



CITY OF
PORTLAND, OREGON

OFFICIAL
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 25th DAY OF JULY, 2001 AT 9:30 A.M.

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

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

By unanimous consent, Commissioner Francesconi was elected to serve as President of Council through December 31, 2001

Due to the absence of two council members, no emergency ordinances were considered this week. Also, items were not heard under a Consent Agenda.

910	TIME CERTAIN: 9:30 AM – Endorse the recommendations of the McCormick and Baxter Site Reuse Assessment Final Report to develop a park for active and passive recreation and prepare feasibility study for park acquisition and development (Resolution introduced by Mayor Katz) (Y-3)	36010
REGULAR AGENDA		
911	Accept bid of Kerr Contractors, Inc. to furnish SW Parallel Interceptor Segment 1 Project for \$4,457,563 (Purchasing Report - Bid No. 100781A) (Y-3)	ACCEPTED PREPARE CONTRACT
912	Accept bid of S-2 Contractors, Inc., to furnish SW Parallel Interceptor Segment 2 Project for \$2,969,588 (Purchasing Report - Bid No. 100781B) (Y-3)	ACCEPTED PREPARE CONTRACT
913	Consider vacating a portion of SW Porter Street west of SW 12th Avenue, at the request of Donald L. Andersen (Hearing; Report; C-9980) (Y-3)	APPROVED CITY ENGINEER PREPARE ORDINANCE
Mayor Vera Katz		
914	Confirm re-appointment of Noell Webb to the Portland Development Commission for a term to expire July 10, 2004 (Report) (Y-3)	CONFIRMED

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Commissioner Dan Saltzman		
915	Review City franchise system for collecting solid waste, recycling and yard debris (Previous Agenda 876) (Y-3)	36011
916	Amend City Code to modify the Sewer User Charges Extra-Strength regulations for business and industry (Second Reading Agenda 892; amends Code Chapter 17.36.060) (Y-3)	175796
Commissioner Erik Sten		
917	Endorse citizen participation in the feasibility analysis for creation of a regional water entity adopted by Resolution No. 35994 (Resolution) (Y-3)	36012

At 10:50 a.m., Council recessed

GARY BLACKMER
Auditor of the City Of Portland

By Susan Parsons
Acting Clerk of the Council

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 25TH DAY OF JULY, 2001 AT 2:00 P.M.

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

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

918 Tentatively uphold appeal of Riverdale School District No. 51J, applicant, modify the Hearings Officer's decision to impose certain limitations in the approval of a conditional use and adjustment to use the Collins View School at 9906 SW Boones Ferry Road for the District's new high school (Findings; Previous Agenda 816; LUR 01-00002 CU AD)

Motion to adopt findings: Moved by Commissioner Sten and seconded by Commissioner Saltzman.

**FINDINGS
ADOPTED**

(Y-3)

At 2:08 p.m., Council adjourned.

GARY BLACKMER
Auditor of the City Of Portland

By Karla Moore-Love
Clerk of the Council

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

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Closed Caption Transcript of Portland City Council Meeting

This transcript was produced through the closed captioning process for the televised City Council broadcast.

Key: *** means unidentified speaker.**

July 25, 2001 9:30 am

Katz: [roll call]

Katz: Commissioner Hales and commissioner Francesconi are on vacation. There's three of us. Every item will have to be voted on. There is no consent agenda, but in our democratic way we are going to elect commissioner Francesconi as the new president of the council. All in favor signify by saying aye. Opposed. So ordered. That's what happens when you're on vacation. No. We actually rotate the presidency so when i'm gone for vacation and not accessible, the president of the council takes over. We think. Time certain. 910.

Item 910.

Katz: Good morning, everybody. Let me just say a few words, because this is part of the river renaissance notion. We are always looking for opportunity sites for the future, and for the present that could be used to develop as open space, green space, park space, and our ability to do some bank restoration as well as clean-up of the river. This site is a superfund site, and a lot of work has gone in for a lot of years to clean it up. And we have the potential of making this something very unique for the city of Portland. So i'm going to turn this over now to you folks.

Deborah Stein, Bureau of Planning: Thank you. Good morning. I'm deborah stein with the bureau of planning, and i'm really pleased to be here to talk about the mccormick and baxter site. As the mayor just said, I think this is a really exciting early opportunity to implement the river renaissance vision. What we'll be presenting to you today is a recommendation to transform this superfund site to a park along with a riparian buffer, extension of the greenway trail and a mix of active and passive recreational uses. This project to determine a reuse recommendation for the site has been coordinated by the bureau of planning, and I served on a reuse advisory committee respecting the city. We're joined today by many other members of the committee who I hope will be able to talk about their aspirations and thoughts about this site. Through participating in this process, it was clear to me how much this community values open space and parks. While there was a lot of discussion and support for jobs and housing on this site, I think there was a substantial agreement amongst members of the reuse committee that this site should become a publicly owned park for the use and enjoyment of the citizens of Portland and others. I think this project was a real success story in intergovernmental coordination. The project was initiated and funded by epa and we closed closely with deq and metro as well as members of other bureaus all working together as a team to develop these recommendations and test the feasibility of reuse options. The site has the potential not only to be an early opportunity on its own as a river renaissance implementation, but we may be able to look in the future as part of this larger stretch of the north beach area of the city, linking willamette cove with mccormick and baxter is very exciting, as well as other opportunities to access the river. With that i'd like to introduce steve koontz, the project manager.

Steve Kountz, Project Manager, Bureau of Planning: Mayor, commissioners --

Katz: Move your mike closer few.

Kountz: I'm steve with the bureau of planning. I'd like to give you a summary of three topics. The project, an explanation of the project, reuse issues for this site, and our recommendation.

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Bureau of planning just completed an 18-month reuse assessment process for the site. By reuse assessment I mean technical analysis of alternative uses to be looked at, and a public discussion of what site -- what uses make the most sense on the site. The environmental protection agency provided \$100,000 grant to fund the work. It is one of ten pilot projects being implemented around the country to assist communities and -- in looking at the reuse-redevelopment of superfund sites. The superfund remedies are designed essentially to make the site safe for reuse and for the environment. That clean-up work is nearing completion and with that comes the question of how best to integrate a 50-acre riverfront site back into the community. Community involvement was a central part of the project. Stakeholder committee was formed that included the property owner, surrounding property owners, community organizations in north Portland and the city of Portland. The committee met 11 times over about a year period. Each of the meetings were facilitated by an independent facilitator, Elaine Hall will mark. Other outreach activities included public open houses, presentations to community organizations into the planning commission, update letters, and the bureau of planning website. Our approach started with technical reports prepared by a team of consultants and city staff. Hann and associates prepared a report, as well as others. The office of transportation and Robert Burnstein prepared transportation analysis that included alternative access routes through the site, costs, and traffic impacts of alternative uses. Service bureaus provided information on the adequacy of infrastructure to serve the site for alternative uses, the city attorney's office and DEQ provided information on clean-up liability and legal constraints for use of the site. The first four meetings the committee held were essentially educational workshops and discussion with the consultants and a way of bringing the committee up to speed on what is the reuse potential of the site. After that, the committee incorporated their concerns of what uses make the most sense for the site into 14 reuse criteria. Including minimizing traffic impacts, recovery of public clean-up costs, those sorts of concerns. Matrix was put together that related each of the potential uses to the site to those criteria. The primary outcome of that is that each use would have a mix of trade-offs of good things and bad things. However, parks and open space appeared to be more consistent with the reuse criteria than other potential uses. The committee selected four reuse scenarios to -- for further analysis. After that, including industry, mixed use residential, recreational, and open space. Public open houses were held on those, and presentations to the planning commission also reports were prepared on transportation analysis -- transportation traffic impacts and economic analysis for those scenarios. With that input, the committee prepared the recommendations. They decided they would rather make the recommendations by consensus rather than voting. They decide first degree they were not able to come to consensus the recommendations would be provided by the bureau of planning, giving consideration to the alternative different perspectives on the committee. By last summer the committee was generally in agreement that toward -- reached a verbal agreement that managed open space should be the appropriate use of the site, which could mean parks, green space, a variety of open space options. However, the committee did disagree on whether that -- whether or not that should be a permanent or interim use. The property owner proposed a long-term lease. Essentially for a park or ball fields, and that that lease should be reconsidered when other uses became feasible in the future. Some of the committee members supported that idea, and others felt the public had more than paid for the site in clean-up cost and that it should be a permanent park. I should say that Charlie McCormick, representing McCormick and Baxter, the property owner, has been very active in this process, supportive, collaborative, and the committee was generally very respectful of the fact that this is a privately owned site. It unusual to have a public long-range planning process for a single private site. However, there are -- this is a unique site in that substantial public money has been invested in clean-up and DEQ has substantial control in the site in a mortgage, a first-option

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mortgage that is essentially worth more than probably far more than the property value. Since the committee was unable to come to agreement on the interim versus long-term use issue, the recommendations before you are from the bureau of planning. The primary recommendation is that the site be reused as a park. The recommendation builds on other planning efforts that were recent, 2020 vision plan council recently adopted for parks. City parks included a recommendation on mccormick and baxter site for -- as a potential site for sports fields and a river park. Also the north beach fishing and action plan that city council considered in 1999 was prepared by three neighborhood associations in the area recommended for this site, sports field and potential offices. The site poses a range of row use issues. The surrounding north beach area was historically north beach I mean between the university of Portland and cathedral park -- was historically industrial and now is mostly vacant or in public use. It's a transitional area. The site is zoned for heavy industrial use. However, there are -- it is constrained in the long run by marginal truck access and in the short run by economic constraints. It's not anticipated that the private market will move the property into productive use in the short run because of clean-up liabilities, liens on the property and infrastructure costs. Reuse of the site would require substantial outside street improvements. It's estimated to include \$5 billion of street improvement costs. The potential for positive and negative impacts on the surrounding neighborhoods at the top of the bluff is significant. Potential impacts concerns that have been talked about are traffic generation, nuisance impacts from industrial uses or pollution, public access to the river for the neighborhood. The site is potentially a test case for the 40 to 70 properties in the harbor superfund clean-up project that is just getting underway and how they will be reused after they're cleaned up. This is one of the more contaminated sites. The site also offers opportunity for habitat restoration for sustainable site design, water recreation and public access to the river. The resolution before you is essentially to endorse the reuse recommendations. About a page of recommendations. The primary recommendation, the land use recommendation is to develop the site as a permanent park that would include a riverfront buffer, an extension of the greenway trail across the site, and a mix of active and positive -- passive regulation. Ball fields have been talked about, but they're not specifically recommended here. It is expected Portland parks and regulation -- recreation would propose an appropriate mix of recreational uses as part of the parks master plan as a future step. As a next step for the city, a feasibility study is proposed to be undertaken by Portland parks and recreation to pencil out the maintenance cost and development costs of the site and the potential recreation benefits and bring that back to you in considering acquisition of the site. The feasibility study also presents the ability to test alternative concepts for recreation and resulting traffic impact and bring that back to the neighborhood. We propose that epa and deq forego monetary reimbursement for clean-up costs on the site by the city of Portland because of the severe development constraints on the site and the public benefits, and essential public reimbursement of park use. There's also proposed that deq and epa as they design the soil caps, soil and sediment caps that they incorporate the eventual bank design and landscaping and soils and storm water management that would eventually work for a park into that design in order to avoid disruption of the cap later on and save on public costs so the work is done once rather than twice. Advisory letters were submitted on how to do that by the Portland esa program and by the u.s. Fish and wildlife service and others. In conclusion, there's still disagreement on some of the details on how the site should be reused, but I think the next steps laid out in the recommendations are adequate to address those issues. I'd like to commend all of the people that work order this project to you. The property owner, the surrounding owners, organizations in north Portland, many city staff, and other intergovernmental staff, and consultants, and I hope some of them will speak.

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Katz: We're going to invite them to come up. Let me ask a couple of questions. The capping, how do they propose to do the capping?

Kountz : Two years ago most of the hot spots, the most contaminated parts of the site were -- the soil was removed to a depth of about four feet, and then a soil cap of about two feet, clean soil would be placed over the entire site on the upland part of the site, and a sediment cap would be placed over the river sediment portion of the site. That's being designed now. A groundwater conclusion is also -- solution is also being proposed, a barrier wall to prevent groundwater from flowing to the river as part of the groundwater solution for this site.

Katz: And that work is to be completed by 2003?

Kountz: Correct. That's the current estimate.

Katz: And the issue then will be, we negotiate with the landowner for either a lease or purchase.

Kountz: Right.

Katz: Do we have any clue as to the price for the purchase on this? Is it too early to talk about it?

Kountz: It's a little early. It would be negotiated. We're asking that there be essentially no -- the deq not -- and epa not charge for the clean-up costs, for the lien.

Katz: Okay.

Saltzman: I was reading through the report last night, and somewhere it says deq is obligated to recover costs, albeit not necessarily full costs. So they can't -- I guess I read they can't totally forego cost recovery.

Kountz: When the site will be reuse and when they would be able to recover cost and the benefit of a park, those are trade-offs to them.

Saltzman: Of the some 20 million they've invested, they couldn't expect that whole amount to be forgiven.

Kountz: The large part was invested by epa and epa doesn't have a mortgage on the site. Deq has a mortgage, it's estimated when their work is done it would be about \$6 million.

Katz: Let me poke on the industrial use. I spent a day out in the industrial area this week, and there are several sites that potentially are available for industry use, but the infrastructure costs make them usable are very expensive, and the acreage is relatively small in the region we're talking about the need for 200 acre sites. This was small. This is a little bit bigger. And that it would be -- it's very expensive to retrofit these sites for industrial use. Is that the same conversation that went on during the committee work?

Kountz: Yes. The port was involved, and others were involved. Steve shane representing the adjacent site that's owned by triangle park llc has proposed future industrial use, and industrial reuse was considered for the site. Two big limitations here, not only the cost that it doesn't appear to be economically feasible to use it for industrial purposes, but also transportation constraints. As a long-run site, there's not a traffic -- a truck route to this site. It's unique among the industrial districts along the riverfront. Transportation infrastructure is an important part of the industrial districts along the riverfront, with truck access, trains, and ships. And this site is unusual -- it's a fairly isolated area of two vacant sites that doesn't have highway access or truck route access that comes to the site. Instead, it's over neighborhood local streets.

Katz: Let me ask one last question in terms of its reuse as a park. After the clean-up is completed and the transaction is completed with the city, hopefully, the design of the park is that something that you've thought through as a next step with different players at the table?

Kountz: I think --

Katz: Zari, why don't you come up. As one of the bureaus it's critical -- I know you don't like coming up and talking to us, but you know what? You know so much more than we do.

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Zari Santner, Portland Parks: Good morning. Zari Santner Portland Parks We have been involved in this process, and what you have before you is one of our recommendations that we do a thorough study not only feasibility, but first conceptual plan that develops an idea of what kind of park uses we want to occur here. And we see an opportunity at this site to do both passive and active. It's large enough, it's next to the river, in combination with willamette cove and the location of the peninsula crossing, would it create a magnificent piece of park land which could address the esa issue, habitat issues, and in this case, some active recreation. But we do also understand the constraints -- transportation constraints -- that do apply to parks, depending on what kind of park it is, and traffic issues. So all of those will occur at the next phase, that is before you as a recommendation that we do that feasibility study and would include park design.

Katz: It's not very often that we have a raw piece of land that size that we can really begin to think about high you design it and what uses -- so that would be a very exciting exercise. Let me just make a plug, a lot of our young people who live in the north Portland area have been involved with the willamette cove and have been involved with mccormick and baxter. And it would be nice, though probably many of them will have graduated and moved on in their lives, but the involvement of young people who live here, who are very concerned about the environment and very much care about the river and their community. So how you do it, that's up to you. But getting them involved in helping design that, so they feel it's their park as well.

Santner: We agree.

Katz: Okay.

Saltzman: I guess one of the things I have this -- overriding concern about is -- and I didn't see a lot of it addressed in the report -- what will be exposure potentials to people who use this park? It's nice to use as a park, but let's not forget it's a very contaminated site with lots of nasty stuff that can have health impacts. I was reading through the report where it talks about the clean hood river up remedies designed to adequately protect workplace and park uses, which assume a potential human exposure of generally 40 hours per week or less. Two, lingering contaminants on the site. So what bothers me first of all is if we're talking about a park used a lot by kids, is 40 hours a week or less really a valid time line to be looking at? And then secondly, what are the lingering contaminants on the site and what is the exposure to kids, adults, who could be using the park, butting dirt in their mouth and things like that? I understand capping and I understand all that stuff, but I also know that right underneath that cap is still going to be a lot of nasty gunk, and it do have pathways that it can reach people's mouths, people's digestive systems and people's lungs and brain. So I guess -- and because I used to do this for a living, and I know this site very well, I just want some assurance that this issue is still going to be looked at and in our rush to make this a park and all that, we're not going to overlook perhaps to my mind what could be a fundamental flaw in this whole approach, which is we're forgetting about exposure contaminant exposure to the users of this facility. I don't know if you're the ones to address this or some some -- if some of the other people on the committee will talk about it, this -- but this is still nagging at me. I'm excited, but i'm still --

Katz: Cautious.

Saltzman: Yeah, a little cautious.

Santner: I would like to respond to you, but i'm sure steve --

Katz: Identify yourself for the record.

Santner: Zari. That's our concern not only for the public, but as well as for our workers. Our maintenance people will be dealing with grounds, so during the discussions with deq we've been assured that this site would have the level of clean-up that will be completely acceptable in -- even for housing. But deq will be still designing this, and as we develop our feasibility and design for

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the park, their capping and the method of clean-up will correspond hopefully with the design of our park. I would like steve and charlie from deq --

Katz: I was going to say, is there anybody here from deq.

Saltzman: And the reference -- it says even despite the clean-up, this phrase "linger than contaminants" -- I want to hear more about that.

Kevin Parrett, Department of Environmental Quality: Kevin peret of deq, the project manager is here. I think al goodman is also here and they could explain it a little further. There was a background report that was also prepared last year that wasn't submitted to you that included an analysis by hann and associates looking at risk analysis and constraints for different uses.

Essentially I just would say that the superfund project is designed essentially to make the site safe for reuse. A risk assessment was an important part of that, and generally recreational use of the site is considered a lower risk than other uses. Because people are at the site less often.

Katz: Thank you. Zari, did you want to share anything else with -- with us?

Santner: No.

Katz: Let's bring deq, epa, and anybody else with acronyms. [laughter]

Sten: That would be everybody.

Charlie Landman, DEQ: Mayor Katz, members of the council, i'm charlie from the department of environmental quality. I'm a legal policy advisor, so i'm not a technical person at all. Kevin is the one who actually knows people.

Katz: Go ahead.

Parrett: I don't think al goodman with epa is here. It's just us.

Katz: Okay.

Parrett: In terms of the types of contamination that will be present on site --

Katz: Why don't you identify yourself for the record.

Parrett: Kevin peret with Oregon department of environmental quality. The hot spots, the very high levels of contamination have already been removed in the upper several feet of soil. There's still very high levels of contamination floating on the groundwater and within the groundwater. The types of exposure that will occur after the remedy is implemented would be a very small component from volatilization. That level of risk is very, very small. It will be significantly below our acceptable levels, both at the state -- our state statute and the federal level in cercla, the superfund law. That would be protective for park use, industrial use, and other kinds of uses out there. The other type of exposure that could occur is if a remedy somehow is -- fails or is breached. For example, if the soil cap is excavated into accidentally, or is dug into, there could be exposure, direct exposure, direct contact to the contaminated soil that would be below that soil cap. The same would occur within the river sediments. So it's very important to us that the future use of the property have an operation and maintenance component to it and would have site security so that the kind of restriction that's we'd want to have on just incidental excavation contact with those soils would not occur.

Katz: And these would be your recommendations for sites like willamette cove as well, would it not?

Parrett: Yeah. Generally similar to willamette cove. I'm not quite as familiar with that project.

Katz: Let me ask, we don't know -- give me the dimensions of the hot spots.

Parrett: I would say --

Katz: Is the entire place --

Parrett: A good portion of the site had hot spots of contamination. We removed -- in fact I have the -- you have that, charlie? During the -- a soil excavation that occurred a couple years ago, we removed 33,000 tons of contaminated soil and debris. These were concentrations that would

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represent if we did nothing, so under baseline conditions, would represent risks exceeding approximately one and 10,000 incidents -- incidental lifetime cancer risk. So it's still even a minor, you know, pretty small amount of excess cancer risk as far as what's left on the site, but that is still above our acceptable levels, which are quite stringent.

Saltzman: Did you say it was one in 10,000?

Parrett: The hot spot clean-up level, or the action level represents a risk for the various contaminants that are out there of approximately one and 10,000 -- one in 10,000.

Katz: After the clean-up?

Parrett : The level is approximately one in 10,000, so what was removed would be above that in terms of concentration, what is left now on site would be below that. So if we were to do nothing more on the site, if exposure were to occur, and it's not because the site is fence and secured, we would expect a risk of around one in 10,000.

Saltzman: So the fact that states the clean-up remedy is sufficient for workplace or industrial -- or park uses, assuming exposure generally of 40 hours or less per week to linger than contaminants on the site, the lingering contaminants are the groundwater volatilization, and of course whatever else is under the cap? What I'm getting at, is there no soil exposure, no potential risk to --

Parrett: I think there's just a bit of confusion here in terms of what the risk assessment actually means. The risk assessment was performed under baseline conditions, which means the actual conditions at the site back in the mid-90s when there was -- when the risk assessment was performed. Assuming that there were no remedy in place. So if we were to do nothing with the site and the site were to be developed under various scenarios, what would be the risk. And so we considered various amounts of exposure based on those uses of the property. And that's 40 showers an example for workers -- worker scenario. With the remedy in place, there would actually be no exposure to the residual contamination that is, you know, in the ground under the cap unless the cap was breached. The only exposure that would occur is the volatilization of if some of the contaminants that are out there, and that risk level is very, very small. It's much below our acceptable level, which is one in a million cancer risk for lifetime exposure to that -- those contaminants.

Saltzman: So with the cap in place, there should be no surface soils or dust particulates that would --

Parrett: Correct.

Saltzman: -- come from the --

Parrett: That's correct.

Saltzman: Thanks.

Katz: Further questions? Did you want to say anything else?

Landman: I'd like to. I'd like to say generally deq has been providing information to the reuse committee for over the last year or so, and we've had a number of meetings with those folks from parks to talk about their reuse potential for this site in particular as a park. I think we see it also as a tremendous opportunity both for the city and also to meet deq's goals over the long term. We were here not too long ago talking about the kings worth fast disposal site in north Portland, which will soon be a city park as well. One of the things we liked about the partnership we had with the city was that it brought a really responsible landowner in to take care of that site over the long term, and I think we're looking for that certainly at this site and we think that a park is a good end use and bring as very responsible landowner to manage the site. So that's something we are certainly interested in pursuing.

Katz: And your nervousness if it was used for industrial purposes after the clean-up, you might be involved in additional clean-up 20, 30, 40 years from now. Yes, no?

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Parrett: We would hope that current industrial practices would not bring us back in 20 or 30 years.

Katz: Okay. Thank you. All right. Do we have any members of the committee who want to testify? Then come on up. We'll -- then we'll go to the sign-up sheets. Anybody else as part of the committee that work order this that would like to testify? Steve, I know you were. Come on up. Who wants to start?

Tom Kloster: I actually signed up, too.

Katz: Well that's even better.

Kloster, McCormick and Baxter Site Reuse Advisory Committee: I cover double today. My name is tom cluster, a member of the committee, I also worked on the north beach project. So we've been working on this area for a long time now. Bev's been a coconspirator in that. This has been going on since the site was first reported to have a big pollution problem back in 1990. I wanted to commend the staff and deborah stein and steve koontz in particular this. Was a really complicated project. They made sure that technical information which was massive stayed in front of us and was relevant in the discussion so it wasn't a case of these reports getting pushed aside and the committee kind of going off in into a different direction. I think it was all factored in.

Katz: If deborah can take care of southwest, she can take care of mccormick and baxter.

Kloster: Much more manageable in north Portland. I also wanted to get a couple issues I saw in the paper today and have heard in a discussion today. One is the question about industry. So I wanted to address that. The second was should this be a park and why a park. On the industry question, north Portland people are not bow teak people. We like our mcdonald's and we have a concrete -- [laughter]

Katz: That's two for you:

Kloster: We're proud of our concrete pig and so I don't think that the committee was stampeding toward green space as a way -- I think it was a case where we looked another a broad range of possibilities, we live among industry, we've chosen to live there, we like the sound of train and boats at night. If you look in your report, in the very back on page 93 there's an appendix that has our vision for what the site could have been. Most of them aren't parks. Parks were part of the mix but we were trying to answer the question, what should happen to this site now that we've poured \$25 million in public money into cleaning it up. And the market would only value it as \$2 million. That was sorted of the crux of our discussion. My take on that. On the issue of a park, there's a lot of things that make it unique. One thing that's especially unique is that it's adjacent to willamette cove. You can actually walk between the parks under the railroad abutment. So in that sense, if you view willamette cove, which over 25 years has become natural again, as a compliment, this could be an active recreation compliment to that. Together you have about 80 acres of park and a mile of riverfront, an enormous piece of land.

Katz: There's also another adjacent strip.

Kloster: Could you easily connect up to cathedral park.

Katz: Not your property.

Kloster: And the mayor was mentioning earlier about how you get to that and what's the park going to look like. I think people in north Portland are going to come out in droves for that park planning discussion. I like the model of tryon creek. I grew up in southwest Portland and my family went out and helped build trails on weekends, and that was a very grass-roots driven project. I see the development of these parks maybe falling in the same model that people in the community would like to help develop them, help plant trees to restore the site. So maybe in the shorter term that it's a low-cost heavy labor sorts of projects. We've already had that on willamette cove, we've had people pulling scotch broom and so on. The community isn't expecting to have the switch

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turned on on soccer fields tomorrow. It's more saying, what is the vision for the property. Just to wrap up on the park issue, if you haven't been down to the site, you can appreciate how much forest park dominates this part of the river. When you're down there you're looking at a thousand foot wall of green across the river. It's quite unique, and I think that's part of what makes so it special. You feel like you've just stepped outside of the city. It's also if you look at the parks as a whole, they're divided by the railroad. I've seen people on weekends watching the trains go by. That's where amtrak crosses the river. I've seen people watching the trains go by from up above. There's a lot of themes you could tie into the development of the park and I think the community would help do that. On the pollution question, I wanted to wrap up with my own personal take on that. I think it's -- the deq folks have convinced us this is a reasonable clean-up that's going to make it very safe, safer than other things we do in our lives. But I hi there's also an opportunity in the way the site is viewed to sort of use this as a new pattern for how we develop brownfields and I go back to a time when I lived in rotterdam for a while in holland, and all through the town they had left pieces of rubble from world war ii. The town was basically flat and there was a few historic buildings left, but they specifically left crumbled walls. All through the town are sculptures looking up at the sky. There's constant reference to the history of that town. I keep thinking about that with women of willamette cove and mccormick, because there's pieces of concrete sticking up, and that's the tribute to the industrial history of the site. And that you can keep those in place if the lawyers let us clip off the rebar, and don't have too much risk there. I think the site could actually have a nod to the industrial past but also sort of evolve into something different.

Katz: We did look for major league baseball in the transportation corridor. We would have a problem unless -- tom is always reminding us of low-tech solutions and how to get the community involved in doing relatively simple but projects that could improve a piece of land. So thank you. Okay.

Bev Wilson, Cathedral Park Neighborhood Association: Bev wilson, I reside at 7706 north crawford. I'm representing cathedral park neighborhood association. The mayor will correct me if i'm wrong, but a couple of wednesdays I was -- ago I was here as part of the parks 2020 vision which the, and in your summing up at the end, which was very upbeat and very generous summation of the parks vision, the last words you said when you talked about things we might do in the future were, mccormick baxter. And I was delighted to hear that. I have the feeling that should there be some kind of candidate quiz where people are running for office and asked to point at a map and say where is mccormick baxter, I think this council now knows where that is. That's - - i'm glad that is so, that that's that awareness, because this is a special 50-acre waterfront property that is possible now for the public maybe to have access to. As it turns, I think i'm the only one who happened to be on the vision 2020 committee, the mccormick baxter committee, and the river renaissance committee. Well, that has been from a citizen -- in a city that plans, a chance to see a real synergism between these three. Parks 2020, among other things, really concluded a need to do land banking, tim hibbits did a poll for us that showed future need for parks especially for an older population, a place to walk, and many people have said they'd like to be able to walk by the river. The mccormick baxter committee was one that showed a problem area that can have a different kind of use now possibly. And river renaissance is one that says, let's look back at the river and make use of our river. All of those things, these are sort of disparate elements, but they're knitted together in a kind of way with this proposal to have mccormick baxter be a park. It also satisfies, as has been discussed earlier, the esa requirements, or could help do that in mitigating the river. I would also point out, seattle, and we never want to be second to seattle, I realize, seattle has made an area on the water way, what I think of even more industrial, into a park. It's called herring house park, it was -- the Oregon had an article about it last sunday. 17 acres that were contaminated that

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were cleaned up. It was a lumber mill, it had oil storage tanks. The similarities are striking, I think. And it has been night wetlands and a way to mitigate problems for salmon as they go through that area. So we are not the only ones that are looking at this sort of thing as a way to make use of these kinds of lands. So I really think this is a way to take something that has been a problem and use it to solve other kinds of problems. So I --

Katz: Okay.

Sten: It's okay to learn from seattle from time to time.

Wilson: Well this will be bigger. Theirs is 15 acres and this is 50.

Sten: We have to do more.

Katz: They capped a freeway for a convention center. All right. Steve? Upbeat, right?

Steven Shain, Triangle Park: Always upbeat, mayor.

Katz: Identify yourself for the record.

Shain: Steven shane, triangle park, 3121 southwest moody avenue. We are the -- represent the property owner that's immediately south and adjacent to the mccormick and baxter site. Participated in the advisory committee meetings over a period of time. First I want to compliment steve koonz and elaine hallmark -- elaine, raise -- elaine was the facilitator who did -- her and steve both did a yeoman's job managing a diverse and difficult opinion and try to -- trying to blend night some kind of consensus. Unfortunately we were unable to do that. First I want to say I advocate, promote, and support public ownership of this site. We as the public have paid a tremendous amount of money to acquire it. We don't own it yet. I think that can be done easily with proper negotiations between epa, deq, and the city, and maybe a very small group of other people working with the property owner to understand how we limit our liability as citizens in the city and how the property owner can limit his future liabilities on the site as well. The site is uneconomic base on its wings. There are -- my concern though is looking at turning this automatically on a site that we do not own into a park. The park might be the proper use, especially that portion that is contiguous to willamette cove. To meet that underneath the bridge head of the railroad bridge. It's a general concern that I have in terms of -- and it's a philosophy and a concern I have of where we are going in the city, turning industrial lands into parks, even though they are -- there are needs for larger acreage parks -- industrial parks, we do need some smaller sizes. We need the job base to immediately -- and maybe I was not completely misquoted, a concern I do have is that we are turning ourselves more into a boutique city where people come and visit, we'll have excellent photo opportunities, but the jobs will be in suburbs, the jobs will be based in other locations and not in the city of Portland. The best quality of life is a job. It not always parks. A concern I have right now is turn this into a park when we currently don't have the funds to pay for the parks we have today. We're facing that and looking at how do we turn park land south of marquam bridge into park land with future development and making sure that we have the funds to go forward. This is a large park. A ballpark could fit. We've looked at some of that on our side. The concern I have is to make this first step without even owning the site is somewhat of a step up, if you will, a sense of hue brings to say everything should be park land, we support parks, we think the riverbanks need to be improved, but I think have you major constraints on this side to automatically go right to a park. My recommendation is that you accept the report and that the resolution actually is amended to start negotiating with those parts that actually have a lien on the property and have a deed to figure out how we can acquire it. I think the costs should be zero. We've already paid 20-some-odd million dollars for the site. I think it could be used -- it may be park, but it's a concern jumping right away to that. Especially when we take a look at the signed of -- if we can find other communities for economic development, this site may meet that. The concern I have is the amount of jobs that are not here that the -- soon we won't have a fortune 500 company when weyerhouser is

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successful with willamette. And our jobs are moving outside. And we need to do things to make those recommendations to owners that we want businesses here.

Katz: And steve, as I said, that's legitimate. T-1 north, for example, is a good example of waterfront land not being used today, should stay in industrial use. Absolutely. And probably the port will hold on to it just because of that. So I -- that's why I asked the question. I absolutely agree with you. Those are one of the -- some of the best jobs we have. It's our manufacturing base. It's our shipping and marine base, they pay good wages. But the issue is the marketplace at least today won't permit that kind of use in some of these area, especially when the infrastructure needs major restoration. You would agree with that?

Shain: I agree, but just because they're not available --

Katz: Today.

Shain: Those are jobs that do provide skilled family wage jobs, keep families here in Portland. Infrastructure needs are going to be huge whether it's a park to get people down there, I think we're fooling ourselves if van -- if water street isn't going to be improved for a park. It does need to be improved. Can it be improved so there are opportunities to recover some income as well to generate properties taxes?

Katz: Let me poke at you. What were you thinking of? Turn it over to private ownership and then what were you thinking of -- public ownership.

Shain: I think this reporting help inform the discussion of the uses. I think there are 12 or 15 different considerations over the operating conditions that the committee did reach consensus on in terms of minimizing traffic to the neighborhood. Those I think should form the background and the basis of how -- what uses are going to be down there, how they operate, how they are good neighbors. It could be an industrial park, it could be a marine terminal. I think when deq and epa start putting a slurry wall in, you end up with a very firm -- there maybe things that can be done at some kind of marine use. You need to be aware of the traffic issues. I don't know what the answer is. I think it's easier to know what the answer is when we own it. We being the public.

Katz: Thank you.

Saltzman: You suggested an amendment and I guess i'm looking at recommendation number 3. It sounds to me like it captures what you were asking for. It session the -- there needs to be a study about feasibility requiring the property as a park subject to approval by Portland park, city council, the property owner and lien holders. Is that different -- it may not be exact, but I think it gets to the same effect.

Shain: It's different than my feeling. My feeling is if it cannot -- the way I would read this, you particular not acquire it feesly for a part, then what? I think you should look at a few built and acquire it. Period. And then at that point have this report inform the discussion, because I think whether it's pork a park, industrial property, a ball field, future monuments, we need to acquire it. And I think it can be done not in request some very quick discussion with limiting everybody's liability, future liability. I think it could be done very quickly and we can move from planning to doing.

Saltzman: So you are saying we should acquire it whether -- regardless --

Katz: Thank you. All right. Did you want to testify? You've got to identify yourself and move -- push steve a little bit over.

Allison Montag, bluff resident: I'm allison, north willamette boulevard. I'd just basically wanted to -- I think tom has actually said a few things and actually steve reminded what it looks like. The fixtures on the front of this only look at the site from the river. I'm right above it. It's my back yard and I wanted to take a look at it from their down on it and when we do things about things to think about how it looks from the back yard of some of us still above it, and I think the traffic impact is

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probably one of the most difficult issues we're going to have to deal with. Thank you. All right. Anybody else on the task force? If not, let's take public testimony.

Parsons: Everyone who signed up has spoken.

Katz: Anybody else want to talk to this topic? You're all here for something else. All right. Then we'll have a roll call on the resolution.

Saltzman: This is a really good exciting challenging project, and I appreciate all the citizen work and agency work and -- that's gone into this, and certainly notwithstanding my concerns about contaminant exposure, I think they've been well addressed, but we have to always be ever vigilant, sometimes standards we adopt one time are no longer the standards that govern us in the future. I -- when you were talking about that I couldn't help but think back to love canal, how many times it was declared to be clean and suitable for the neighborhoods to move back in, and now it's -- later it's been discovered it's not suitable for living and in fact nobody lives there anymore. Although I guess people are starting to move back there. I think we have to be ever mindful. The mayor has expressed concerns, what we know today may not be what we know tomorrow. It sounds like the concerns will be reminded and underpin the future discussions about bringing this into public ownership. I do think mr. Shane was right, we should bring this into public ownership regardless of whether it's feasible as a park because we have invested a lot of money. So this is good work and I look forward to it becoming a real asset no community. Aye.

Sten: It's a good piece of work. It's really the first stage to getting this thing finished. I was inspired to listen to tom and bev and some of the ideas. It's better not to make a mess, but once you've got one the best thing to do is clean it up. It's all we can do at this point. I think steve shane's points are good ones. As I see it, and there's more to it than this, but really one of the keys to keeping industrial jobs in the city in the future is re -- putting our rules together in a way we can get in compliance with the federal laws and standard that's we're in violation of, and part of that is going to be mitigation sites. And it's to me a little more complex than mitigation, because mitigation assumes that what you're doing is paying one thing off for another, and what i've seen with the endangered species act, there isn't a buffer we can draw that will make the -- meet the human and fish needs. If we do it at one depth all up and down the river. So we've got to find places to restore habitat and -- in a much bigger way in return for the reality, which is we're not going to restore habitat some of the places we have shipping ports and sea walls so I don't know for sure this is one of those sights where we can make an enormous difference for the fish, but I know we've got to find a half dozen of those up and down the river. And without doing that, I think we're going to put in jeopardy all of our industrial sites. So I do actually think these things come together, we have to have an industrial and fish habitat strategy that looks at the river and says, here's how we're going to make both those things work. The story of the last century is one of not worrying about the environmental side and then you end up with sites like this. For me this is very detailed work, we're all worried about the health issues. I don't know enough to know what's the right level of clean-up, but I trust the deq and epa are look at this and will get to those issues. I think this is really the first building block in a river front that's good for jobs and good for fish which is symbolically and substantively what's good for people. This to me is very exciting and is one of the first more complex iterations of something we've been talking about for several year. I really appreciate the work and ready to dig in on the next phase. No pun on dig. Aye.

Katz: Mayor votes aye. What's exciting is that we're beginning to see a pattern, and that's the exciting part of it. Whether it's the river renaissance or the work that all of you have done over the years, we see beginning of our work done on ross island to begin thinking about what needs to be done to close the whole and to begin thinking about its future. We're working on centennial mill and the riverfront at centennial mill, t-1 south will give us an opportunity also to redevelop it, so

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that it may not have industrial jobs, but it will have residences and office and park and restoration of the riverbank. T-4, which will be an industrial use, but a redesign by the port, will also give us an opportunity to work with the port to rethink how they design port use property. Willamette cove, we heard a lot about willamette cove in the last couple of months. And today mccormick and baxter. And as you stand on one side of the river you see some wonderful opportunities. It's not a string of pearls, but they're wonderful opportunities that are tough. I keep saying, the easy stuff has been done. We are now to the very difficult parts, and if we are to grow as a city, the community expects opportunities to get out of town, not by bicycle, even by foot, and find a peaceful, restful place they can contemplate or play frisbee, or kick a soccer ball. So this is a wonderful start. And we probably at some point will have to go to the community and say we need your help to purchase these, we need your help to restore them, and hopefully the community will be with us and assist us in that. Aye. Thank you. [gavel pounded] all right. 911.

Item 911.

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

Saltzman: Aye. **Sten:** Aye. **Katz:** Mayor votes aye.

Katz: 912.

Item 912.

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

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

Katz: Mayor votes aye. [gavel pounded] 913.

Item 913.

Katz: Okay. Come and talk to us about it.

Brad Gabriel, Office of Transportation: Good morning. I'm brad, with the Portland office of transportation. In august of 2000, donald anderson submitted a petition to vacate porter street, west of southwest 12th avenue. He is the abutting property own their lies south to the portion proposed to be vacated. City bureaus have been notified and other interested parties. The interested parties notified also included the southwest hills residential league, southwest neighborhoods, and the homestead neighborhood association and as of today, no objections have been received at all. The planning commission has discussed the proposal on february 13th of 2001, and they have had no objection. City engineer prepared an engineer's report. It has been submitted and the city engineer's office recommends approval.

Katz: What's the property going to be used for?

Gabriel: The stated reason is to consolidate property.

Katz: For --

Gabriel: That I do not know. It wasn't stated in the application. The applicant owns the property directly to the south. To my knowledge he has no plans of anything. It's totally unused at this time.

Saltzman: Does he get ownership with this?

Gabriel: Yes.

Saltzman: For \$2,000 he gets to acquire a prime piece of --

Gabriel: In essence, that's correct.

Gabriel: He already owns it subject to the public right of way.

Saltzman: Oh, okay.

Gabriel: It reverts to him by operation of law when you vacate it.

Katz: All right.

Saltzman: I feel a little better.

Katz: Yes.

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Gabriel: It's not a gift, no.

Katz: All right. Further questions? Anybody want to testify on this? Then we'll vote on this resolution and you'll come back with an ordinance. Roll call.

Saltzman: Aye. **Sten:** Aye. **Katz:** Mayor votes aye. [gavel pounded] 914.

Item 914.

Katz: I don't see her here. Anybody want to testify on that? I'm privileged to ask and have received confirmation that noelle would be more than happy to serve another four years on the Portland development commission. She's a very important part of that commission, and i'm pleased to submit her name. Roll call.

Saltzman: I've enjoyed working with her and I look forward to working with her in the coming years. She's been an outstanding member of the pdc. Aye.

Sten: She really is. It's a tough volunteer job. I'm glad she'll keep doing it. Aye.

Katz: She asks tough questions, and that's what we need on all councils or commissions. Aye. [gavel pounded] 915.

Item 915.

Katz: This is the resolution, right? Okay.

Saltzman: Madam mayor and commissioners, this is -- as you know, we have -- choice was our solid waste haulers for residential collection and recycling and yard debris collection. Those franchises are fore a period of ten years and we're now nearing a period where we need to begin to review some of the principles we will be discussing with the industry in the process of renewing franchises in the future. Today susan and bruce are here to talk about some of the principles we hope to incorporate, which we want to sort of make sure they're -- we're taking into full account opportunities for clean fuels, sustainable development and broader thinking of the types of recycling programs we might look at in the future.

Susan Anderson, Director, Office of Sustainable Development: Susan anderson, director of the office of sustainable development. We're here to talk about the residential solid waste franchise today. The city established --

Katz: Nobody wants to talk about the commercial.

Anderson: I threw out that word residential. We established the system in 1992. One reason was to increase an improved the recycling system and to eliminate the overlapping many of the routes haulers had. The 1992 franchise was set for a period of ten years. It included an agreement after five years it would be reviewed. That review was completed in 1997. And the council authorized a new ten-year agreement that ends in 2007. We're at that midpoint now at a five-year midpoint and it's time to take another look at it. The resolution before you today provides direction for that review. We're looking at new principles. We basically worked with ask the haulers and recycling community and others to come up with basic principles for how we should be looking at the franchise. Over the next few months we'll continue to hold a series of meetings with the haulers with the solid waste advisory committee, with the different folks who are advocating for more recycling. Our plan is to come back to you in the fall with some recommendations for changes in the franchise. We don't see any major overall or changes, but we see a couple of exciting opportunities. To wrap up, bruce wanted to sigh a few words about the principles that we've worked on so far.

Katz: Okay.

Bruce Walker, Solid Waste and Recycling Program Manager, Office of Sustainable Development: I'm bruce walker, solid waste and the residential solid waste and recycling program manager. For the office of sustainable development. As an attachment to the resolution are some guiding principles for franchise review. We've developed those with public input and through our

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advisory committee. We're looking for some major check points to review. Not only comparison, how we're doing recyclingwise with other cities in the country, but to look at encouraging a range of company sizes as we've -- with the -- from small to large companies to currently provide service here. How to move ahead in recycling, not just traditional recycling methods, but also food waste and other opportunities over the next ten years. Continue provision of customer service issues, and cost efficiency. A major point to look at always when we come back in the spring is, what's -- what's the impact on rates. So all these will be brought forth in the franchise review. As commissioner Saltzman mentioned, we're also broadening it to take a look at, are there some other things that could be taken into consideration, environmental best practices is the framework we've included that would bring forth such items as fuel efficiency and reduced emission vehicles. So we're going to take a framework, use this attachment as a framework for us to conduct a review, and be back to you this fall with specific recommendations.

Katz: Questions? Let me be very parochial on this. I hope that you're working with the noise office and i'm sure you are with regard to noise and hours. But in the garbage pickups, you give customers a choice whether they bring their garbage can out on the street or to have them picked up somewhere else on the customer's property. Have you thought about giving the customer choices on the recycling? Because I have heard complaint with regards to recycling material being taken off the streets, people going through papers, identity theft occurring because of that. Not everybody sh reeds the information as they should. Have you thought about giving customer choices for -- for an additional nominal cost to have those pick-ups in other places other than the street, the right of way, or is it that you just like to see the yellow bins outside? [laughter]

Walker: Well, as the recycling drivers refer to it, the yellow fever, when they pull around the street and see it lined with yellow bins, it sends a convincing message that it's time to recycle. The problems you've pointed out have occurred in a couple specific areas of town that we've looked at, trying to do some outreach work. We've currently we've stepped away from making that allowance for customer choice primarily because it -- the cost issue. We've got to figure out a way. But that - - to provide the service to not have recycling drivers running up the driveway without -- and then finding, oh, there are no bins there. We've got to figure out a system. It's certainly something we can consider and work through in our program.

Katz: Okay. Because I know it's not a citywide problem, but it is a problem in parts of the city where there are a -- there are a lot of homeless citizens who walk around and actually do pick up materials for their particular use. But in addition to that, there is also an opportunity of identity theft. Okay. Thank you.

Anderson: We do have two folks here who wanted to testify, but they didn't sign up.

Katz: Okay. Further questions? Okay. Thank you. Who wants to testify? Come on up. Who wants to go first? All right.

Jeff Murray, West Fibers: Good morning. My name is jeff murray, I work at far west fibers and we're a recycling company. I also serve on the city's solid waste advisory committee. Earlier this spring the solid waste advisory committee began discussion of reviving Portland's residential franchise system. Our committee has reviewed and excepted upon the guiding principles for franchise review that are considered being -- being considered here today. We unanimously approve the guiding principles at our last meeting. H during the month of june. At our committee meeting last night, we discussed future dates to review information about Portland's franchise system, and accept the public input on this issue. Once council initiates the review process, our committee looks forward to working with staff and the council to continue and improve the excellent refuse and recycling system the city of Portland's established.

Katz: Thank you.

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Dave White, Regional Representative, Oregon Refuse and Recycling Association: My name is dave white, i'm regional representative -- 1739 northwest 1 hundred 56th avenue, beaverton. I'm regional representative for the Oregon refuse and recycling association and chair of the tri-county council. I wasn't going to testify, but I thought it important that we do -- we have reviewed the principles and support all of them. I think this is a good idea. Last time we didn't have those to start off with five years ago, and we spent time talking about should there be multiple size companies, and we have a framework now this year to get right started with looking at how we might tweak the system and make it better. I wanted to mention on the low emission vehicles, we support that. We actually have had kevin downing from the deq come out to come out. He's already talked to us about it. Yesterday there was at the edgefield manor there was a presentation by deq on vehicles and emissions and diesel fuel. Our membership attended that and we invited kevin to come to our fall conference difference and give a session on it. So we're already on track on that and look forward to working with you on it.

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

Saltzman: Aye. **Sten:** Aye. **Katz:** Mayor votes aye. [gavel pounded] thank you. 916.

Item 916.

Katz: Roll call.

Saltzman: Aye. **Sten:** Aye. **Katz:** Mayor votes aye. [gavel pounded] 917.

Item 917.

Sten: Back in april the council passed unanimously a resolution I brought forward authorizing myself and the water bureau to begin discussions with other water providers in the region on the idea of potentially regionalizing the water system. Still the right direction to go and we're working on it as people can imagine we have not been as focus order this over the last couple months as we had expected because we've had computer issues to deal with. Near the end of that conversation, one of the citizens pointed out it didn't say explicitly in the resolution that we wanted citizen participation. I think it was evident that everybody in the council wanted citizen participation, it then became clear we didn't amend the resolution and so I said i'd bring back an update to put formally into the resolution we want citizen participation, expect that to happen. And also as part of this, use it as a chance to give a brief update on where we are. We've had two meetings of about 50 people who are all of the regional water providers throughout the region. There's 26 regional water entities that do water in the region, and three sources of water. The tualatin, clackamas, and bull run. At the heart of things that's what we're trying to figure out, is how do you -- you get a more efficient and cooperative system, and it's been my belief for some time that the -- though all of us make I think smart decisions, each of our smart decisions when there's 56 of us doesn't always add up to what would be the best decision for the system. We've really asked each of the entities because there's no coercion in this, people respect forced to take part, do they really want to dig into this. And what's happened is really four cities have emerged, so a total of five, along with the tualatin water valley district, the clackamas water district, and powell valley. Those four cities -- five cities including Portland are now going to dig into some much deeper discussions. It's still conceptual, we're not spending money on studies and all of those things at this point, but we're trying to get to, is there a conceptual agreement the cities could get to that would -- I will then bring back sometime this fall to see if we're interested in moving forward. At this point I think most of the conversation is revolving around the concept of a supply merger as opposed to a complete system merger, because I think the december tails of a complete system merger will take longer to think through. So what I want to do is make an explicit that citizens will be involved in this from throughout the region, these are both sues of passion and there's contentiousness around what source of water would be used. The water advocates tend to want to see things very clearly

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defined, so I thought better to put 90 writing, although I think it was our intent all will along that citizens will be a big part of it. I vie -- see scott is here -- did you want to say anything? Scott's been tracking this very closely, which I appreciate. That's the background.

Katz: Anybody want to testify? Roll call.

Saltzman: Looks like great -- another good step forward and a necessary one, too. There's a lot of public who are keenly interested in these issues. Aye.

Sten: Aye.

Katz: Aye. [gavel pounded] thank you, everybody. We stand adjourned until 2 o'clock. [gavel pounded]

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

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Katz: Council will come to order. Karla please call the roll.

Saltzman: Here. **Sten:** Here.

Katz: Present. Commissioners Francesconi and Hales are on vacation. All right. 918.

Item No. 918.

Katz: Okay. Nobody's here. Okay. Any questions?

Saltzman: I have one question.

Katz: Come on up.

Saltzman: Just in going over the final decision on page 36, paragraph b, which refers to classes at the school shall have the majority of the students have their first class either no later than 7:15 or no earlier than 9:00 a.m., I guess we were a little concerned about what does it mean to have the majority of the students. So, could, in other words 50% or 51% of the students come before 7:15 or after 9:00 and then we could have 49% of the students come in between 7:15 and 9:00? And I understand there will be no drop-offs or -- allowed under this decision between that period of 7:15 and 9:00, right? There's an absolute prohibition on student drop-offs during those times. I'm wondering, are we setting up a situation where we're actually going to have a lot of students starting classes during this time and want to not have them starting classes, by using that word "majority."

Miriam Hecht, Office of Planning and Development Review: Miriam Hecht, opdr. This was taken from the wording from the hearings officer's decision, which was appealed, which was the majority need to start before 7:15. The applicant, slash, appellant, wanted the asked for -- the opportunity to have them avoid the 7:30-8:30 hour by having them start before or after. I don't recall discussion that it would be all of this changing the wording. I don't have any problem with it being changed, but I think this is -- I think this is what the issue was.

Katz: All right. Further discussion?

Saltzman: Okay.

Katz: I'll take a motion.

Sten: Move we adopt.

Saltzman: Second.

Katz: Move adoption of the findings to 918. There's a second. Roll call.

Saltzman: Aye.

Sten: Aye.

Katz: Mayor votes aye. [gavel pounded] thank you, everybody. This is a very short agenda, and we stand adjourned. [gavel pounded]

At 2:08 p.m., Council adjourned.