties could be subdivided into multiple well-designed sustainable living units which will introduce new affordable housing while protecting the character and the appearance of the neighborhood. All of this -- which you can see on my little handout -- all of this, and saving the irreplaceable views in one fell swoop. Please do remember that the greenest building is the one that's already built. Thank you.

Wheeler: Thank you. Good afternoon.

Kal Toth: Good afternoon. Thank you very much for this opportunity. My name is Kal Toth, I've spoken here before, resident of Goose Hollow, secretary of our board.

Fritz: Just one second - if you need to run and feed your meter, you don't have - I mean it's very polite of you -- yes.

Kowalski: May I? Thank you so much.

Wheeler: I did hear Dan something about, he's running toward your car. [Laughter] I did hear that.

Fritz: I'm sorry to interrupt. Start over again.

Toth: I get an extra 15 seconds? [Laughter]

Wheeler: Absolutely. You bet.

Toth: Okay, so, Portland's views have stimulated our economy in countless ways for decades. We should not underestimate their value or trade them away. I am grateful for mayor Wheeler for fighting to save the views that we have talked about, and I'll mention something in particular about the Vista Bridge, the view of the Vista Bridge, which must also be protected. I encourage you to follow the example of numerous councils in the past. Please continue protect our iconic views. I'm just repeating things many people have said, but it's important to many of us. As others have confirmed, the West Quad SAC was weighted heavily in favor of developers. They should have recused themselves a number of the things. They lobbied for their self-interests, and they, therefore, biased the recommendations back in 2015 and 2016 to the BDS and to city council. Furthermore, in response to the ombudsman's demand, they did not declare their conflicts of interest. A few developers have obfuscated them, and others failed not to respond at all. And thank you, commissioner Fish, which you were here, for addressing these issues during last week's hearing, agreeing that city policies governing conflicts of interest, ethics, and committee formation need to be tightened up. Now, I'd like to point out one particular case of some allocated height increases in the plan that enable construction of the few strategically-located high-rise buildings in Goose Hollow. Is this microphone doing the right thing?

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Wheeler: Yes sir.

Toth: Or am I doing the wrong thing? Okay. Thanks. Once constructed, these buildings will block views of Vista Bridge for the public while creating spectacular private views for the privileged few who buy into these high-rises. This is called privatizing views. When developers give their testimonies today, I encourage city council to ask whether their properties, if developed, would block views of Vista Bridge or Mount Hood and whether they were members of the West Quad SAC and whether they declared the conflicts. And if not, why did they not? Okay, do I have 15 more seconds?

Wheeler: You can get 15 more.

Toth: Okay. Four years ago, I was part of a movement that took back our neighborhood from certain members of the top 10% who were controlling our Goose Hollow board, routinely voting in their financial interests. I alert the council members that some of these past members continue to discredit us currently on the board partly because we have strengthened our conflict of interest and ethics policies, which undermine their financially-driven pursuits. It's a closing statement, I think is very important. Thank you very much.

Wheeler: Thank you sir. Appreciate it. Thank you. Next three please.

Moore-Love: Okay, oh, we've had a few more people check in, so, the next three are 51, 52 and 53. Mark Velky, Fred Leeson and Brian Newman. And they'll be followed by Christe White, Will Ives, and Zoey Lynn Powers: 54, 55 and 56.

Wheeler: Good afternoon.

Mark Velke: Good afternoon mayor, commissioners, my name is Mark Velke and I live in the Goose Hollow area. I strongly encourage all of you to support the amendments from mayor Wheeler to save the views of the Salmon Springs Fountain and the Japanese Garden. And also, commissioner Fritz's bridgehead amendment to lower heights. I'm against the privatizing of views in this draft. I attended the planning commission hearings. Most testimony was outrage over views being blocked by increased heights. Public views that define Portland. These views should be fiercely protected for the public. Instead, they are being given away for the rich. Since I'm not rich, I won't be able to see Mount Hood from the Willamette river. I will only be able to see the snowcap of Mount Hood from the Vista Bridge, and I'll need to stand in the middle of the street underneath the Vista Bridge just to see the arch. But the rich people who live in the buildings blocking these views will have private views of these Portland landmarks. I'm still extremely concerned about the conflict of interest that went on in the West Quadrant Plan Stakeholder Advisory Committee. I'm very glad that the city is working toward trying to make sure something like this does not happen in the future, but that does not correct the current problem with the West Quadrant Plan Stakeholder Advisory Committee and how it relates to CC2035 now. You have not approved CC2035 yet, so you still have time to fix this. I'm asking you, as my elected representatives, to take action. It is not rocket science. All you have to do is look into who owns the properties in the West Quadrant that got height increases, and if they were Stakeholder Advisory Committee members that were trying to line their pockets with more money, you, at the very least, need to lower the heights on those properties back to the original heights. I'm guessing the bureau of planning and sustainability can give you a list of which properties got a height increase and the rest of the info is available in the public record at the Multnomah County tax office on the other side of the river. I'm pretty sure you do not want to be a part of, and be on the record, letting these clear-cut cases of conflict of interest take place when you could have taken action to prevent them. Thank you.

Wheeler: Thank you, sir. And I'll reiterate what was, I think, more eloquently stated by commissioner Fish last week. Through this hearing process, we basically start with a clean slate. We certainly take into account what advisory committees are telling us, but what you

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described, the situation is certainly well on the record, part of the record, we are all reasonable, intelligent people and we will evaluate the complete record based on our own views and perspectives. Your point is in no way discounted, and I appreciate the work that commissioner Eudaly and commissioner Fish are doing to make sure that these kinds of things don't happen in the future. But I also want to reassure people that from my perspective, I view this as though this is the first time I'm looking at it and I'm going to rely on my resources, and I'm gonna rely heavily on public input, I'm gonna rely on expertise from our staff, I'm gonna rely on other voices in the community to help guide me to the right decisions here. So, I appreciate you saying that, but those are advisory committees and that's how I view them.

Toth: Thank you, mayor.

Fritz: And just so you know, I have requested those maps to all the site-specific locations, so we're following [inaudible].

Toth: Thank you, commissioner. I appreciate it.

Wheeler: Thanks for your testimony. Yes, sir. Good afternoon.

Fred Leeson: Good afternoon, my name is Fred Leeson, I'm board member and past president of Architectural Heritage Center. Uh, once upon a time, a long, long time ago, in a city near and dear, we had a spectacularly scenic entrance to downtown Portland, coming in from the west. When you came through the Vista Bridge tunnels driving east on a sunny day, you had a beautiful sky, sunshine, and a fabulous view of Mount Hood. Everybody loved it. In 1977, your predecessors on the city council considered whether to protect that view, and they decided, "No, development's more important." So, when you drive through that tunnel today, what you see the Koin Center Tower building with its tacky blue tin shed sitting on the roof. Folks, that was an extremely bad trade-off. Mayor Wheeler, I'm deeply appreciative that you put Salmon Street Springs View Corridor back on the agenda. You know, if we live in this beautiful place and we can't enjoy it, and we can't see it, it's no longer as special. You'll get push-back from property developers, I suspect there are some of them in the room. My answer to them, and I hope your answer will be, is that no investment comes without risks. If you think you can't make as much money building here now, take your money and invest it somewhere else. The staff and the Planning Commission applied the ESEE using dollars and cents, and sold out this view for dollars. I ask them -- I ask anybody to what is the dollar value of the quality of life? You know, we elect you city council people members to represent the public interest. You do a very good job of that. I'm well-aware and you're well-aware, there are many times when the public interest fits hand in glove with the private interests. But on Salmon Street Springs and our protected view corridors, we need you to stand up for the public interest. I hope you'll do it. Thank you very much.

Wheeler: Thank you for your testimony. Good afternoon! Hi Brian!

Brian Newman: Hi. Mayor and commissioners, my name is Brian Newman, I'm vice president of campus development at Oregon Health and Science University. I'm here specifically to speak about changes to the parking code, and I have passed out a letter that's from Portland State University and OHSU, although Dan Zalkow couldn't be here today. The Central City 2035 Plan reduces the maximum parking ratio in South Waterfront for medical centers and universities from 2.4 spaces per 1,000 square feet of development to two spaces, reducing our total allowed parking by thousands of spaces. OHSU participated in that process, and we support that change, just to be clear. However, we are concerned about changes to the preservation parking code, and we have joined with Portland State University to recommend a minor amendment for your consideration. As you know, we're building our campus over 30 years, in phases, and we manage parking differently than a property owner or a developer. We manage parking as a campus-wide

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resource and use shared parking structures that serve multiple buildings. When our three new buildings open in South Waterfront late next year, we'll have 1.3 parking spaces per thousand, about half of what the code allows now. Even with providing extremely low-cost bus passes, which is about \$6 a month for our employees – and we actually pay our employees who ride their bikes to work – 1.3 spaces is too low to run a major medical center. OHSU serves Portland and the rest of the state and about 50% of our patients come from outside the Metro area. So, most of them drive 'cause they're coming from down Valley or the coast, or Central Oregon. Unfortunately, the parking code is drafted, removes our ability to come back later, and build shared parking facilities, so when it becomes time to catch up, to get closer to two spaces per thousand, the regulations, as drafted, will prevent it. Operational impacts aside, the unintended consequence is that we'll be incentivized, actually, to maximize our parking every time we build, as opposed to coming back later. And our hope, actually, by deferring those investments, is that over time, we'll be able to provide less parking, not more, and actually under-build campus-wide. The simple amendment that you have – and I just have one second left – that you have in front of you, would allow us to aggregate our square footage and defer parking, under-park, in other words, and come back later and add parking per our master plan or per our phasing plan as we have scheduled. In closing, this amendment is consistent with the spirit of the parking code, and in no time would we be allowed, as we are, to build more than two spaces per 1,000. It still preserves the lowered cap that we've agreed to. Thank you.

Wheeler: Very good. Thank you sir.

Fritz: And I'm going to need clarification from staff about exactly what you're asking. In the 22 years that I worked at OHSU, the lack of parking on the hill was a significant problem because the busses just don't run in the middle of the night when I would get off shift. So, and think we don't have enough parking in South Waterfront now. So, I think it's a more complicated issue, and one that I'll take up with staff. Thank you for your testimony.

Newman: Oh. Okay. Thanks.

Wheeler: Very good. Next three, please.

Wheeler: Okay, we're gonna ask for Commissioner Steve Novick; 54, Christe White; 55, Will Ives, I believe, is the last name; and then we'll go with 56, 57 and 58: Zoey Lynn Powers, Soren Impey, and John Hollister.

Wheeler: Good afternoon and welcome back.

Steve Novick: Mr. mayor, commissioners, I, of course, am here to talk about the Rose Quarter project. Medical research has indicated, over the past several years, that surgery for lower back pain is always expensive and often in effective. Whereas physical therapy, which costs less, is often effective. Research has indicated that widening freeways to reduce congestion is expensive and often ineffective, and congestion pricing is often effective at reducing congestion. So just as a responsible doctor would not go directly to surgery for lower back pain, I think that responsible transportation managers would not go to freeway widening when they have the option of tolling of congestion pricing. So, what I would suggest to the state – and commissioner Saltzman has already sort of done this – is, why don't you try congestion pricing first, and if that does as much as you thought the freeway widening was going to do, let's spend the \$450 million dollars on something else. And we can spend it on a lot of other stuff. You heard, a couple of weeks ago, another explanation of the hundreds of millions of dollars we're behind in basic street maintenance. Um, there's hundreds of millions of dollars of traffic safety projects that we [inaudible] and bike/ped projects. There's huge needs for transportation dollars. Now I know that the city wouldn't necessarily get all of that \$450 million dollars if the state didn't spend it on this project. But let's say maybe we get half of it. Commissioner Saltzman, I suggest you ask

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PBOT to come up with the best combination of a bike/ped and maintenance projects they could for \$225 million dollars. And if that would have greater value than the bike/ped and the safety elements of the Rose Quarter project, then say "Hold on, don't do this project until you've done congestion pricing." That's what I would suggest. So that's my two cents. By the way, I also wanted to add that over the past eight months, I've had the opportunity to talk to many Portlanders for Justice, and all of those told me that Joe Walsh does not represent them in any way, shape or form. [Laughter]

Wheeler: Good afternoon.

Christe White: Good afternoon. I'm Christe White, representing Michael Menashi. We're asking the council to restore the height taken from Mr. Menashi's properties during the PSC hearings. There are two blocks at issue. Both are highlighted in the materials that were previously sent and are being handed out. Site 1 has a current base height of 350 feet with bonus to 425, and the same applies to Site 2. The PSC reduced those heights to 125 on Site 1 and 250 on Site 2, with no bonus on Site 1. This is a loss of 225 feet in base height alone. Side note, we're not in a view corridor. The Site 1 is surrounded on three sides with greater heights, leaving it in a bowl with very little opportunity to peak over and around the other sites. Significantly devaluing that block. The stated purpose of this significant height reduction is preservation of the historic district. That reasoning just can't pass muster. The district was nominated in 1989, as you heard earlier today. In the nomination paperwork, the zoning on Site 1 was recognized as mid to high-rise development and high-density apartments with allowable F.A.R. up to 9-to-1. The height was 350 feet at the time of nomination or shortly thereafter, based on the 1991 zoning maps. The city found that the current height and density of 350 feet and 9-to-1 was consistent with the historic district and its preservation when it was nominated and established. It can't be made inconsistent now. That would be to revise the very history and rationale that established the district in the first place. The city then went through a substantial planning exercise with a stakeholder committee to evaluate preferred redevelopment options in the district. The city's process identified site one as a, quote, primarily potential opportunity site, and modeled it with a slender tower over a podium. Importantly, the taller, slender form is also repeated and updated on page 98 of CC2035's recommended draft. So, the city's plan still recognizes the advantages of height and shaping a more delicate building form, but the language in that same plan takes that height away. So, the PSC recommendation is not consistent with the history of the historic designation, the planning exercises under that designation, or the future of the site as envisioned by the city, so we ask you kindly to restore the heights to Site 1 and Site 2.

Wheeler: Thank you both for your testimony.

White: You're welcome. I also – the next person you're gonna call is Tim Eddy from Hennebery Eddy Architects, who has an architectural analysis and opportunities for you. He had to leave, he was here last time, and didn't get through this time. Can I leave this letter with you, into the record?

Wheeler: Yeah. Absolutely. And for folks who don't want to testify in person, the record is open, so people can send email in lieu of public testimony.

Fritz: What is his letter -- what's the topic of it?

White: I'm glad you asked. I can read it in two minutes, if you'd like me to.

Fritz: I'd like to know what the topic is, please.

White: The topic is the architectural opportunities with the higher heights to allow you to back off of the Chinese Garden. So, it's much like Ms. Richter's testimony regarding the Roseland and what height opportunity gives you on this block is to push away from the Chinese Garden, maintain that density, and the unit yields you would get out of that while giving the Chinese Garden more air, space and light and a better architectural form.

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Fritz: Thank you for summarizing.

Wheeler: Excellent. Yeah, please definitely give it to Karla and we'd all like to read it. Thank you.

White: Sure. Okay. Thank you.

Moore-Love: Okay, was there a Will Inez?

*****: [Inaudible off-mic statement]

Moore-Love: That's the one you said. I'm sorry. Okay, so we'll go with 56, 57, 58, Zoey Lynn Powers, Soren Impey, and John Hollister, and they'll be followed by 67: Joshua Peso, 68: Douglas R. Allen, and 70: Cliff Weber. And again, if you did not check in out front, please do so.

Wheeler: Good afternoon

Zoe Lynn Powers: Good afternoon. I'm Zoe Powers on behalf of Zidell Yards. We are requesting two amendments to help facilitate the Zidell Yards Master Plan, particularly related to the adaptive reuse of the existing barge building. The first relates to the eastern segment of the barge building. And for reference, there's a site plan attached to the August 17th letter that is being handed to you, and that was previously sent. The wrinkle in the current code is that the greenway setback line, which is 100 feet from top of bank, runs through the eastern section of the barge building, precluding any additional height there. The reason for this anomaly is that the top of bank line was originally drawn up and around the manmade slipway that launched the Zidell barges. This creates a second setback line along the North/South access, where there's already an east-west setback from the river. The oddly-located North-South setback is not a setback from the river, which also runs North-South. Although it's not a river setback, the code makes it the basis for a river setback height restriction, but then unnecessarily applies to the barge building. To allow the adaptive reuse illustrated in the Zidell Master Plan, we could either redraw the top of bank line on the zoning map to allow it to continue along the river's edge, or, as our letter proposes, we could allow the design commission to review a height adjustment and design review for the eastern section of the barge building.

Wheeler: So, just so I understand, are you referring to the issue around the slipway? Is that what you're focused on?

Powers: Correct.

Wheeler: So it's the north side of the slipway that's being treated as riverbank, and you're asking for an exemption to that treatment?

Powers: So, not for an exemption, but to allow the Design Commission to review a height adjustment and design review for that eastern section.

Wheeler: Okay. Got it. Got it.

Powers: And I want to emphasize that any height in that eastern session will still be set back from the actual river in the same way as all other buildings along the river are.

Wheeler: Understood. And so, are you just referring to the north side or are you referring to all of the slipway? What are you referring to?

Powers: Uh, I believe it applies to all the slipway. There's actually code in the letter that's in front of you, proposed.

Wheeler: Ah. Okay. Good.

Powers: And so, it's any portion of a building that was located within 150 feet of the top of bank line on the effective date of the court amendment.

Wheeler: Okay. The only reason I ask is, the barge building, I know, is to the northwest of that particular location. Okay, good.

Powers: Exactly.

Wheeler: Sorry to interrupt

Powers: So, on the other end of the barge building, the current barge building footprint is

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over 80,000 square-feet. And a likely tenant type in the barge building may need 50,000 square feet, or more of that space for an adaptive retail reuse. The current code limit on retail in the south waterfront is 40,000 square feet, so we are asking to change the 40,000-square-foot cap for permitted retail use to 50,000-square-feet and to retain the current conditional use cap of 60,000 square feet. It's a modest change in the code that'll facilitate the reuse of the existing iconic barge building. Thank you for your time and consideration.

Wheeler: Thank you.

Powers: Do you have any other questions?

Wheeler: Colleagues, any questions? Thank you.

Powers: Thank you.

Wheeler: Good afternoon!

Soren Impey: Hi, my name is Soren Impey, and I'm speaking on behalf of Portland Democratic Socialists of America. So, I want to point out Metro's 2016 Transportation Snapshot. So, in this document, it was reported that people of color and lower income folk are more likely to use mass transit, to walk or to bike for transportation, particularly, people of color and low-income folk are about twice as likely to use mass transit in comparison to white people or higher income folk. So, spending hundreds of millions of dollars of the people's money on a short stretch of freeway that predominantly benefits higher income people will only serve to perpetuate Portland's record of socioeconomic inequity when it comes to transportation spending. Portland city council should reject the I-5 Rose Quarter Freeway Project, and instead, call for state funding of more urgent needs. In particular, I'd like to point out that outer east Portland lacks sidewalks, has many unpaved residential streets, and lacks frequent and reliable mass transit connections. And I'd like to push back really quickly on the idea that half of the money is being used to fund bike, ped and transit infrastructure. A freeway cap is about urban placemaking. Calling that "bike, ped or transit infrastructure" is akin to calling I-205 a bike facility because it has a bicycle path next to it. So, I also want to point out that marginalized people in Portland, vulnerable people in Portland, are increasingly threatened by the economic, social, and environmental disruption associated with climate change. According to the Oregon Global Warming Commission, we are failing to meet our 2020 emission reduction goals, primarily due to gasoline and diesel-burning motor vehicle emissions. And a few months ago, Portland city council committed to a transition to renewable energy. So, rubber stamping an unnecessary highway project that will induce increased demand of gas and diesel seems hypocritical to me. Portland DSA asked the city council to remove the I-5 Rose Quarter Freeway Project from the Central City Plan, and to prioritize basic transportation, safety and livability needs for vulnerable communities and of Portland as a whole. Thanks.

Wheeler: Thank you, sir. Good afternoon.

John Hollister: Good afternoon. You'll be receiving a document here very, very soon.

Wheeler: Ah, very good.

Hollister: And I'm going to be requesting an amendment to the city center 2035 plan to include further evaluation of CC Northwest '05 and '08 viewpoints from fields park to the Fremont bridge. So, am I -- in addition, we have --

Wheeler: John, could you state your name for the record?

Hollister: Oh yes. Well you just did, but I guess I will too. My name's John Hollister, and the -- my presentation is actually an example of developers and the public working together. I met with Tiffany Sweitzer from Hoyt Properties, who is very, very pro height and density, and also, Stan Penkin, president of the Pearl District Neighborhood Association, who also supports density. They also support protecting valuable view corridors demonstrated by Hoyt Properties' commitment to the Johnson Street View Corridor to the train station. I request an amendment to City Center 2035 to include this -- that corridor

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you're talking about, or that you're looking at. And at least have staff do further due diligence of this view corridor. So, on this first one, I've been ensured that those people there are real people, and they weren't just like, you know, rendering people. And so, the Fremont Bridge is Portland's most expensive art project, and in the code, it says that the reason that Northwest 5 and Northwest 8 were not being built were because of the economics. There was too much economic risk. Here, I'm showing, compliments of Hoyt Properties, a line I drew from the viewpoint to the edge of the of the arch, which doesn't give you a complete picture of what the view corridor is, but I used another picture where it clearly demonstrates the view corridor and the main effect is to have two partial buildings and a service parking lot. So, I'd like to have staff further-review what that would do to be able to protect that corridor. I also will be giving a written testimony on another item with regards to the Northwest 13th Avenue Historic District that I talked about in length a while back, but I'll be providing where I feel we should honor the Landmarks Commission's recommendation.

Wheeler: Thank you, sir. Appreciate it.

Fritz: Thank you for giving us this table. When I talk with staff next, I'd like to understand what is different between Northwest 5 and Northwest 8. Because the language in both of them is identical.

Hollister: Yeah, and I don't know either. I know that one right there is one of those. Yeah.

Fritz: Mm-hmm. Thank you.

Hollister: Yeah. Sure.

Moore-Love: The next three are 59: Sarah Iannarone; 67: Joshua Pasos; and 68: Douglas R. Allen, and they'll be followed by 70: Cliff Weber; 73: David Bouchard; and 74: Mary Vogel.

Wheeler: Good afternoon. Sarah, do you want to start?

Sarah Iannarone: Sure! Apologies for being a little late. I was out with a delegation from Australia, teaching them how to build their first light rail line, ironically. So, first off, thanks for having me here. As a Comprehensive Plan Advisory Committee member, I witness dedicated staff and hundreds of community members committing thousands of hours to this process, and I want to thank and commend them. Overall, this plan is a remarkable product. As a city, we should be proud of our world-class planning bureau and the civic capacity that we've created around that. That said, there's one part of this plan that I find untenable, and that is the proposed \$450 million dollar widening of I-5 through our central city, the single largest infrastructure investment in this plan. You're going to hear from others here why this proposed freeway widening project is counterproductive to our expressed goals as a city and region. They'll explain how it will have little to no impact on our congestion woes or epidemic of traffic fatalities, and the planners will talk about induced demand, community advocates will explain how it runs counter to our equity and climate action plans. So, I can't really add anything to that. So, I'm not here as a planner, a cyclist, a pedestrian, or even an East Portlander. I am here as someone whose job it is to share the Portland story with cities from around the globe and to pull you out to a 30,000-foot perspective, and remind you that whether we like it or not, our city is a model for the world. Hundreds of city leaders come through my program to Portland State every year to learn what's so special about our place. They come to hear about our policies and best practices, and they come here to learn how they can be more like us, and have the outcomes that we've achieved. There's a story I share with nearly every one of them that begins "What's so special about Portland?" Then, I explain it wasn't microbreweries and DIY culture, neighborhood associations or climate action plans, premiere urban design or even transit investments that made this place great. The secret to our success was seeded forty years ago from an intentional change in direction away from auto-centric sprawl

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through the passage of Senate Bill 100, the UGB, and formation of our regional government. Indeed, our successes today are based on intentional choices that we made four decades ago to resist the status quo and build places that work for people foremost, rather than automobiles. I then take them on bicycles from Portland State over the Hawthorne Bridge to OMSI, where I stop beneath the dead-end overpass, look up, and show them, "This is what it looks literally, when you stop building highways." I implore you: Please do not deviate from this path. It looks horrible for our city to think about investing money in freeways when the globe is on fire, literally. Do you want your legacy to be that you voted yes to widening freeways after forty years of resisting freeway expansion, after our legacy is built on resisting freeway expansion? Please, let's follow the advice of the advocates and invest this money more wisely, in things that will help keep people on feet, on transit, and on their bicycles. I appreciate your time.

Wheeler: Thank you! Good afternoon.

Joshua Pasos: Good afternoon. My name is Joshua Pasos. I was born in San Francisco and studied mechanical engineering and worked in that field for a little bit, and now I'm going back to school at University of Oregon, and we just did a study of the Green Loop and further, what could be generated from the Green Loop. And I was very excited about this – did I say? I'm going back to school in architecture and urban design. I was very excited about the Green Loop because it provided kind of a vision of hope and a future of new multi-modal transportations, and also a path for these to be created. With the highway expansion and the rest of the deal, it kind of provides a vision of destruction of our planet and the corruption that comes with it, even if 90% of that bill went towards bikes and fixing the roads, that it was not worth that message. But further, I did the study in the industrial sanctuary, the central east side. I've seen what the Green Loop could do, and what could be generated from that neighborhood, specifically Salmon. And so, there's kind of -- there's a bunch of different things, but there was three things that really stood out and kind of speaks for the public. So, when I studied in Italy, it was amazing to see that a street could be ten different things in one day, just by people moving on and off. Technical nutrients from cradle to cradle. So, there's a rent-a-solvent and do, these types of businesses could help the industrial sanctuary -- help the industrial sanctuary strengthen and create more Portland-centric businesses, so Rent-A-Solvent lease out a solvent, the company uses it, they take it back and then they separate the solvent and reuse the solvent so it's also kind of green, incentivizing stuff for that could help the industrial sanctuary grow. And then streets as a way of cleaning. So, I mean, obviously, we have the -- I'm forgetting the name of them. But, you know -- put plants in there and the plants naturally clean the -- clean the streets. There's many different ways. So, these three things put together could be utilized to help strengthen that industrial sanctuary. And then further, Salmon Street, on the east side, is a very special street that has access to the river right there and, so, the green loop could generate, like, people, you know, moving from the Green Loop down to the riverfront and this is part of what the Green Loop could help.

Wheeler: Thank you. Appreciate your testimony. Good afternoon.

Doug Allen: Good afternoon. My name is Doug Allen. I want to second all of the comments made by Portland Audubon, and I'd like to focus my comments on the Rose Quarter Project. First of all, I think we really should thank representative McClain for pushing for getting valued pricing, as they call it, congestion pricing, put into HB2017. But I really must call out the fact that this rose quarter project is based on a number of false narratives put forth. I was disappointed to hear the representative put forward the false narratives that have been put forth. And I was particularly sorry to hear Representative McClain put forth the false narrative regarding pollution from congestion. There is, as far as I know, no research, other than basically bad science research, that restricts itself

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purely to a project area, that shows the reduced global warming emissions or pollution by lowering congestion, whereas there's lots of research that shows when you look at the entire travel shed, that anytime you attempt to reduce congestion, you encourage more travel and that does produce, in fact, more pollution and more global warming emissions, and I think that point needs to be examined because it keeps coming forth. This isn't going to reduce pollution, but no, it doesn't. I was going to jump on Commissioner Novick because he was the JPAC representative that allowed this to happen, to get to this stage. I mean, I know it's been going on since 2012 and I've been involved, and I testified before the steering committee then, and I testified at the legislature about 2017, and I know Bernie Bottomly at Tri-Met has been pushing this thing forward. But it basically comes down to cost effectiveness. If we really -- I can't believe that you would spend a quarter of a billion dollars -- Okay. Sorry. I guess my time has run out.

Wheeler: Thank you. Appreciate all three of your testimony. Thanks, sir. Next three, please.

Moore-Love: Next three are Cliff Weber, David Bouchard, and Mary Vogel. And they'll be followed by 76: Peggy Moretti; 82: Ted Bueler; and 83: Elizabeth Hart Morris.

*****: Karla, how will I access my slides?

Moore-Love: Yeah, hold on, just a second.

Wheeler: Karla's our resident technological genius. Sir, why don't you start while Karla's sorting out the other speaker's presentation?

David Bouchard: Okay. My name is David Bouchard. And first of all, I want to say that nowhere has freeway expansion ultimately solved congestion. And, I want to speak to someone who moved here about two years ago now, almost two years ago, from Baltimore, and I was like many people who came out to visit Portland, and, you know, I fell in love for it, and, you know, because I wanted to be in a city that I felt, you know, prioritizes human, people-centric transportation. Not cars. You know, a city that has a reliable, functional transportation system, less congestion than I was used to on the east coast, and that's why Portland attracted me and I think that's why Portland attracts a lot of people who come from cities that are just choked with congestion, cities with some of the highest congestion in the country who have massive 10, 20-lane freeways, and that means, to me, that -- that shows me that when you add more capacity on freeways of any kind, even if it's just a little bit, that induces more driving, because you have drivers who are like, "Oh, yeah! There's more -- the traffic isn't so bad, I can go out and drive!" And then, you know, then everyone's doing it. And then you've got the same problem that you started with, and now you've got to spend another \$450 million to add more lanes, and for the same reasons! So, you really need to take a second look at this. Ask yourselves these questions: Where are the people from the public coming out to support this? All the people who have come out to support it are either ODOT, who are twisting your arm into doing this because they're telling you that, "Oh, well, if you don't support this project, we're not going to give you the money so you might as well just go ahead and support it because it's not that big of a deal, it's not all that much, and we'll add a few bells and whistles to it for the bikes, but..." They're twisting your arm, and you need to ask yourself, is that a good thing? Is that an honorable thing for a partner to do? And you guys are partners in this. And really, yes, ask yourself, where are the people from the public who are supporting this? I haven't seen one yet! Just people from various government departments and committees. Also, ask yourself, what are the alternatives to freeway congestion? One of the biggest factors of congestion are all the cars, all the personal cars! There are a lot of trucks. If there were fewer cars, you would have less congestion. So, look at other transit options. Some of those options that were, you know, better bus service, or a couple things that were mentioned earlier in the testimony about congestion on Williams and Weidler.

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Those areas could have better bus service. We need more nighttime service. We need to get people to choose to take transit, or to use other modes and get our freeway capacity down to what it was originally designed for, and that way, we will be known as, you know, the Portland that people flock to. You know, that's what we want to be.

Wheeler: Very good. Thank you. Thank you and a shout-out for your shirt. I like that one. If you can't see it, it's chemical components of caffeine.

Eudaly: I could use some of that right now. [Laughter]

Cliff Weber: My name is Cliff Weber, I live in a condo in Collins Circle. To invoke a word that was heard in this chamber for the first time last week, I would like to talk about the palimpsest that is gradually yielding two lost works of Archimedes. But instead, I'm here to talk about view corridors. [Laughter] After recommending the notorious rezoning of Block Seven, the Planning Commission is now threatening further damage to the Goose Hollow neighborhood. It is proposed that the status of Southwest Jefferson Street be changed from a view corridor to a view street. The change in nomenclature is small, but the effect on the ground is huge. To see the arch, a person would now have to stand in the middle of the street directly beneath the bridge. It is said that council wishes to raise Portland's profile. High-profile cities have scenic assets that they protect without compromise. Tall buildings don't obstruct views of the Eiffel Tower or of the Roman Coliseum, and they never will. These urban icons are sacrosanct. And so should Portland's be. There is still plenty of real estate left to accommodate tall buildings without having to destroy the view corridors that keep Portland's scenic icons clearly open to view. These views have been enshrined in the zoning code for decades and for good reason. If they are obliterated, outsiders in future years will look upon Portland as just another congested American city, and the locals will wonder where the Vista Bridge ever got its name. The current disaster in the Columbia River Gorge only serves to remind us that scenic assets are fragile and irreplaceable once they're gone. As a resident of Goose Hollow for the past 10 years, I urge council to honor the stewardship of past generations of public-spirited citizens by continuing to protect and to preserve the view corridor that Southwest Jefferson Street has always been, for the past quarter-century.

Wheeler: Thank you, sir.

Mary Vogel: Good afternoon. I'm Mary Vogel, owner of PlanGreen in downtown's west end, I've been involved in this process since the beginning, about seven years now. The plan does nothing to address the surface parking lot owners in downtown's west end who have held the city and its residents' hostage for at least 20 years with their treeless asphalt deserts taking up whole faces of city blocks. In 105 degrees and smoky, these asphalt deserts are as much as 10 degrees hotter, making my walk to and from, for example, the pearl, nearly unbearable. And I climb mountains on weekends! What about my low-income neighbors with canes and walkers? Another view of that same parking lot. Please amend Volume 5, Implementation, with these items: One: incentivize immediate interim redevelopment of existing surface parking lots in to parking forest with street trees on all sides, achieving stormwater management and multiple health benefits while awaiting full redevelopment. Two: Tax land that is used at less than maximum productivity, such as surface parking lots, and its development potential to be reduced if the parking forest is installed. And three, if the other two don't work, plant and maintain trees along all sides of all downtown surface parking lots and bill the property owners for planting and maintenance. And then I'd also like to address Volume 2-B, the transportation system plan. I'd like to see a change in the bikeways for Southwest Columbia, Southwest Jefferson, Southwest 12th Avenues from bikeways to greenways to better accommodate not only cyclists like myself, but also pedestrians, wildlife, and to mitigate the effects of climate change. It's just not fair to the rest of us that, even in this era of climate chaos, these

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owners help destroy our air and water quality, not to mention, temperature and aesthetic quality. It's well past time for them to change and Ecotrust is one great example of a parking lot that manages all stormwater on-site and is an asset to the community. Shouldn't other redeveloped parking lots be fun places to hold events, too? Was that my time? Okay. So, in any case, I mean, you know, this can be done. We can have parking lots and great public spaces, too. I have other --

Fritz: Well, I know you send it in by email as well, Mary.

Vogel: -- I-405 Impact strategy and all that I've already sent in. So I...

Fritz: I did see your e-mail, thank you very much.

Wheeler: Those are great examples. Yeah. Thank you. This is also helpful to have the slide presentation. Thank you. Thanks, all three of you, for your testimony.

Eudaly: I love it. Parking forest. I'm going to add that to my list. I can claim the naming rights.

Moore-Love: Next three are Peggy Moretti, Ted Bueller, and Elizabeth Hart Morris, and they'll be followed by 86, 87 and 88, Dan Yates, Madeline Kovacs and Doug Clotts.

Wheeler: Why don't you go ahead and start since you're there?

Ted Bueller: Okay. Thank you, mayor and council, thanks for being here today. My name is Ted Bueller, I'm a volunteer with the group Bike Loud PDX, we're speaking on behalf of better bikeways in the city of Portland, and of good transportation allocation of funds. We're an all-volunteer group and we haven't had paid staff to come out and speak and talk about lots of things, but we like to come whenever we can and thank you for hearing us. I have a document here, which perhaps you all have seen. This is the Portland Bicycle Master Plan for 2030. It was adopted in 2010 and I came and spoke in favor of it and commissioner Saltzman and Fritz were here, and one of the things I said is, you know, this is only a \$250 million-dollar document. It's not really going to cost all that much to build. I think you should ask your staffers to find out how much it would cost if you failed to reach the targets in here, to build more roadways for the resulting car traffic if the growth in employment is not absorbed by the -- the growing numbers of bicycles. And it's all part of the Portland story. If you look at the yellow line here, this is the growth in bicycle ridership from 1999 to 2008. And from 2008 to 2016, it's been flat, and the reason that, you know, there's lots of cars on the freeway is not because the Portland model has not been successful, it's not because it was a bad idea, it's not because this wasn't a good plan. It's because this was not funded. But bicycle funding and transit funding hit a big drop in 2010 to 2014. City council, you folks, you know, were not quite as excited about it as you were the previous 10 years. In the last three years, you've been more excited about it. I'm very happy about that. I would encourage you guys to also take a look -- you know, you want to ask a lot of important questions before dropping half a billion dollars. And if you take out your iPhones, you can pull up traffic. And you can see that, on a day like today, every single freeway in the whole city is red, and it's just not a smart business decision to widen one section of freeway when for the same amount of money, you could absorb all of the traffic and keep constituents in Medford happy, too, 'cause you would solve lots of transportation problems. Thank you.

Wheeler: Thank you! Good afternoon!

Peggy Moretti: Mayor Wheeler and commissioners, again, I'm Peggy Moretti. I'm here representing Restore Oregon, and I'm going to speak to some of the height issues that are contained in the comprehensive plan. We're all trying to figure out how we keep Portland Portland. And how do we embrace that need to grow, and the need to retain the unique, authentic sense of place that gives Portland its very identity? We would think that the answer includes striking a balance that also protects the integrity of our historic assets. Restore Oregon has been actively engaged in the 2035 Plan for over two years now, and

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in every community meeting that we attended, the most frequent public input by far was that we must retain the character and historic fabric that creates our authentic sense of place. So therefore, the proposed height reductions and the removal of the bonus height opportunities must be approved as proposed for the Northwest 13th Avenue, Grand avenue, Irvington, and New Chinatown/Japan town historic districts. These districts total up to a minuscule amount of land in this city, but they embody a giant share of our collective history. To protect the integrity of our historic districts, the new development within those districts must be compatible. To leave the permitted heights where they are puts the historic landmarks commission in an impossible situation, ensuring frustration and confusion because you can't build compatible infill at 300 to 400 feet next to a two-or three story historic building. Despite what some may claim, it is particularly essential you approve the proposed height reductions in Chinatown/Japan Town, Portland's only historic district, as we heard earlier, that's designated for its ethnic history. There are many things to like and support in the new plan, and we appreciate the opportunities Restore Oregon has had to participate in shaping it. We especially applaud the historic F.A.R. transfer because we need every incentive possible to attract investment in building rehabilitation and reuse, and we look forward to working with City Council to identify additional incentives in the near future.

Fritz: Ms. Moretti, have you sent that in, your written testimony?

Moretti: I will give you a copy today. Thank you.

Fritz: Thank you very much.

Wheeler: Thank you. Good afternoon!

Elizabeth Hart Morris: Hello commissioners, Mr. mayor, thank you so much for hearing my testimony. I'm Elizabeth Hart Morris, I'm with the Green Roof Info Think Tank – I'm their executive director – also known as GRITT, and I'm also a subject matter expert for commercial roofing and commercial green roof development. So, GRITT is fully-supportive of the CC2035 Eco-Roof Requirement, with commissioner Eudaly's amendment. But we'd like to offer the following suggestions to strengthen the requirement. I've got photos here that you can see, and a little other information that I did submit online as well. So, in light of commissioner Eudaly's amendment, we're fully-supportive of it, of expanding the green roof coverage to 100% parapet to parapet, of every qualified roof. We're also supportive of amenity space for people to be able to use the roof, and to be able to interact with the green roof, and that is part of the central city plan, is to be able to interact with nature for people. But what we would like to do is propose a strong definition of what amenity space actually is, so that it's not used as a loophole, to get around the green roof requirement. And so, first of all, amenity space would be fully accessible to building occupants. So that means it has to have the proper structural weight capacity, it has to have the proper A.D.A. access, the stairwells, the doors, the parapet walls, the guardrails, everything that would make it an amenity space. Number 2: No exposed roof membrane. So it's not an amenity space if you're walking on the waterproofing membrane. It's actually a patio flooring with pavers. Many examples all over Portland, of green roofs, with amenity space. And Number 3: No more than 40% of the amenity space would cover the roof, and the rest of it would be green roofing. So that's for the amenity space. For the change, also, we suggest changing the threshold at which the requirement applies, from 20,000-square-feet down to 5,000-square-feet, because Portland's a city of modestly-sized buildings. The current threshold of 20,000-square-feet will significantly reduce the coverage of green roofing, and also remove the solar exemption. There's no need for a solar exemption. Green roofs are compatible with solar panels, in fact, they function much more efficiently when solar panels are placed over a green roof. Several pictures in there will show you that. The number of different buildings that have the two together. And we would like to offer to provide

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comments, and we would like to offer to provide a tour for many of these different types of green roofs over the next few weeks for everybody. GRITT provides tons of tours, and we work with the city very closely, with the universities, and with other non-profits. We'd be happy to show you how this is already working in Portland.

Fritz: If you could please send in your comments on the definition of amenities, I don't see that in your letter.

Morris: Yes, no, I just made that change. So, I will update that in recent edit.

Eudaly: And I'll just take a moment and say that we are looking at all of these suggestions. We certainly don't want to eliminate the possibility of rooftop amenities. But our priority remains to have as much of the roof covered in vegetation as possible. So, thanks for giving that testimony, and giving me an opportunity to clarify our position.

Morris: Wonderful. Thank you so much.

Wheeler: Thank you. Appreciate your testimony. I had the privilege of looking out on one of these examples, and I had the privilege of helping to build the other. So, thanks for using them as examples. Next three, please.

Moore-Love: Are Dan Yates, Madeleine Kovacs, and Doug Clots, and they'll be followed by 89, 90, and 91, and we're gonna go with 92, Renee France, Adela Mazza, Felicia Hoggins, and David Noren.

Wheeler: Good afternoon!

Madeline Kovacs: Good afternoon. If I go out of order because I'm sitting down, is that...?

Wheeler: Doesn't matter. Go for it.

Kovacs: Okay. Alright. Just to speed things along. Dear Mr. mayor, commissioners, my name is Madeleine Kovacs and I'm the coordinator for the Portland For Everyone Coalition. We ask that -- we support the Central City 2035 plan and specifically, we ask that council adopt the height and F.A.R. maps as recommended by the Planning and Sustainability Commission. The plan strikes a good balance, up-zoning in some places and downzoning in others, as you all heard at your work session and some other times. We are especially supportive of slight F.A.R. creases made in Pearl and River Place in order to ensure that more projects will participate in the Inclusionary Housing Program. Increasing allowed heights above base allowances only by provision of identified public benefits and making affordable housing the only bonus available everywhere, and bonuses and transfers that will preserve and upgrade historic resources without reducing much-needed housing in the central city. We also encourage council to try and avoid situations where, in a word, good plans die deaths by a thousand paper cuts. We urge the city to ensure that future design review and other land use review processes don't include reductions in entitlements given by long-range planning and zoning, and therefore, reduction in the number of homes and affordable homes the city has planned for in well-connected areas. We ask that the city ensure that the central city plan is implemented, not undermined by one commission that is not responsible for considering city-wide and regional goals and needs. We also want to strengthen incentives that prioritize building affordable homes on-site rather than pay in lieu. I want to conclude by reminding council that Portland is in a declared housing crisis, but we did not get here overnight. Part of the solution is strengthening tenants' rights, part of the solution is securing more funding for affordable housing, and part of the solution is allowing enough housing of many different kinds to be built. Supports our comp plan goals, our climate goals, and our sustainability goals. Thank you so much.

Wheeler: Thank you. Dan, why don't you go next.

Dan Yates: Dan Yates. I want to thank Troy Doss and his team for doing such a terrific job on leading the 2035 process in the southeast quadrant. I do have a few comments to

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improve the current draft, and due to time limitations, I will summarize my concerns and provide you with written testimony that goes into greater detail. I'm pleased that this document has started the process to return water transportation to the Willamette River. I am concerned that we're being short-sighted in restricting the maximum of 5,000 square foot footprint for a marine terminal. I would like to see that restriction removed and let the needs of the facility determine the facility size. I'm concerned that the 2035 draft continues to fail to follow State Goal 15 and multiple 9th circuit court and supreme court rulings related to the city of Portland Greenway Code. I'm concerned that the draft continues to attempt to place a setback on property that has water-dependent or water-related uses. Goal 15, on page 4, paragraph K, is black letter in stating that there will be no setback for those uses. I'm concerned that this document attempts to treat water-dependent and water-related uses differently, relating to Goal 15 and zoning. I'm concerned that this draft removes all mention of the Marine Transportation Security Act of 2002. Previous drafts had wording to provide some flexibility to the proposed code, and that original wording needs to be returned. The city of Portland must allow marine operations to comply with federally mandated security plans. A flexibility is a must. Mapping issues continue to be an issue, with every draft of the 2035 plan. The waterfront is a challenging environment to draw lines for code, and reference to our property continues to be an issue. For example, it continues to show our office building and parking lot as high-value, environmental resources. I am concerned that the E River Overlay does not reflect State Planning Goal 5 ESE Analysis as it does not distinguish between activities depending on whether the resource is ranked high or medium. They are treated the same. I am concerned the city is attempting to regulate dredging in an area it has no expertise in, and that has been professionally managed by the Army Corps, with its joint permit process for decades. Surely the city has more pressing needs than to spend scarce resources staffing up on a redundant process that works really well. Thank you for your time.

Wheeler: Dan, could I ask you a question? We had some testimony, a number of people ago, related to the Zidell Yards. And they suggested flexibility in a slightly different context. I don't know if they were declaring water-independency or not. I think they were not. But what they'd asked for was access to a design review process, or some other flexible process, related to their specific needs, with their historic [inaudible].

Yates: Their proposed uses.

Wheeler: Would something like that work? Is there a framework similar to that that might work in terms of providing that flexibility? What work were you proposing?

Yates: Well, I'm a member of the Working Waterfront Coalition. And the north reach, which was bogged down, and still is bogged down. The central reach has been referred to as the blueprint for moving back to the north reach. I can guarantee you it will end up in court. I have personally spent well over \$1 million dollars defeating the city, building my docks over the years, because the city refuses to update its code. And now it has an opportunity to, which we have provided extensive legal analysis, and I don't expect the city attorney to be an expert in this very small niche because they're generalists. But the land use attorneys in the city are experts in it. And the city code is still completely out of line. And, I just cannot emphasize it enough that there's very few of us it impacts in the way of property owners. There's very few private property owners left on the waterfront, but we do know the rights, and I'm just trying to avoid going back into court the next time I want to take a permit out to do something on the river. It happens every time.

Wheeler: Very good. I appreciate your testimony. Commissioner Fritz?

Fritz: Thank you. I appreciate the packet. Did you include the summary of what you just said?

Yates: I included it for her.

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Fritz: Okay, great. I'll get it. 'Cause the multi-page document, it seemed like you had really honed in on the things that you thought were most important, and I appreciate that.

Yates: I can give you my copy as I walk out. How's that?

Fritz: That would be lovely! Thank you.

Wheeler: Thanks Dan. Appreciate it.

Yates: Thank you. Yeah.

Wheeler: Good afternoon!

Doug Clots: Good afternoon. My name is Doug Clots. No urban freeway expansion has ever solved congestion. Just to put that out there. I ask you to remove the Rose Quarter Freeway Expansion from the central city plan. Now I'm a co-founder of Oregon Walks, and I also served on the Northeast Quadrant Committee, that came up with the Rose Quarter Plan. ODOT told us then that the crashes on I-5 were the reason that this freeway needs to be rebuilt, and the driving force for the whole thing. Since then, the city of Portland has adopted Vision Zero. Here's a draft plan. And the object of Vision Zero is to reduce and eliminate deaths and major injuries from traffic. And we now learn that most of the Rose Quarter crashes are minor crashes. We just heard that there were two deaths there and that's tragic, again. However, if you look at the map in the vision zero document, there are hundreds of fatalities in the city. I counted, like, 25 of them on 82nd alone. This is a misallocation of resources. 82nd, Lombard, the other arterials in the city, those are where the deaths and serious injuries, the majority of them, are happening. Not on the freeways. This project is spending \$500 million in the wrong place, and it won't solve congestion either, because of induced demand, as we have heard. So, take commissioner Saltzman's advice and let's try congestion pricing first. I want to cover a few other things. On the west end, I'm puzzled with everyone talking about this as if this is a new thing. The west end plan basically leaves all the heights as they are! The 250-foot, the 325-foot, they're the same as they've been for 17 years! This is nothing new. And we need those heights and F.A.R. amounts to get more people living in the central city, where their carbon footprint is lower, and we should hold with those recommendations of the panel, regardless of how they got there.

Wheeler: Thank you! Thanks, all three of you, for your testimony. Next three please.

Moore-Love: I think we'll go with, just, Renee France right now, and then I have a group of four that need to come up together.

Wheeler: Very good. Good afternoon.

Renee France: Good afternoon. It's going to be mighty lonely up here. Good afternoon, mayor Wheeler, commissioners. My name is Renee France, I'm here this afternoon on behalf of the Irving Hotel Investors, LLC who have a property interest in the site located at 1202 Northwest Irving Street in the Pearl District. I provided written comments that is consistent with this testimony, requesting a modest increase in the Central City Plan District F.A.R. in the Pearl Area north of Hoyt Street. The Irving Street property is just north of Hoyt Street, and the current F.A.R. on the site, and much of the surrounding property to the north and to the east is currently 4-to-1 F.A.R. Under the recommended plan, the recommended F.A.R. in that area would increase to 5-to-1. We support the recommendation to increase the F.A.R. allowance in the Pearl District north of Hoyt Street, and commend the planning efforts that recognize that that increase is needed in order to satisfy the city's goals. However, the proposed 5-to-1 F.A.R. is still one of the lowest F.A.R.s in the central city for similarly-situated properties. An increase of 6-to-1 would be more consistent with the city's density goals, would create closer alignment between the F.A.R. and the base and bonus heights in that area, which range from 250 feet to over 400 feet. It would also create greater parity across the Pearl area. For example, the F.A.R. on sites directly south of Hoyt Street have 6-to-1 F.A.R., yet the area south of Hoyt Street has

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maximum bonus heights that are either equal to or lower than the areas north of Hoyt Street. Even with the 6-to-1 F.A.R., most sites would need an F.A.R. bonus or transfer to develop the maximum heights, and therefore, the requested change would not diminish the applicability or the effectiveness of the new affordable housing or historic resource priorities for F.A.R. bonuses and transfers. For these reasons, we respectfully request that the council implement the recommended F.A.R. increase in the relevant Pearl Area, north of Hoyt Street. But implement a ratio of 6-to-1 in place of the recommended 5-to-1 ratio.

Wheeler: Very good. Thank you for your testimony.

France: Thank you.

Moore-Love: And, the next group are Adela Mazza, she's coming with a translator; Felisa Hagins and David Noren. And they'll be followed by Diana Mueller Krispin, Kory Poole, and Joss Hetrick: 95, 96 and 97.

Wheeler: Good afternoon.

Felisa Hagins: Hi! Good afternoon. For the record, my name is I'm Felisa Hagins, I'm a lobbyist for the janitors and healthcare workers that were talked about earlier in the other 13,000 members of SEIU Local 49. Before I give my testimony, I'd actually like to request that Adella's testimony – he's gonna have it after me, if we could – I'd like to request a doubling of her time to allow for translation.

Wheeler: We always do. We don't count translator time.

Hagins: Great. Thank you. On behalf of our members, I'm here to urge the city council to amend the draft city plan that is before you today to include language of the proposed code consistent with the equity provisions of policy 3.3 D of the comprehensive plan adopted last year. SEIU Local 49 feels that not only did the council do an incredible job, the bureau of planning and other folks who are involved in expanding that 3.3D section, and including equity and an inclusion, and some of the work moving forward. We also feel like it laid a foundation to have a discussion about good jobs. We know that now, we live in the most inequitable time when it comes to economic disparities in the history of our country. That includes the time of the Great Depression. We urge the council to take amendments into consideration that, in every aspect that the council's doing in setting it planning for the future, to reduce those inequities and disparities. The comprehensive plan, to push for the greater equity mechanism in the policy 3.3D mandates the city to incorporate requirements into the zoning code to provide public and community benefits as a condition for development projects to receive increased development allowances. We have joined with many of you to work on housing for the last four years. We've also been working on this issue for the last four years, and we'd like to talk about the transfer F.A.R., which is above the bonus F.A.R. after the housing allowances. We have our attorney, David Noren, who will come up and outline what the proposal is. Because we believe the current draft code doesn't go far enough, and you have the opportunity to do something greater. I really appreciate your time today. I'm happy to answer questions now. I'm also happy to answer questions at a later date. I know that you have a lot before you, and I'd like you to hear from Adella before we jump into questions if that's okay.

Fritz: And you are going to give us written suggestions of how to change the policy?

Hagins: And we're gonna give you written suggestions [inaudible] changes of policy, and infographic on how the policy should be changed, and many other materials you can read at your leisure.

Fritz: Felisa, thank you very much.

Wheeler: Very good. Thank you.

Adella Masa (via translator): Good afternoon, mayor Wheeler and commissioners. My name is Adella Masa. I'm a member SEIU Local 49. I'm an immigrant from Guatemala, and I moved to Portland over thirty years ago for a better life. I work two full-time jobs in

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downtown Portland. In the morning, I work at a downtown hotel, helping with the morning breakfast. At night, I work as a janitor for ABM building maintenance, cleaning the Standard plaza. I live in Gresham. I used to live closer to Portland near 15th and Hawthorne, but even working two jobs, I could not afford to live there anymore. I moved out to Gresham because it's a more affordable place to live. I know that most of my coworkers at the hotel and at my building can't afford to live in downtown Portland, either. Like me, they have to live further and further away, commuting from places like Gresham, Hillsboro and Aloha. Janitors like myself who work in downtown make about \$13.75 per hour because of our union contract. Non-union janitors often make \$2 less per hour than I do. I support myself, my daughter and my grandchildren. Even on my wages, I have to make tough decisions about paying rent, paying for groceries and buying school supplies for my grandkids. My coworkers and I have fought hard to raise standards for the people who clean and secure the office buildings downtown. Today, I see so many new buildings, I worry about the workers in those new buildings, and I worry how my co-workers and my family will be affected if low wages and new buildings lead to lower standards for all of us. We need a city that's fair and equitable for everyone, not just for the fortunate. We look to the city council to help us build a city where people have access to good jobs, that provide adequate wages and benefits. We can use the law to make a better place for all of us. Portland should not just be for wealthy people. I'm asking on behalf of working families throughout Portland that the city of Portland adopt policies that protect working families. Thank you.

Wheeler: Thank you!

Hagins: Adella has to leave to go to work. Just for the record. [Laughter]

Wheeler: Thank you. Thanks for being here. Thank you for the translation. Good afternoon.

David Noren: Good afternoon. Mayor, councilors, my name is David Noren, I'm a lawyer representing SEIU local 49. We've just provided you another copy of my letter of September 1st that has some very specific proposed code amendments to address our proposal. We've been bringing this issue before you for a couple of years, increasingly kind of and narrowing our focus on it, and I hope at this point, we're emphasizing the goals that you have set out to enhance affordable housing, and to, as you set out in your comp plan, make sure when we have increased development allowances, that there is public benefit or public good. Our concern has been that the proposed draft of this central city update and the recommended draft both sort of give a pass to transfers of F.A.R. There's no requirement that transfers provide that public benefit. Before you can get to a transfer, it's true that you have to have a 3-to-1 bonus F.A.R. that you can earn by a fee in lieu, if you are a commercial building, before you can get to transfers. But the bonus is, itself, your benefit. So that's the increased development allowance. So, in order to be consistent with the comprehensive plan provision, you really need to have some additional public benefit there. And what we've suggested in our proposed amendments is a mechanism that will support affordable housing or historical buildings, one or the other, in a couple of different ways. One is that you can do transfers to a commercial development, a larger development, from a project that has on-site housing, and you don't have to do any additional public benefit. Or, the same for historic. But if you bring F.A.R. in from some other site, then you need to provide some additional public benefit, and what we propose is that you make sure that the workers who service that development, after it's completed and occupied, have good jobs, and we've provided a definition of that that's tied to 50% of M.F.I. for the area and it will -- as our documentation has shown -- help assure that the folks who work in these developments at least have a shot at being able to afford housing.

Wheeler: Thank you. Appreciate it. Thank you. And I look forward to reading the

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document. Thank you. Next three, please. Good afternoon.

Moore-Love: Are Diana Meuler Krisman, Kory Poole, and Josh Hetrick, and they'll be followed by 99: Lawrence Kamar; 102: Kevin Johnson and maybe Erin Jones; and 104, Keel Johnson.

Wheeler: Good afternoon.

Josh Hetrick: Good afternoon.

Wheeler: You can go ahead and start.

Hetrick: My name is Josh Hetrick. Whenever I hear about another proposed urban highway project, and there always seems to be another, I'm reminded of my experience as a resident of Boston. The big dig was a massive project which, like this one, promised surface street enhancements, public transportation improvements, and other environmental mitigations in exchange for a central city highway reconfiguration. The highway portion came first, as always. And of course, it went drastically over its budget of time and money. As a result, many of the proposed mitigations have been, and continue to be, delayed, watered down and outright canceled. Many years and billions upon billions of dollars later, we're right to question projects such as these. The modest improvements to travel times were quickly and predictably eclipsed by induced demand, countering a central justification for the entire project. When so many mitigations have to be proposed, let alone completed, we are right to give pause and consider the inherent and disproportionately negative impacts of urban highway infrastructure. And we are right to be skeptical of plans that spend enormous sums of money on highways now, in exchange for trade-offs that may not come. Rather than building an ever-taller ladder to get us out of a hole we're digging, better that we simply stop digging and start building things that make sense. Please remove the I-5 Rose Quarter Freeway Expansion Project from the central city plan and focus instead on projects that truly advance our safety, equity, and environmental goals.

Wheeler: Thank you. Good afternoon.

Deanna Muller Krispin: Good afternoon. I'm Deanna Muller Krispin, Mr. mayor, council. I'm concerned about the mindset and the proposed plan equating population density with super high residential buildings. The need for more housing density does not create a need for the proposed building heights, which would be increased by F.A.R.s for the west end. The central city plan projects 64,000 households or about 200,000 people in the central city by 2035. The plan covers 4.6 square miles. This equates to about 43,500 people per square mile. As an example to help reach that density, the plan proposes, by increasing F.A.R. ratios up to 8-to-1, to allow 250-foot-tall buildings in much of the west end. This is the height of the 26-story Benson Tower. These bonus heights extend clear to the park blocks. Compare this to Paris, France, with its predominately eight-story tall buildings, about eighty feet tall. Paris's population density is 55,500 people per square mile. At the population density of Paris's 8-story buildings, our projected central city residents in 2035 could be accommodated in 3.5, not 4.6 square miles. Surely, we do not need super tall buildings to house our projected 2035 population. Also, higher buildings contradict affordability – you've heard that already, allowing increased heights has two pernicious effects, it encourages demolition of older affordable buildings, often with historic character, and always results in much higher rents in the new high-rises, thwarting the plans called for affordability in new housing. The west end has over 100 historic buildings, almost all of them low-rises, with affordable rents. These buildings will be especially vulnerable with the proposed F.A.R. height increases. Demolition -- I just need to add that demolition and reconstruction is an environmentally wasteful process. The plan's commitment to sustainability should include policies to discourage, not encourage demolitions.

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Wheeler: Thank you. Appreciate both of you. Next three, please. Good afternoon.

Moore-Love: Are Lawrence Qamar, Kevin Johnson, and probably Kyle Johnson, and they'll be followed by 105, 106, and 107: Sherry Solomon, Steve Solomon, and Daniel Solomon.

Wheeler: Good afternoon.

Lawrence Qamar: Good afternoon mayor and commissioners. Thanks for having us here today. Last week, I remember commissioner Eudaly, you asked for, I believe, illustrations to think about these building heights, and to actually visualize it. 'Cause we're talking about numbers so often that we can't really understand what we're physically experiencing or feeling. So, I have a few diagrams I'll leave for you to be able to study later.

Fritz: Thank you.

Qamar: I've had a growing concern about Portland's rush to join the ranks --

Fritz: Could you put your name in the record, please?

Qamar: Oh, I'm so sorry. Lawrence Qamar. I'm an architect and town planner, my firm is Qamar and Associates.

Fritz: Thank you.

Qamar: I've had a growing concern over Portland's rush to join the ranks of skyscraper cities. The Central City 2035 Plan embodies that dollars-in-the-eye vision, and has serious defects, in my mind, regarding these issues of height. Uh, much taller than a ratio of 1-to-1, being the building height to the width of the street space – this is a basic way of creating an illustration is with your own hands – results in a building that looms over people, strolling on the sidewalk below. Again, I'm saying a 1-to-1 as sort of a maximum. 1-to-3 gets much more suburban, you could say. Yeah, so an average of 60-foot right-of-way, buildings towering over 80 feet increasingly destroy the character and quality of place, historically experienced on the streets of Portland. Many may not notice the impacts of these 150-foot and taller, plus, buildings, until it's too late. I encourage you to incorporate more prescriptive form-based coding, of which there is a foundation here in the codes already, such as upper story façade setbacks, as a way to still allow taller buildings, but adhere to a standard of that maximum 1:1, street to height ratio. You've heard plenty of testimony not to increase building height since it promotes tear-downs of existing affordable housing, and historic architecture. The notion that some historic buildings could be saved by transferring F.A.R.s to nearby parcels is highly concerning for me, as it will only exacerbate an erratic height differential, rather than building mass that is based on that human scale civic space. I'm speaking not only from an analytical mind that focuses on the statistics, economic analysis, housing targets, and employment numbers, but I urge you to allow your intuitive, perceptual minds to make decisions, too. The side that perceives the character, quality, and shape of urban space, which in turn, encourages cultural place-making in livelier neighborhoods. Don't let developers lead all our land use decisions. Stop counting beans, which inadvertently encourages city-wide demolitions and redevelopments in order to achieve an abstract regional housing density goal. Let's not rush forward, increasing building heights, without a sense of how that alters the very quality of civic spaces in our streets.

Fritz: Thank you very much.

Kyle Johnson: Hello, my name is Kyle Johnson, and I'm one of the founders of the Friends of the Green Loop. Our group's goal is to bring energy from the public, and eventually help raise private contributions to make the green loop something that engages and inspires all Portlanders. When Portlanders rose up to stop the Mount Hood Freeway in 1974, our city was a leader. In rethinking cities, not as places to travel as fast as possible from one end to another, but as places that we want to be in. Places that enrich the human experience and make us feel connected to one another. Roads are our largest public

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space. Let's make sure this space is used to connect community rather than divide it. Seven years ago, I took the street car through South Waterfront when it didn't really exist, and we went by the tram, and there were about 50 bicycles parked there. A couple years later, I came up with the idea to get a camper trailer and park it down there and start fixing bikes. And now, we run the largest bicycle valet in North America, and the tram is -- more people bike to the bottom of the tram than anywhere else in north America, and that's all because I was inspired by seeing people using space kind of differently. And that's what I hope the Green Loop continues to do for other Portlanders. I'm confident that projects like the Green Loop, that encourage people to engage with their sense of place in a positive way, will always be worth the investment. We live in a world whose rules and structures are built by our parents in previous generations. However, our children get to live in the world that by some small and large measurements, will be determined by us in this room today. Let us build the best possible world for them. Thank you very much.

Wheeler: Thank you.

Augustin Enriquez: I'm a principal at GB Architects. I have provided written testimony with more detail than you have. I'll summarize it quickly. I'm here today requesting the same building height limits for an 8-acre site called River Place as exist at the adjacent South Waterfront sub-district of Portland central city. Those heights in South Waterfront are between 150 and 325 feet. The site is south of the Riverplace Marina and Northwest of Poet's Beach. In addition, we are also seeking a special opportunity for a 400-foot height iconic building within the redevelopment. We are not requesting additional density. Rather, we are seeking more design flexibility in the form of additional building heights to achieve that density. The additional height will also allow us to achieve the following: Up to 500 affordable housing units, a world-class gathering place that combines mixed-use urban environment with nature, open and available to all of Portland's citizens and visitors, thinner profile towers that allow for more light and air between the buildings, and for more views through the site effectively creating a more visually porous development and redevelopment that maximizes the public's investment in existing infrastructure with a three-million gross square-foot high-density mixed-use development. That density is already allowed that F.A.R., we're simply looking for more height to achieve a more flexible design. In conclusion, the property owner for the Riverplace development site is requesting an increase in height from its proposed CC2035 150 and 200-foot height, across the site, to a range of maximum height limits commensurate with the nearby South Waterfront neighborhood, 150 feet to 325 feet, with one special opportunity for a 400-foot tall iconic building. Thank you.

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

Moore-Love: The next three are Sherry, Steve, and Daniel Solomon. And they'll be followed by 108: Roger Leachman; 113: Patty Tillot; and 115: Dan Petrosich.

Sherry Salamon: I would like to ask to read -- could I read my husband's two minutes of testimony? He had to leave, he wasn't feeling well.

Wheeler: Go ahead. Yes.

Salamon: Thank you. [inaudible], why don't you come over here, close to me? Okay. I'm Sherry Salamon, I live at the Vista St. Clair in Goose Hollow as a renter, I am also on the board of the GHFL, which represents our neighborhood, and my interests as a citizen. My family is here to ask for city council to save historic buildings in Goose Hollow, save public views, and to remind you of ethics problems. The ombudsman found huge financial conflicts of interest with West Quadrant Stakeholders Advisory Committee SAC, members who, as public officials, promoted their own financial interests, and advocated for increased heights and relaxed zoning on their own properties, or properties they had financial connections to. Residents who attended the West Quadrant meetings repeatedly

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told staff their concerns that they saw flagrant financial conflicts during the West Quadrant process. Planning bureau staff scornfully dismissed those concerns. One: A developer on the SAC sent emails to staff saying that they forgot to raise height limits on those blocks, which, as it turns out, to be their own properties. Two: A current planning commission member who was on SAC had many years of paid work trying to get the parking structure at Southwest 10th and Morrison redeveloped, yet advocated for that redevelopment to be made a West Quadrant priority, claiming it wasn't a conflict. Three: A developer who owns many properties in Goose Hollow advocated to remove the required residential overlay, relax zoning and raise heights in Goose Hollow, benefitting himself. Staff told concerned residents that these weren't conflicts. They clearly were. Conflicted SAC members will gain approximately \$50 million to \$100 million dollars in increased profits because of increased heights they voted to give themselves. SAC members and the planning commission ignored the ombudsman's requirement for SAC members to disclose their financial conflicts! You can fix this by refusing to give conflicted SAC members the heights they gained unethically. I'm going on to read my husband's. Our family testified at the Planning Commission. We were stunned to learn that it didn't matter. That much of the testimony was against these conflicts. The commission ignored the outpouring of public testimony and voted to give conflicted SAC members millions of dollars from serving on SAC and steering policy their way. According to the Northwest Examiner, Commissioner Saltzman owns many properties in the central city, but did not recuse himself from voting to approve the West Quadrant plank, and he is not recusing himself right now from voting on CC2035, which will increase the value of his properties by millions by raising heights! He is violating state ethics laws. Portlanders are repulsed by this way of doing business. Please vote for commissioner Fritz's amendment to lower bridgehead heights which will help address heights that were gained unethically. Other properties gained heights unethically as well. We believe the public views should not be privatized. They should be kept public. Please vote for the mayor's amendment so that they will save views of the Japanese Garden and save views at Salmon Spring fountain. The planning commission chair said she didn't think there's a view of Mount Hood at Salmon Springs Fountain. That's interesting. She lives in Lake Oswego and apparently doesn't know this basic fact about Portland. Yet, she heads the commission that votes on heights and views. Salmon Springs Fountain is visited by thousands of tourists each year who add millions of dollars to our economy and thousands of jobs. You will only need to lower heights on 18 properties to save the last view of Mount Hood from the riverbank. Please, keep this view from being privatized. We need also need amendments for other views. Daniel?

Daniel Salamon: Yes, can you start the clock for me again? Okay. I'm Daniel Salamon, a section 8 renter, who feels very proud that the Goose Hollow board is one-half low-income and one-half renters. My board makes sure that my voice isn't silenced or made invisible. The Rose Garden simply requires adding the downtown skyline, it's a focal point on all views enlisting all as prohibited. No heights need to be lowered. The view of Mount Hood from the Vista Bridge will only be of the snowcap. We're asking to save today's view, which shows a beautiful contrast between the low slopes and the snowcap. The Vista Bridge is one of Portland's most important views. It will only take lowering heights 48 feet on eight properties to save today's view. We love the views of the vista bridge, which can be seen from many parts of the city. Please reject this draft, which allows buildings to block the bridge. Please lower heights for four blocks next to the bridge and keep the current view corridor from I-405 down Southwest Jefferson so that the views of the bridge won't be privatized. For those of us who aren't rich enough to live in a building blocking views of the bridge, we shouldn't have to stand in the middle of the street underneath the bridge to see the arch. Please save nine historical buildings in Goose Hollow by lowering heights on

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these properties along and near Southwest Morrison. These include the Timothy Center and the historic Concordia Club, a Jewish social organization formed when Jews weren't allowed membership in the MAC and the Arlington Club. The 325-foot heights will incentivize the demolition. Please lower maximum heights to 125 feet. Photos of the views and all of these requests are listed in the Goose Hollow Foothills League letter which we've given you copies of. Please vote for the average people and not to those who stand to gain the most financially.

Wheeler: Thank you. Thank you for your testimony.

Moore-Love: The next three are Roger Leachman, Patty Tillott, and Dan Petrusich, they'll be followed by 116, 117, and 118, Jackie Peterson-Loomis, Patricia Gardner, and Tina Wyzenksi.

Roger Leachman: My name is Roger Leachman. I live on Southwest Vista, and I serve on the board of the Goose Hollow Foothills League. The neighborhood's concerns are clear from our detailed letter and from the testimony of the citizens. I would point out that we are elected by these neighborhood citizens to serve them. We put in hundreds of hours. We don't get paid and we don't have paid staff. This is grassroots democracy at its most vocal. For such unpaid advocacy, we get to be called racist nimbys, to answer legal threats from a city-funded group, to be publicly denigrated and defamed by the president of Neighbors West-Northwest and more and more. But, but, bottom line, none of us get millions from our advocacy and we don't have conflicts of interest. Bottom line, the absentee property owners, architects, developers, and real estate interests stand to gain millions by their advocacy, and had manifest conflicts of interests in their domination of the west quadrant recommendations. I'm not going to belabor that farther, you've heard so much already. The view corridors that so many have testified about are a public benefit. And are iconic, as many have said. But in the existing recommendations, the corridors, as Bill Failing said last Thursday, are being manipulated for developers' benefit, so that private profit trumps the public good. Pun intended. Because it's certainly a concept he would endorse. It's not hard. It would not be difficult or far-reaching to make the adjustments to maintain the public good. A rich few would still make millions, just some millions less. So, please do the right thing. Otherwise, it would be like the original plan, an executed view from Jefferson's Rotunda to the Blue Bridge: Gone, gone, gone. Thank you.

Wheeler: Thank you.

Patty Tillott: Good afternoon, mayor and councilors. I'm Patty Tillot, and I'm appearing on behalf of the parks board. We submitted a letter on the fifth of September, and I [inaudible] highlights of that. As you probably know, the board has previously testified in support of the Central City Plan 2035, and generally supports the plan as now drafted. We reiterate our support for the goals and policies to protect and enhance parks, recreational facilities, and open spaces, and we strongly support the urban design concept reconnect with the Willamette River. That's a very important aspect of the plan. We also support the recognition of distinct characteristics of each of the 10 districts in the central city plan. Among the goals and policies that the board calls out for specific support are enhancing the Willamette for people and wildlife. The concept of the Green Loop, complete neighborhoods, including parks, open space and recreational opportunities. Promoting healthy and active living, and expanding the open space network through signature open spaces, new parks, open spaces, and expanded opportunities in existing parks. In terms of code amendments, the Parks Board endorses the proposed revisions to section 510115, regarding additional uses allowed in open space zones. The board worked closely with parks and recreation and with the planning and sustainability staff to reach an amicable agreement on how to deal with this. The notion is to allow limited retail sales and services in parks within the central city, zoned open-space. They're used in a very different way

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from parks elsewhere in the city. And an important aspect of this is the confidence of people who are using the park, that there are eyes of the public upon them. So that's something particularly important. The other points, I shall have to leave to the letter.

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

Dan Petrusich: I love your accent, Patty. Hi, I'm Dan Petrusich, and pleased to be here, mayor and commissioners. I'm a managing member of Jefferson Holdings, and we own a property at Southwest Jefferson and 18th street. I'd like to address the testimony of the Goose Hollow Foothills League. GHFL claims I use my position as a Portland Business Alliance representative on the West Quadrant Stakeholders Committee to influence the decision to increase the height limit on our property. This claim is not only false, but would have been impossible. The SAC committee's last meeting was in September of 2014. The staff solicited comments on scenic resources, including the Vista Bridge, more than six months later, in the spring of 2015. West Quadrant SAC and scenic resources review occurred at different times and had different purposes. I submitted Jefferson Holdings first comments on May 29th, 2015. Please ask the staff to verify the dates. GHFL wants you to rely on the images they created. These images are misleading and inaccurate, showing a building on our site at 130 feet. The staff and PSC approved a maximum height of only 75 feet. Please rely on the staff images that show the heights along Jefferson that will result in development that's both consistent with Goose Hollow character and meets the city's goal for increased density. Our 100-year-old unreinforced masonry warehouse is directly across the street from the MAX light rail station, which is an ideal site for transit-oriented development. The proposed height will allow a five-over-one residential structure, which is very common in the central city, and Goose Hollow. And by the way, Tri-Met has endorsed our height adjustment. The current board stands in opposition to development, business, and property rights, the most recent example is their appeal of the press blocks, and their continued attempt to significantly lower height limits that have existed for more than 30 years. Please move forward with CC2035 plan as written. Thank you.

Fritz: It's getting kind of late so I'm not sure – that's probably why I don't understand what you just said. But it sounded like you said that the height wasn't increased, and yet there's more density. But it's still 75 feet? Was there a change in height on that property?

Petrusich: Yes. It went from -- most of the site is 100 feet. Part of it is 45 feet, and they raised it 30 feet to 75 feet.

Fritz: Okay. And that's the piece that it's in dispute that may or may not affect the view to the bridge, am I understanding that correctly?

Petrusich: Correct.

Wheeler: Can I do a time check, Karla? And thank you for your testimony. How many people do we have remaining?

Moore-Love: I show 20.

Wheeler: Okay. So, there is no way we're going to get through all 20, because we lose our quorum fairly quickly. So, why don't we take testimony for about 10 more minutes, is that okay with folks? Do we have a quorum for the next 10 minutes? Let's do two more sets of three and then we'll hold it over.

Moore-Love: Okay. The next three are Jackie Peterson Loomis, Patricia Gardner, and Tina Wiezenski, and then the last three will be Gwen Baldwin, Suzan Pierce, and Emma Pellet.

Wheeler: And Colleagues, I'll let you stew on this: What I'd like to do is continue the hearing when we're done until September 20th on all of these items, 1022, 1023 and 1024, but only for people who signed up to speak as of today. In other words, if people who are signed up today don't get the opportunity to speak, then they will be the ones who have the opportunity to speak on September 20. We'll obviously keep the written record open, but

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that would be my recommendation out of respect to people who have been very, very patient and have been signed up, and have been here, and have not had the opportunity to testify.

Fritz: And will that be in the afternoon?

Wheeler: That would be --

Moore-Love: I show 3:00 p.m.

Wheeler: 3:00 p.m. Time Certain on September 20.

Fritz: So, I have an existing obligation at 6:00 that I need to get to, if I can't get out of it.

Wheeler: It sounds like we should be able to.

Fritz: Okay.

Wheeler: Good afternoon.

Patty Gardner: Okay. My name is Patty Gardener, the first part of my testimony is on behalf of the Pearl District Neighborhood Association. I personally honored to represent the PDNA throughout the west quadrant plan, seven years – was it really seven years? Of effort there. In general, we're supportive of many off the proposals for the Pearl District, including the Green Loop, which was vitally important for all the people in our neighborhood, as well as the commuters who come from the east side and all the diverse elements who use the Broadway Bridge to get into the city. We are also in favor of the elimination of the bonuses within the 13th Avenue historic district, as well as the elimination of most of the bonuses including the -- and the addition of the Historic Resource bonus and the Affordable Housing bonus. There were a few items that needed some adjustment. I've put in a letter, which you can read in detail, but specifically, we went through the north-of-Lovejoy process, and there were things that were supposed to come south of Lovejoy that were -- this is the process we were told that would make that happen, and so, we're trying to get those elements south of Lovejoy to affect the whole Pearl. So, on a personal note, I've been listening to all of the testimony, so I feel very much for you, and one thing I just wanted to -- i've been thinking about, this is a 25-year plan, and I have heard a lot of fear. Fear of change and fear of things that are coming up, and I just want to keep that thought process in mind. This is a 25-year plan, and it's crucial to the health of this city. We need a strong urban core, and I keep asking myself: If you cannot build urbanity in the central city, where are you going to build it? And the price of not embracing an urban future is that Portland's going to sprawl. And, I'm sorry, but, a traditional Portland block on the east side is about 30 units. A traditional Pearl District block is 200 units. You know, a hundred and fifty to 200. That's a big difference and that's what you get with extra F.A.R. And height. So, I urge you to keep all the generations in mind, and keep that long vision ahead -- when you're looking at this, that there is a long window ahead of you. And there are a lot of generations to come who need a strong urban Portland. Thank you

Wheeler: Thank you. Good afternoon.

Tina Wiezenski: Good afternoon. Thank you very much. My name is Tina Wiezenski, I'm a resident of Goose Hollow, and I am the president of the Stadium District Business Association, which has boundaries and location in a good part of Goose Hollow. I'm here today to represent the businesses in the Stadium District, and to say that as an organization, we fully support the current Central City 2035 Plan as it is written. We owe it to the neighborhood, we owe it to the city, and we owe it to the region. So much public investment has been made in Goose Hollow in the three MAX lines and in the stadium. It would be unpardonable not to maximize the number of people living and working and walking around and bike riding in this area. One last thing, as people push you to consider lowering height limits, I think you should know that several of these folks live in buildings that, according to their suggestions, would not be able to be built. They can live in tall buildings, but no one else can? Limiting heights in this area also limits the number of

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people who can move into this area and live in this area, and that seems unfair. Thank you.

Wheeler: Thank you.

Moore-Love: Is Gwen Baldwin left? Oh, yeah, you were in the last group one. Sorry. And we'll go with Susan Pierce and Emma Pullat, or Pullett? Okay, thank you. How about Haithem Toulan?

Wheeler: Good afternoon. You can go ahead and start.

Gwen Baldwin: Thank you. Mayor Wheeler, commissioners, for the record, I'm Gwen Baldwin, here tonight, representing Oregon Locus, part of Smart Growth America's developer and investor coalition. Locus supports the overall approach of Central City 2035. The development framework is more objective and supports walkable, urban housing and job growth, and that's a good thing, so long as there is certainty that the projects can actually get the additional F.A.R. outlined in the framework, and regulatory layers and costs are not amended in. The current F.A.R. Transfer requirement is what introduces uncertainty into whether a project can get the additional density needed to build beyond the base F.A.R. and achieve the affordable housing and seismic support for historic priorities the plan prioritizes. And we support. Locus has submitted written testimony that goes into more detail, but council should add certainty and remove the barrier of requiring site-to-site transfer for additional F.A.R. by simply allowing F.A.R. up to the height limit. In contrast, testimony given at the September 7th hearing would remove all certainty if landmarks and design review processes could remove height and F.A.R. on a case-by-case basis. Simply put, the risk of F.A.R. And height reductions during the review phase would directly conflict with the goal of maximizing affordable housing production. And Oregon locus opposes any reductions to the F.A.R. height through design or landmarks review. And because Oregon Locus supports making affordable housing and seismic resiliency bonuses work, we urge council to maintain the minimum F.A.R. proposed in the draft, and not increase minimums. It's important that council addresses the current uncertainty within the plan, and ensures that future policies align with the density and height called for in the plan, especially when updating standards and guidelines. Thank you, and Oregon locust looks forward to working with you all in finalizing this important guiding plan for the central city.

Wheeler: Thank you. Good afternoon.

Susan Pierce: Good afternoon, thank you for having us here. I'm Susan Pierce, I'm chair of Hossford/Abernathy Neighborhood District Association, or HAND. I brought hard copies, I sent an electronic copy but I'm not at all convinced that it got to you. I just want to give some highlights. We look forward to mixed income, mixed commercial and residential development in the Clinton Triangle and we think that would be an excellent place for the 18% set-aside of affordable low-income housing designated for the urban renewal area district. We very much advocate for maintenance and designation of sight lines both east and west. Buildings must be -- we don't want a big, blank wall. So, if buildings must be tall, we would advocate for slender, so there's plenty of space between them for air, sight and light. I'm also a member of the Central Eastside Transportation and Parking Management Committee. HAND is very much in favor of the Green Loop. But we're not at all convinced that 7th Avenue is the best alignment. And more conversation needs to take place. We want to be at the table. I think 7th Avenue is a figment of PBOT's imagination. [Laughter] We advocate for safety on 11th and 12th Avenues and think some conversation could take place for mixed-modal, bikes, peds and freight. [Phone rings] Is that the end? [Laughter]

Wheeler: No. For somebody, it was. Yeah. [laughter]

Pierce: We're very pleased to hear that Tri-Met thinks that we have funding for the Gideon Crossing Bridge that was lost in the Orange Line production. That's very important for

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safety as well as connectivity between the neighborhoods. There's that big barrier that are all those railroad tracks. That was the end, right? [laughter]

Wheeler: That was the end. Great. Thank you for your testimony.

Pierce: You are welcome. And I'll let you read details.

Haithem Toulan: Mayor Wheeler and council members, thank you for your time. I'll keep this short, since I'm the last one for the day. I am Haithem Toulan. I own 306 Southeast Ivan Street, I'm the managing partner of OSB2LAN Management. I'm here to talk about the view corridor restriction from the Tilikum Crossing. It's taking my property from a 250-foot bonus down to 60 feet. This challenge, with the existing constraints the site has from environmental and geotechnical will make the site virtually undevelopable, leaving it feral at the time. If you look at the second and third pages of the handout you have, it shows the site and the constraints proposed in the 2035 plan. Along with the environmental overlay that encompasses more than half the site, I will not be able to find a suitable spot to build on it. However, with more planning, and not taking a one-size-fits-all approach, we can connect the Greenway Trail to the Springwater Corridor, we can build a public beach and public park on the site, and find a permanent home for Portland boathouse as well. And that's pretty much where I'd like to be right now, and keep it short. [Laughter]

Wheeler: Very good. Thank you for your testimony. Colleagues, there are only two people remaining from last week's list, can we call them and see if they're here?

Fritz: Sure.

Moore-Love: Alison Reynolds and Evan Hiteman.

Eudaly: I just want to say you have my favorite graffiti wall in the city. I just took a boat tour, and I took pictures of it.

Toulan: And our plan is to maintain the sea wall, so I would like to make it an art installation in the future.

Wheeler: Who was the other?

Moore-Love: Evan Hiteman

Wheeler: Okay. I don't see –

Moore-Love: They have left.

Wheeler: Very good. Allison, you get the last word today

Allison Reynolds: Alright. This is great. So, I'm Allison Reynolds with Perkins Coie. We represent TR Pacwest LLC, which owns the Pacwest Tower at 1211 Southwest Fifth Avenue in downtown. And we're asking the city council to change the building's base F.A.R. and height limit in order to make this iconic building conforming under the current zoning code. So, specifically, we're asking for an increase in the building's base F.A.R. from 12:1 to 15:1 and base height limit from 300 feet to 430 feet. Pacwest Tower was originally permitted in 1980 through a variance that allowed its F.A.R. to be 14.2:1 and we've confirmed with the city through a zoning confirmation law that building was legally constructed within that F.A.R. limit at the time, based on the way the city code counted floor area at that time. Under the way the city currently calculates floor area, in a building which does not include many of these 1980-era exclusions, the F.A.R. is actually close to 15:1, and so, the current height limit -- the current F.A.R. Limit is 12:1, so the tower is nonconforming. And it is also at 428 feet, which was allowed in 1980, but is nonconforming under the current 300-foot height limit. So, the F.A.R. limit for this property is especially important to our client because they hope to remodel and modernize the building in a way that will, under the current code, technically add a nominal amount of floor area, such as enclosing some of the existing balconies with glass so they can be used year-round. But under the current code limit, our client would first need to true-up the building by purchasing almost 120,000 square feet of F.A.R. before it could add even a single foot of floor area to the building, and that is prohibitively expensive as you can imagine, and

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needlessly restricts these relatively minor building changes. So, and as you probably know, having compliant F.A.R. And height will make future sale or refinancing for this building easier, since lenders and insurers often have some serious concerns with nonconformity.

Fritz: Are you going to give us the written testimony?

Reynolds: I am actually going to submit a letter tomorrow. And that was my question: Since we're carrying over the rest – or, I guess, am I last, and there's no one else left?

Wheeler: Well, there were, I think, 14 more people, -ish, who signed up today and we -- we'll get to them next week.

Reynolds: Oh, got it. So, is written testimony due tomorrow still? Or is that...

Wheeler: Here's what I'm proposing to my colleagues, since you're prompting. I'm proposing we continue the hearing to September 20th, 3:00 PM Time Certain here at Portland City Hall, but that would only be for people who are currently signed up on the list, the people who came and signed up today. I'd like to extend the time for written testimony until Friday, the 22nd of September at 5:00 PM if my colleagues are okay with that strategy. Sounds like they are.

Reynolds: Yeah, so, commissioner Fritz, we'll be submitting something in writing that also includes all the exhibits that I referenced.

Fritz: Thanks very much. Very helpful. Once again, this has been very constructive and helpful. Thank you very much, everybody.

Wheeler: Thank you, colleagues, anything else for the good of the order? Thank you, everybody. We are adjourned.

At 6:00 p.m., Council adjourned.