



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 1ST DAY OF AUGUST 1, 2001 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Hales and Sten, 4.

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

Item Nos. 924, 925, 931 were pulled for discussion and, on a Y-4 roll call, the balance of the Consent Agenda was adopted

<p>919 TIME CERTAIN: 9:30 AM – Accept the South Portland Circulation Study Report and Recommendations (Resolution introduced by Commissioner Hales) Motion to accept South Portland Circulation Study Report and Recommendations minus pro-time parking: Moved by Commissioner Hales and seconded by Commissioner Francesconi. (Y-4)</p>	<p>Disposition:</p> <p>36014 AS AMENDED</p>
<p>920 TIME CERTAIN: 10:30 AM –University of Portland, Worksystems, Inc. and Rewarding Youth Achievement Partnership findings and recognition of high achieving students for the development of a business plan for University Park Community Center (Report introduced by Commissioner Francesconi) Motion to accept report: Moved by Commissioner Hales and seconded by Commissioner Sten. (Y-4)</p>	<p>ACCEPTED</p>
<p>CONSENT AGENDA – NO DISCUSSION</p>	
<p>921 Vacate a certain portion of NE Mallory Avenue between NE Russett and NE Baldwin Street, and a portion of NE Baldwin Street between NE Mallory Avenue and NE Martin Luther King Jr. Boulevard, under certain conditions (Ordinance by Order of Council; C-9842)</p>	<p>PASSED TO SECOND READING AUGUST 8, 2001 AT 9:30 AM</p>
<p>922 Vacate a certain portion of NE Baldwin Street west of NE Martin Luther King Jr. Boulevard, under certain conditions (Ordinance by Order of Council; C-9990)</p>	<p>PASSED TO SECOND READING AUGUST 8, 2001 AT 9:30 AM</p>
<p>Mayor Vera Katz</p>	

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<p>923 Approve the application of Gateway Plaza Investments LLC for a ten year property tax exemption for a Transit Oriented Development project (Resolution) (Y-4)</p>	<p align="center">36013</p>
<p>S-*924 Authorize the Purchasing Agent to sign a Purchase Order as a contract with SAS Institute, Inc. for annual software maintenance in the amount of \$70,000 without advertising for bids (Ordinance) Motion to Substitute: Moved by Commissioner Hales and seconded by Commissioner Francesconi. (Y-4)</p>	<p align="center">SUBSTITUTE 175828</p>
<p>S-*925 Authorize the Purchasing Agent to sign a Purchase Order as a contract with Computer Associates International, Inc., for three years of Software License and Maintenance (Ordinance) Motion to Substitute: Moved by Commissioner Hales and seconded by Commissioner Francesconi. (Y-4)</p>	<p align="center">SUBSTITUTE 175829</p>
<p>*926 Authorize acquisition of vehicles for use by City bureaus (Ordinance) (Y-4)</p>	<p align="center">175797</p>
<p>*927 Authorize a contract with U.S. Bank Corporate Payment Systems for the provision of a corporate credit card for the purchase of travel services (Ordinance) (Y-4)</p>	<p align="center">175798</p>
<p>*928 Agreement with David M. Corey to perform psychological examinations of Community Police Officer candidates not to exceed \$125,000 (Ordinance) (Y-4)</p>	<p align="center">175799</p>
<p>*929 Agreement between Clackamas County Sheriff's Office to provide access to the Portland Police Data System (Ordinance) (Y-4)</p>	<p align="center">175800</p>
<p>*930 Accept assignment of assets from Classical Chinese Garden Trust, an Oregon non-profit corporation (Ordinance) (Y-4)</p>	<p align="center">175801</p>
<p>*931 Pay claim of Merrick Bonneau (Ordinance) Motion to refer to Commissioner of Finance and Administration: Moved by Commissioner Hales and seconded by Commissioner Francesconi. No objections. Gaveled down by the Mayor.</p>	<p align="center">CONTINUED TO AUGUST 22, 2001 AT 9:30 AM</p>
<p>*932 Pay claim of Tiffany Lamberth (Ordinance) (Y-4)</p>	<p align="center">175802</p>
<p>*933 Pay claim of Kathleen Rowlands (Ordinance) (Y-4)</p>	<p align="center">175803</p>

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<p>*934 Authorize execution of First Amendment and Supplemental Declaration of Urban Center Condominium (Ordinance) (Y-4)</p>	<p align="center">175804</p>
<p align="center">Commissioner Jim Francesconi</p>	
<p>*935 Authorize an Intergovernmental Agreement with the City of Gresham and Multnomah County for strategic plans to deliver pre-hospital emergency medical care and establish an Emergency Medical Services Advisory Council (Ordinance) (Y-4)</p>	<p align="center">175805</p>
<p>*936 Grant a conservation easement at Forebay Slough within Portland International Raceway to Tri-Met for use as a compensatory wetland mitigation site in connection with the North Interstate Max Light Rail project (Ordinance) (Y-4)</p>	<p align="center">175806</p>
<p>*937 Contract with Jeanne Lawson Associates, Inc. for \$19,716 to provide public involvement services for the Waterfront Park Master Plan project (Ordinance) (Y-4)</p>	<p align="center">175807</p>
<p>*938 Contract with EDAW, inc. for \$185,000 to provide planning services for the preparation of a master plan for Waterfront Park (Previous Agenda 884) (Y-4)</p>	<p align="center">175808</p>
<p align="center">Commissioner Charlie Hales</p>	
<p>*939 Amend Intergovernmental Agreement with the Oregon Department of Transportation to provide additional federal dollars for the N Columbia and N Lombard at N Burgard intersection Improvement Project (Ordinance; amend Agreement No. 51001) (Y-4)</p>	<p align="center">175809</p>
<p align="center">Commissioner Dan Saltzman</p>	
<p>*940 Authorize a contract with Peter B. Tobey for sewer mapping technical support services and Net-Map license upgrades for the Bureau of Environmental Services and provide for payment (Ordinance) (Y-4)</p>	<p align="center">175810</p>
<p>*941 Authorize an Intergovernmental Agreement with the Pacific States Marine Fisheries Commission to assist the City by providing expert personnel services to develop a prompt and cost-effective clean up of contamination and restoration of natural resources in the Portland Harbor (Ordinance) (Y-4)</p>	<p align="center">175811</p>
<p>*942 Designate a sewer easement within property owned by the City and Portland Parks and Recreation (Ordinance) (Y-4)</p>	<p align="center">175812</p>

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Commissioner Erik Sten		
*943	Agreement with Unity, Inc. for \$126,680 for outreach services to homeless individuals with mental illness and provide for payment (Ordinance) (Y-4)	175813
*944	Agreement with Transition Projects Inc. for \$1,619,462 for shelter and services for homeless men and women and provide for payment (Ordinance) (Y-4)	175814
*945	Agreement with Housing Development Center for \$51,850 for the Contractor Support Program and provide for payment (Ordinance) (Y-4)	175815
*946	Agreement with Housing Development Center for \$124,694 for technical services to non-profit developers of affordable housing and provide for payment (Ordinance) (Y-4)	175816
*947	Agreement with Catholic Charities for \$24,142 to provide the Asian Youth Outreach Project and provide for payment (Ordinance) (Y-4)	175817
*948	Agreement with Human Solutions, Inc. for \$80,000 to support development of affordable housing and provide for payment (Ordinance) (Y-4)	175818
*949	Agreement with Central City Concern for \$310,843 for the CHIERS Outreach program and provide for payment (Ordinance) (Y-4)	175819
*950	Agreement with worksystems inc. for \$543,873 for the Comprehensive Youth Employment Program and provide payment (Ordinance) (Y-4)	175820
*951	Agreement with Oregon Human Development Corporation for \$29,126 to provide resources and services to Hispanic residents at Glisan Street Shelter and Clark Center and provide for payment (Ordinance) (Y-4)	175821
*952	Agreement with Network Behavioral Healthcare, Inc. for \$70,000 for the rehabilitation of properties to create rental housing for people with mental illness and/or drug and alcohol addiction and provide for payment (Ordinance) (Y-4)	175822
*953	Agreement with Northwest Housing Alternatives for \$74,000 for the acquisition and rehabilitation of affordable rental housing and provide for payment (Ordinance) (Y-4)	175823

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<p>*954 Agreement with Southeast Uplift Neighborhood Program for \$43,554 to conduct citizen participation activities in Bureau of Housing and Community Development target areas and Housing and Community Development-eligible neighborhoods and provide for payment (Ordinance) (Y-4)</p>	<p align="center">175824</p>
<p>*955 Agreement with the Housing Authority of Portland for \$105,000 for paint stabilization in the Tenant-based Section 8 program and provide for payment (Ordinance) (Y-4)</p>	<p align="center">175825</p>
<p>*956 Agreement with Community Alliance of Tenants for \$38,300 for the Renter Stabilization and Education Program and provide for payment (Ordinance) (Y-4)</p>	<p align="center">175826</p>
<p>*957 Agreement with One Economy Corporation for \$25,000 for the One Economy Technology Access Project and provide for payment (Ordinance) (Y-4)</p>	<p align="center">175827</p>
<p align="center">REGULAR AGENDA</p>	
<p>*958 Apply for a \$930,157 grant from U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the purpose of crime reduction, improved public safety and enhanced community livability (Hearing; Ordinance) (Y-4)</p>	<p align="center">175830</p>
<p>959 Call upon national leaders to support an international greenhouse gas reduction treaty that is at least as aggressive as the Kyoto protocol and reaffirm City commitment to reducing local greenhouse gas emissions (Resolution introduced by Mayor Katz and Commissioners Saltzman and Sten) (Y-4)</p>	<p align="center">36015</p>
<p align="center">Mayor Vera Katz</p>	
<p>960 Authorize a temporary loan from the Sewer System Construction fund in the amount of \$1 million to the Interstate Corridor Fund to provide interim financing for the Piedmont Place Mixed Use Development Project (Resolution) Motion to continue to August 8, 2001: Hearing no objections, gavelled down by the Mayor</p>	<p align="center">CONTINUED TO AUGUST 8, 2001 AT 9:30 AM</p>
<p>*961 Authorize execution of Letter of Intent for Multifamily Housing Revenue Bonds in an amount not to exceed \$20 million and Economic Development Revenue Bonds in an amount not to exceed \$10 million for Museum Place South Project (Ordinance) (Y-4)</p>	<p align="center">175831</p>

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*962 Apply for a U.S. Department of Justice, Office of Community Oriented Policing Services, Justice Based After School Initiatives Grant (Ordinance) (Y-4)	175832
*963 Contract with Michael Willis Architects, Inc. to provide architectural and engineering services for the remodel of Fire Stations 5, 13, and 42 (Ordinance) (Y-4)	175833

At 12:27 p.m., Council recessed.

AUGUST 1, 2001

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 1ST DAY OF AUGUST, 2001 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Hales, Sten, 4.

OFFICERS IN ATTENDANCE: Susan Parsons, Acting Clerk of the Council; Frank Hudson Deputy City Attorney; and Officer John Scruggs, Sergeant at Arms.

<p>S-964 TIME CERTAIN: 2:00 PM - Amends the Comprehensive Plan map, zoning map and code to implement the Northwest Transition Zoning Project, transitioning an area in Northwest Portland from Industrial to Employment designations to facilitate mixed use development and limit development of inactive uses including Electronic Equipment Facilities near the Portland Streetcar (Previous Agenda 873; introduced by Mayor Katz; amend Title 33)</p> <p>Motion to accept substitute ordinance: Moved by Commissioner Hales and seconded by Commissioner Sten. Hearing no objections, the motion was gavelled down by the Mayor.</p> <p>Motion to continue to August 8, 2001: Hearing no objections, the motion was gavelled down by the Mayor.</p>	<p>SUBSTITUTE CONTINUED TO AUGUST 8, 2001 AT 2:00 PM TIME CERTAIN</p> <p>RESCHEDULED TO AUGUST 9, 2001 AT 2:00 PM TIME CERTAIN</p>
<p>*965 TIME CERTAIN: 3:00 PM – Adopt findings, approve an alternate contracting process, create an exemption to the competitive bidding requirements of ORS Chapter 279, contract with the highest scoring evaluated proposal, and provide for payment for purchase of a Central Pay Station System (Ordinance introduced by Mayor Katz)</p> <p>(Y-4)</p>	<p>175834</p>
<p>966 TIME CERTAIN: 3:45 PM – Discuss and approve Police Internal Investigations Auditing Committee Quarterly Monitoring Report per City Code 3.21.085(5) (Report introduced by Auditor Blackmer)</p> <p>(Y-4)</p>	<p>ACCEPTED</p>

At 3:40 p.m., Council recessed.

At 3:45 p.m., Council reconvened.

At 5:06 p.m., Council recessed.

AUGUST 2, 2001

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

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Hales, Sten, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Frank Hudson Deputy City Attorney; and Officer Peter Hurley, Sergeant at Arms. Officer Hurley was relieved by Officer John Scruggs at 2:30 p.m.

<p>967 TIME CERTAIN: 2:00 PM – Amend Title 33, Planning and Zoning, to clarify multiple regulations (Ordinance introduced by Commissioner Hales; amend Title 33)</p> <p>Motion to accept the amendment for consideration August 8, 2001: Moved by Commissioner Hales and seconded by Commissioner Francesconi.</p>	<p>CONTINUED TO AUGUST 8, 2001 AT 9:30 AM AS AMENDED</p>
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At 2:33 p.m., Council adjourned.

GARY BLACKMER
Auditor of the City of Portland

By Susan Parsons
Acting Clerk of the Council

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.

AUGUST 1, 2001 9:30 AM

* * * [Roll call]

Katz: Commissioner Saltzman is on vacation and commissioner Francesconi, while you were on vacation we elected you as president of the council.

Hales: See what happens?

Katz: See what happens? For those who are watching, we rotate this. We don't actually have an election, we appoint them. But we do have an election, but it's not really -- never mind.

Hales: Not very exciting.

Katz: Welcome back. Commissioner Hales, you look very healthy.

Hales: Thank you.

Katz: Consent agenda. Items to be pulled off. Item 924, 925. There are substitutes and we'll need to move those substitutes. 931, we had some discussion early this morning on 931. I want to pull it and bring it back to our office until there's a legal settlement with the parties. I guess the settlement isn't complete and it's really not appropriate for conversation until the lawyers talk to each other. So I'd like that consideration. Any other items to be pulled off the consent agenda? Anybody in the audience wanting to pull a consent agenda item? Roll call on consent agenda.

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

Katz: Mayor votes aye. [gavel pounded] thank you. 924.

Item 924.

Parsons: Authorize the purchasing agent to sign a purchasing order as a contract with sas institute for annual software maintenance in the amount of \$70,000 without advertising for bids.

Hales: Move to substitute.

Katz: Do I hear a second?

Francesconi: Second.

Katz: Any objections? Hearing none, so ordered. [gavel pounded] anybody want to talk to us about it? Roll call.

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

Katz: Mayor votes aye. [gavel pounded] 925.

Item 925.

Parsons: Authorize the purchasing agent to sign a purchase order as a contract with computer associates international for three years of software license and maintenance.

Hales: Move to substitute.

Katz: Do I hear a second?

Francesconi: Second.

Katz: Any objections? So ordered. Roll call.

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

Katz: Mayor votes aye. [gavel pounded] 931.

Item 931.

Parsons: Pay claim of merrick bonneau.

Katz: It is a legal matter, and what I'll do, we're not going to vote on it today to give you time to discuss these issues with your attorney or another attorney and our city attorney. It's a risk

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management issue. I'm going to pull it back to my office and we'll wait until this is settled, okay? Because we won't -- we just aren't going to discuss legal matters in front -- that's up to the parties at hand. So I'll take a motion and a second to pull this back into my office.

Hales: So moved.

Francesconi: Second.

Katz: Any objections? Hearing none, so ordered. [gavel pounded] it will be back on the calendar when you all settle. All right. I know people have been waiting for this for a very long time. I mean a very long time. John perry doesn't have hair anymore. [laughter] all right. 919.

Item 919.

Katz: Commissioner Hales?

Hales: You're right, a lot has happened while these folks have been earnestly working on this set of issues. Children have been born, have been raised, have gone to college. Whole chapters of people's lives have been led while this work has been done. But more importantly, we can perhaps be disgruntled or a the amused by how long people have been working on these problems in south Portland. But the fact we're here now, the fact you have a plan in front of us that has community support and community understanding and great technical work done by the team we're going to hear from, indicates really that what's really happened in that 20 years is that the transportation philosophy that caused this mess in the first place, that is a philosophy of the 1950s and '60s that transportation was about moving cars through people's neighborhoods, has been rejected, and has been replaced by a philosophy about supporting neighborhoods and having transportation support the quality of the place rather than the speed of the movement. Now, the philosophy's changed, but a lot of concrete that got poured in the old era is still here. That's the challenge is south Portland, is how do we remodel what was built with the wrong philosophy. How do we find the ways and means to get started, how do we prioritize projects, how do we start correcting the mistakes that we now know were mistakes and were literally cemented into place in this set of neighborhoods. So that's I think the important thing about why this -- although this has taken so long, something really important has changed during that time period, and the philosophy of this city has -- as reflected by this council and the people who work for us and our consultants and people in the neighborhood that's have worked so hard on this, we know where we want to go now, and I think that's exciting. So I really commend, and you're going to hear from some of them today, john and others, citizens who've carried this torch ask worked so hard on this and worked so well with laurel and rob who are here to make this presentation this morning. I want to thank all of you not just for patience, but for clarity about where we should be going as a city and in this part of the city in particular. So with that, i'll turn it over to the team.

Katz: Okay, team. You have a problem.

Laurel Wentworth, Office of Transportation: I have before you just as a matter of record, i'm laurel, from the avenues of transportation, with me is rob bernstein, our primary consultant along with david -- we should say that we were here in 1978 when this actually occurred the first time.

Katz: Both of you?

Wentworth: Yes.

*******:** The report came out the week before I started with the city.

Wentworth: So there's some historic continuity. You'll have to forgive us if we go through this particular presentation and we have some slippage, because we're having some glitches here with our computer from our office. And the compatibility. Can you all see this on your screen?

Katz: No. It --

Wentworth: It appears I have a screen or you do, but not both.

Katz: If that's the case --

Wentworth: I'll go to the paper copy.

Katz: Is it up there?

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Wentworth: It isn't as of yet.

Katz: It's a problem with their --

Wentworth: Okay, to the paper copy. I apologize for that.

Katz: Could you move that a little bit so the public can see that? I guess that would be the only one that would make any sense for them.

Hales: We've got that in front of us.

Katz: We do. Go ahead.

Wentworth: The south Portland circulation study is familiar to all of Portland residences. At one time or another we all used this transportation crossroads to get someplace in the region. Getting to the ross island bridge or going north or south on i-5 or 405, we all -- it all requires travel on that street system. That's why we're here today.

Katz: Move closer to the mike.

Wentworth: Sure. Just so you know, i'm going to say turn to the next page. If you turn to the next page and look at the problems we're trying to solve, we're trying to solve through this analysis hinge on everyone's daily travel experience as you go through the study area. Laurel hill community has become a crossroads for the regional transportation system. Regional traffic is routed along collector streets in the neighborhood instead of the freeway ramps in most locations. And the community has been physically separated from the downtown, river, and itself due to the incremental roadway construction. Next slide. Historically south Portland has been a vibrant community accessible to downtown and the waterfront. Local streets welcome residents to chat with businesses that are along its way. The next slide. As you can see, south Portland in the 1880s had a complete street grid network connected to downtown and the industrial water front. The next slide shows first avenue that was a shopping street, offered a place for local residents to chat with business owners in that area. And then we have a slide of the ross island bridge as it was originally constructed as a t-intersection. The next slides show that fairly graphically. As commissioner Hales was saying, we've layered this transportation system over the number of years, and the next slide shows in the late 1940s, the ross island west end ramps changed that intersection design to the spaghetti that exists today. Both naito parkway, then front avenue, was more of an express way system, joining that outer southwest with barbur boulevard and downtown, severing the neighborhood. With that historical perspective in mind, the committee developed a number of objectives, evaluation criteria and alternatives. To see what was possible in this area.

Robert Bernstein, Consultant: Before laurel describes -- i'm robert bernstein, do I need my address too?

Katz: No.

Bernstein: Consulting transportation engineer. Before our -- laurel describes the alternatives, we wanted to give a brief summary of some of the front end technical analysis that we did. I do mean brief. Before we got started at the beginning of this process to develop specific alternatives to evaluate, we wanted to get a good understanding of the congestion and flow problems and what exactly was causing those problems in order to be able to address those problems directly with the alternatives we were developing. We had two basic findings that were of interest throughout the course of the study. First is that there is a significant volume of regional traffic on the local streets in the study area, that was no great revelation, and if we could move that local -- that regional traffic off the local streets, that would free us up to do a lot of things in the neighborhood. That's not much of a revelation either, but what was a revelation was that the volume of regional traffic in the area was not so great that removing it was a prerequisite to doing anything in the neighborhood. In other words, we could proceed with a whole series of improvements before regional traffic was removed. The second main conclusion, finding that we reached was that the traffic congestion in the area, including the barbur sheridan area, was not caused so much by just an overwhelming volume of traffic inundating the street system, but rather there were a couple of primary bottlenecks and

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congestion points whose impacts backed up traffic through the area and caused -- created a lot of the problems. Those two are shown on the map, hopefully you're looking at the congestion points in the study area screen. In the upper left one of those bottleneck points was the northbound onramp to i-405, which backs traffic up all the way through the study area. The other point is the ramp that comes up from arthur parallel to naito and swings over to the ross island bridge. That ramp would back up and send traffic backing up all the way through the study area. What we were careful to do in the alternatives development process is to include solutions for those two bottlenecks and all the alternatives in order to make the whole system work.

Wentworth: Using that information and the study objectives as our guide, we developed five alternative transportation networks that really covered a great range of possibilities. Essentially trying to keep naito parkway as more of a local street and taking the regional traffic around that neighborhood. Coupled with each one of those alternatives, we looked also at a set of land use objectives, actually took into consideration the urban design features of those particular land use objectives we were trying to obtain and look at the economics of actually building out some of those lapped use objectives as well. The advisory committee showcased all of those alternatives at two open houses in numerous neighborhood meetings and selected three of the most promising from those discussions. We prepared some traffic forecasts and simulated operations for each of those three alternatives and also tested them with and without a set of regional connections. New ramp connections that would facilitate what commissioner Hales was talking about in trying to remove the nonlocal traffic from the community and get it to the edge of the community itself and reconnect it with new regional ramps. I might add that keystone to all of these alternatives was the removal, or is the removal of the west end of the ross island bridge ramps. That's key to all three, let's underscore that. You do gain from that about four acres of redevelopable land that currently is within right of way in the spaghetti that you see there now. So to just make sure that you're with us here in terms of the alternatives, the three alternatives we looked at more specifically are at the end of your packet, the colored pages that you see. Alternative two of the three that we looked at was a five-lane-wide very traditional urban kind of treatment, arterial kind of treatment. Four lanes of traffic, center left turn lanes, very traditional kind of look. Reconnecting also key to all three, reconnecting the east-west streets across naito parkway. Currently that is not an opportunity for the neighborhood to even get across it. As well as widen sidewalks, a standard type of material approach. The fourth alternative that we looked at was more of a limited access boulevard. Same kind of situation where you would have four lanes of traffic, but a center median that was very wide, about 30 feet. But in doing so, would not allow for left turns at a lot of the access streets that some of the alternatives were looked at. Very little cross movement east and west, and very much similar to that which you have today. So finally, the third alternative promised that we actually looked at in detail, and the one we are presenting to you today as our preferred design alternative of both the advisory committee and staff, and rob can point out to you since it's easier for you to see the larger graphic that we have here, or to refer to the last page in your packet, which is the 11-by-17 map. Alternative 5-a, and maybe a little --

Hales: We've got it.

Wentworth: A dozen number of things. Its features are as follows. The neighborhood street design for naito parkway provides for two lanes of traffic, bike lanes, all-day on-street parking, curb extensions, widen sidewalks, street trees, and ornamental street lighting. And reconnects, as we stated earlier, the east-west streets, making naito parkway a much more friendly neighborhood kind of street. In addition, like all the other alternatives we looked at, removal of the ross island bridge ramps is key to this particular alternative as well. It's that first step in removing that regional traffic to the edge of the neighborhood rather than through the middle of it. And again, just as an aside, we do retain about four acres of developable land at the bridge head and the edges of naito parkway. We're bringing this recommendation to you after much discussion with the advisory committee and

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the community over very long period of time, as you all mentioned. We do know that we have technical findings competing policy objectives and community values we've tried to associate with this particular alternative. And from the beginning of this study the advisory committee realized that the existing transportation system was untenable now and will continue to be unless specific recommendations are made to change that. They also understood building a wall around their community wasn't acceptable either. This is a compromise between all parties involved, both from a staff point of view, the community at large as well as the local community in lair hill. And for those reasons, we're bringing this compromise to you as that first step. We are not presupposing that all issues have been analyzed to their fullest extent. We're looking for the possibility in the near term future to continue this work and -- into preliminary engineering once funding is solid identified to do so, and to continue that out and back to this council after we've resolved some of the issues that still abound. With that, we'll make one note that there is fairly structured testimony from the advisory committee.

Katz: I think i've got that in front of me here. Thank you. Questions of laurel? Or rob? All right. Ernie Munch. It's so structured that we have a time limit on you, which is three minutes.

Ernie Munch, Historian : I hope to make it three. I'm not a member of the advisory committee, but i'm a veteran. I've been asked to talk -- my name is ernie munch. I've been asked to speak about the history of south Portland and the south Portland circulation study. South Portland is an important regal transportation corridor squeezed between the willamette river and the Portland west hills. Vital to the economic well being of downtown, the outer southwest and the east side. It's also a diverse and richly textured area, containing a nationally known medical facility and large waterfront tracks that hold great promise for Portland's future n 1842, william johnson built Portland's first log cabin in south Portland. In -- from the 1860s to the 1920s, late 1920s, south Portland became a settlement neighborhood for italian catholics and east european jews. Black pioneer family arrived in Portland shortly after the civil war and settled in south Portland in 1865. Portland's first horse drawn streetcar line terminated at first and porter streets near lair hill in 1886. That line was later electrified and extended south and the neighborhood grew as a streetcar suburb of downtown Portland. In 1827, the ross island bridge was constricted and first fit fairly well into the neighborhood and 1835, barbur boulevard changed from a rail of -- rail right of way to a highway. Then in 1943, harbor drive was constructed connecting front avenue to harbor drive, and to barbur boulevard. This cut the streetcar line in the -- and the adjacent retail development and cut through the heart of the neighborhood. The late 1940s and early '50s, the on~ ramps were constructed to join the bridge to front avenue and harbor drive. The '50s and '60s brought the interstate system and the urban renewal. In the 1970s, harbor drive, the city's busiest arterial were closed and the seeds of light rail were planted. In 1978, Portland's first south Portland circulation study surfaced. It was focused on clarifying the system and consolidating the fragmented -- that report was accepted by council but tabled until the transit system had time to develop and other parts of the highway system could be adjusted. In the 1990s, the intersection of barbur and terwilliger was remodeled, and allowed for southwest residents in the outer southwest to have an alternative route to the downtown via berthra boulevard and i-5. That project triggered the revival of the south Portland circulation study, so we are here today. I encourage council to adopt the staff report with two exceptions. The front avenue -- the future of front avenue naito parkway shall be returned to the neighborhood, and in addition the southwest woods should knot be connected to the bridge ramps. This brings no benefit to the neighborhood and would interfere with the flow of regional traffic through the area. It is now time to reunite this neighborhood that has been slice and diced by a series of transportation improvements that no longer make sense to the user and do not well serve the region that is poised on future growth. It is time to reinforce this area as a good place to live and work, and start the process that will bring structure and organization to the city's

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transportation system and continue growth of the core. I'd like to thank the city staff, especially laurel, for keeping track of this all those years, and the citizens.

Katz: Thank you.

Hales: A couple quick questions. I understand your point about southwest woods, and I want to give -- get staff to explain that intersection, because I don't understand how that would work the way it's drawn. I -- your point is that connection simply shouldn't happen, right?

Munch: I think it encourage cut-through traffic in the neighborhood, and it also would complicate that intersection and possibly slow down the flow on the regional parts of the system.

Hales: Then if we did that, what about porter?

Munch: I don't understand the question.

Hales: Porter is the next street to the north.

Munch: I can't speak to that.

Hales: I'll get back to that. Your point about the right of way on naito is that it's now --

Munch: I have no idea how wide it is now, maybe 100 feet. The proposed study would reduce that to 48 feet, but I think it should be further reduced to 36. I believe the idea is to continue to use it in emergency purposes for regional traffic flow, and I don't think that's appropriate.

Hales: Okay. Thank you.

Katz: Thank you. Commissioner Hales, before we continue, we're probably going to get recommendations for amendments. We are accepting the report. How do you want to build that in?

Hales: I -- I haven't thought that through. I want to hear those issues, then maybe we'll deal with that at the end in terms of recommendations for modifications.

Katz: We've got three seats. John perry, janet kelly, steven Leflar. Come on up. You have three minutes. John, why don't you start.

John Perry, Corbett Terwilliger: Thank you. It's my understanding we could get a little more than three minutes, since this was the neighborhood presentation.

Katz: I've got -- you're right. I've got about 15 minutes here. Some of you can take more, some of you can take less, and we'll wink for an extra five.

Perry: Okay. Thank you. Good morning, my name is john perry. I live at 3430 southwest first avenue. I represented the corbett terwilliger light rail hill neighborhood. I will testify today on a panel of other ctih neighbors, following me will be janet kelly, ctih board president, and three other members of our neighborhood who served with me on the citizen technical advisory committee, steven, cheryl, and jim. We all recommend the council adopt this report with some crucial exceptions and conditions. There's a lot of -- about this report that is very good. It goes a long way toward achieving its goals to remove nonlocal regional traffic from the heart of the neighborhood. The architect has spoken and written extensively about the elements of a healthy neighborhood. Using criteria -- this plan starts moving us in the right direction. He says a neighborhood should have a center and an edge. The boundaries of the neighborhood form strong edges but we don't have a center. The gee graphic center neighborhood is taken up by the ramps to the ross island bridge and naito parkway. This plan will provide an opportunity for a center. We see the potential to develop this as a vibrant neighborhood center with commercial services, public services, and open space. Neighborhoods could have a network of interconnected streets. Today naito parkway and the bridge head interrupt neighborhood streets and divide south Portland into three small islands -- lair hill, the western portion of the study area, corbett, the southeastern portion of the study area, and the small area occupied by the naturopathic college. This plan would tie these three pieces together, again, by restoring the grid of streets that was lost over a half century ago. Finally, neighborhood streets should be detailed to provide equally for the pedestrian, the bicycle and the automobile. Currently naito parkway and the bridge ramps accommodate only the automobile. The earlier south Portland circulation study on the other hand totally shut off front avenue at the north

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and south ends. I think that planned erred on the side of accommodating the pedestrian and the bicyclist. This plan goes a long way toward finding the right balance. I asked the council to adopt the recommendations and the report with the following three exceptions. One, remove any consideration of pro-time parking. This is the first item listed in the recommendation for further study. Two, specify naito parkway have a 36-foot-wide curb-to-curb width, and three, immediately start the process of funding preliminary engineering, the next step toward making this become a reality. I will start with my reasons for eliminating pro-time parking. Pro-time parking will remove cars in the peak hour peak direction of traffic flow. It would further tilt the balance away from pedestrians and bicyclists in favor of the automobile. It defeats the study objective to, quote, take local -- take nonlocal regional traffic out of the heart of the lair hill neighborhood. On-street parking serves a number of important functions. It represents a safety zone separating pedestrians from moving cars. This makes walking more inviting and safer. Inner city shops benefit from on-street parking. Every car parked on the street reduces the need for parking lots. This in turn increases the land available for commercial services and housing. Finally, the issue of pro-time park assisting one that in the final analysis will be based on judgment rather than technical studies. Traffic analysis already shown that a two-lane naito parkway will accommodate peak hour traffic. If the question is whether pro-time parking accommodate more cars, we don't need a traffic engineer. We all know the answer is yes. If the question is whether pro-time park assisting good for the neighborhood, we know the answer is no. Why prolong the issue by including it among the items to study in the preliminary engineering phase? Simply kill the idea today. Item two on my list is 36-foot-wide street. The plan recommends resolving the issue of naito parkway width in the next phase. The report before the council shows a 48-foot-wide street. In my opinion, this is fully one-third wider than it should be. Just as with the pro-time parking issue, the issue of street width is largely an issue of judgment and should be resolved now. Many city planners have spoken and written about the benefits of Portland's 200-foot by 200-foot block system. I believe the typical 60-foot-wide ride of way and curb-to-curb width deserve equal praise. This is the traditional Portland street and it works as well on southwest morrison in downtown Portland as it does in our neighborhood on southwest corbett. This traditional width meets the standard by providing equally for the pedestrian, the bicyclist and the automobile. There are some design details that must be resolved later, such as the issues of curb extensions, street trees, street furniture, but I think the council should indicate their support for a 36-foot-wide street today. Finally, I want to talk about funding the next step. Our neighborhood has waited a long time to get to this point and we think it is our turn now. We patiently watched while other neighbors to the north and south got help. Harbor drive, historic continuation of naito parkway was closed in 1974 to create tom mccall park. In 1978, the council did not accept the first south Portland circulation study because of objections from outer southwest neighbors. We patiently waited while improvements were made to berthia boulevard and the terwilliger bridge-i-5 interchange. It has taken us almost ten years to get to this point and we're ready to take the next step now. Our neighborhood has survived despite government and not because of it. We have survived bull dozing, paving, upzoning and urban renewal, but like a weed in a parking lot, we keep growing and getting stronger. We think we have a great neighborhood. With your help today, we could be even better. Thank you.

Katz: Thank you, john. Go ahead.

Janet Kelly, President Corbett-Terwilliger-Lair Hill Neighborhood: I am janet kelly, I live at 6414 southwest virginia street, 97201. I am president of the corbett terwilliger light rail neighborhood -- lair hill neighborhood association. This resolution was passed by the association board on july 11th of this year. This letter expresses the enthusiastic support of the corbett terwilliger lair hill neighborhood association for the staff report and recommendations of the south Portland circulation study. Implementing these recommendations would bring substantial benefits to our city as a whole. These benefits include reclaiming five or more acres of new land for close-in

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urban housing in a range of types and income levels, and increasing opportunities for a variety of neighborhood retail businesses. Best of all, Portland would finally have a much more logical and efficient traffic connection between the ross island bridge and route 26 to the west. The corbett-terwilliger lair hill neighborhood association supports alternative 5-a. This option will create a stronger more livable south Portland neighborhood by achieving the following neighborhood goals. First of all, downsize southwest front avenue, naito parkway, so it becomes a neighborhood street. Similar in size and design to southwest corbett. Second, reunite the neighborhood by reconnecting the grid system of east-west streets in the neighborhood. This removes barriers to the free movement of all forms of transportation within the neighborhood. Third, put local traffic on local streets and regional traffic on regional roadways. Fourth, reduce traffic through the neighborhood and improve access for vehicles, pedestrians and bicycles within the neighborhood. Next, protect, preserve and enhance the historic nature of the neighborhood with emphasis on historical street patterns and the scale and design of new development. Then, improve pedestrian, bike and transit connections into the neighborhood, and provide developable land from the downsizing of southwest front avenue and nato parkway and the removal of the ross island bridge ramps, which would allow housing for a range of income levels and -- in densities comparable to the existing neighborhood, open spaces in park areas in keeping with the urban character of the neighborhood, and a neighborhood center that provides opportunity for civic buildings, plazas, convenient shopping and so forth.

Katz: Thank you.

Kelly: There's more. The corbett terwilliger lair hill neighborhood association is concerned about the following aspects of the current proposal. The pro-time parking. This feature would negate much of what could be accomplished by downsizing the veto. Pro-time parking turns the street back into a regional freeway. Pro-time parking requires a wider right of way which reduces the amount of developable land along the street. And once again we would be trading housing for freeways. Also, pro-time parking violates many of the goals and objectives adopted by the south Portland circulation study. The corbett terwilliger lair hill neighborhood does not support pro-time parking. And the -- we are concerned about the direct connection between the ross island bridge and southwest naito parkway. This proposed connection could create a new barrier which divides the neighborhood and encourage increased traffic on neighborhood streets that currently do not have regional traffic. Preliminary engineering and design should address that these -- the feasibility of this connection and should mitigate guns further dividing the neighborhood. The corbett terwilliger lair hill neighborhood association strongly urges the council to approve the south Portland circulation study recommendations. This is the first step. The next is to identify funding for design and engineering work and for actual construction. We plan to remain an active participant in this process of reuniting our neighborhood. Removing regional traffic from neighborhood streets, and developing reclaimed land in the neighborhood. Thank you.

Katz: Thank you.

Hales: Quick question to make sure we understand the pro-time parking issue. That is the -- make sure i'm using the same terminology -- is the use of a land during peak times for travel and then in nonpeak times for parking, one of the most visible examples is burnside on the east side through the laurelhurst neighborhood. That's one i'm very familiar with, where it's a four-lane -- two-lane street in one direction in the mornings and two-lanes in the other direction in the afternoons and a parking lane in the opposite lane. Or parking on both sides outside of peak lanes. That's proposed for naito parkway?

Kelly: That's correct.

Perry: That's proposed as an item for further study in the next phase.

Hales: Right. Okay. That's an issue to be considered in the next phase at this point you're saying dump it now. Okay. Gotcha. Thanks.

Katz: Okay. Steven.

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Stephen Leflar, Advisory Committee Member: Hi. I'm steven of 3404 southwest first. I would like to offer an intriguing historical perspective. In order to do that, we need to go back to the future. 30 years ago, this project was the future. And it still is. Confronted with endless lines of traffic from highways 26, 99, 10, 43, i-5, and 405, we might rather simply walk away. And that's what engineers have done for years, walked away. Millions have been spent in any other direction. North, the old interstate high was replaced by i-5 and the marquam bridge, plus the 405 ring road. Harbor drive was transformed into tom mccall park, south the terwilliger interchange was for hillsdale. East the mt. Hood freeway was stopped in mid-air and powell boulevard rebuilt. West, the highway 26 tunnel underground light rail, and massive improvements at sylvan. And what's been done for south Portland? The center of all this highway work? Last year, front avenue was repaved. That's it. In this area, no real traffic improvements have been made since the invention of the automatic transmission. Consider what south Portland has lost during that time. About 60 blocks to urban renewal, 50 acres of developed land to freeways, we've also lost 14 acres of parkland, several schools, groceries, a library, two community centers, we now host two to three dozen lanes of north-south traffic through our eight-block width. South Portland has become an immense traffic island. Regional traffic separates us from downhill -- I should say downtown, the hill, the river, and from each other. Yet this national historic neighborhood has grown 40% in 15 years. Though increasingly compromised by traffic intrusions, it's become a model of urban livability. Meanwhile, trucks with triple trailers and rigs up -- with up to 26 wheels wind through our local streets. They line up for blocks to run the gauntlet at the bridge head. As for the future, well, welcome back to it. After 25 years as you've said, it hasn't gone away. The south end is reviving with johns landing, north macadam and south Portland. Don't you think our future should embody the notion that transportation can be a part of the city, rather than replacing it? Last month charlie wisely said it's a question of place. The question begins with a quest. To mix south Portland -- to make south Portland a place to go to, not a place to go through. Please place this study and next year's budget for engineering and design working, making our old future a new one. Thanks.

Katz: Thank you. All right. Cheryl mcdowell and james gardner. Cheryl, why don't you go ahead.

Cheryl McDowell, Advisory Committee Member: I'm cheryl mcdowell, I live at 3431 southwest kelly. I've been a resident of the corbett terwilliger lair hill neighborhood for over 20 years. And I was a member of the south Portland circulation plan citizen advisory committee. I live just four blocks from john perry, but if I want to vest it john, I have to drive eight-tenths of a mile to get there. I would never consider walking, because it's just too dangerous for pedestrians to cross the current configure race of southwest nato parkway in our neighborhood. Under plan 5-a, our neighborhood would be reunited, and I could walk those four blocks. I live three blocks from the ross island bridge, so under the current configuration, I have an easy drive to get onto the bridge. Under plan 5-a, I would have to drive several more blocks to get onto the bridge. But that's fine. A little personal inconvenience is a small price to pay for reuniting a neighborhood. Another benefit of plan 5-a is that well over five blocks of land will be freed up for housing, commercial uses, and retail. The land that is currently paved over for bridge ramps and lanes on southwest nato park way can be turned into productive land with houses on it. As a neighborhood, we're willing to take on more housing and more density to help rebuild our neighborhood, thus taking the pressure off of other neighborhoods that do not want to increase the number of people living there. To make the most of the land that becomes available by downsizing southwest nato parkway to a neighborhood street, the street design must be the width of a neighborhood street, such as southwest corbett. The proposal for pro-time parking would significantly decrease the amount of land available for housing. Pro-time parking is a bad idea for retail and commercial purposes, since on-street parking is needed for businesses to succeed. And no one wants their apartment or home to face a high-

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speed commuter corridor. We want neighborhood streets with one lane of traffic in each direction, and on-street parking with new homes and businesses in our reunited neighborhood. Our neighborhood has been unduly impacted by regional traffic for too long. We are still not willing to accept traffic racing through our neighborhood. Now is the time for city council to adopt plan 5-a and do all that you can to implement the plan. Include funding for the preliminary engineering and urban design plans in the city's 2002 budget, and to delete the proposed study of pro-time parking from the preliminary engineering plan, since pro-time parking is not consistent with neighborhood goals or needs. Thank you.

Katz: Thank you. James?

Jim Gardner, Advisory Committee Member: Good morning. My name is jim gardner, I live at 2930 southwest second avenue I also have been a member of the citizen technical advisory committee for the south Portland circulation study. I was living in the neighborhood in the late '70s when the first study came to council. I remember coming down here in a greatly different room, and I and most of the neighborhood were very disappointed that that didn't go anywhere. We also saw there was a glimmer of hope out there in the future after other transportation improvements were made to serve the further parts of southwest. Those have happened, and that's why we're here today. I was asked to focus particularly on the transportation aspects of this recommendation. And it really achieves two key things. The first one is that it does take regional traffic out of the heart of the south Portland neighborhood and directs it around the neighborhood. But what that does actually for the city is provide a much more logical connection between those major arterials. A much more logical way of getting from the 26 tunnel to the ross island bridge or from downtown to the ross island bridge. As rob bernstein pointed out in his testimony, the people that crunched the numbers and looked at the traffic projected in the future and where it might be able to go have reached the conclusion that there is not so much of that regional traffic that we would cause any great problems by routing it in a different way around the neighborhood rather than through the neighborhood. This also really is the first step toward what the study in front of you calls regional solutions. These are some larger projects that will truly take the traffic from i-5 and get it to i-405 in a logical way. It will take traffic from macadam and get it to 405 in a more logical way. But doing what's in front of you today really does not depend on getting those regional solutions done. We really have a lot of confidence that those eventually are going to have to be done too, because those really are key to getting some decent transportation access to the north macadam area. The other major thing that this does is deals with the transportation within the neighborhood. As you've heard, nato parkway essentially is a wall dividing the neighborhood into three little pieces. Shrinking that down to a normal street will connect those pieces, but more than that it will make it possible for someone from outside coming to the whole south Portland area to have some idea where they're going and where their destination really is. I've gotten in the habit, my wife and i, of keeping a supply of inexpensive Portland maps, because there's not a week that goes by that some lost soul is not wandering around in front of our house saying, how do I get to the naturopathic college? Or any of those addresses over in that little island on the other side of front. I mean, the streets on our side of front and naito, and the streets on the other side have the same name. And so it's logical that whether you're a tourist or a pizza delivery guy, you think if you get on it, you're going to be able to go east. And you're going to be able to get to where you need to be. But that's not the indication. And believe me, trying to give directions to a stranger on how to get from point a to point b when you can stand out there and you can see it right there, is something that taxes their memory. They have to write it down. You have three or four turns, take this twist and that twist. The present flow right now is incredibly circuitous. This recommendation makes it much more logical and much more direct. I'd like to stress that there has to be a next step. The preliminary engineering work that's necessary to answer some of the questions that are unresolved should be done as soon as possible, next year's budget, preferably. The other point has to do with pro-time

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parking. That concept in your recommendation was a compromise, as you've heard. And it was a compromise that we initially felt was worth taking to get complete consensus on the advisory committee. But that complete consensus didn't ever really gel. And the more we in the neighborhood thought about it, we realized this pro-time parking, if put in place, really would negate many of the benefits of what we're doing in the first place. You wind up with a much wider street, you wind up with a street that carries a higher volume of faster moving traffic, and in the end, you wind up with a new barrier through the center of the neighborhood, maybe not quite the berlin wall we have now, but close. It would in effect mean that the money spent on making these improvements would not be well spent, and would not really achieve the goals we hope to achieve.

Katz: Thank you.

Gardner: Thank you.

Katz: All right. We have two members of the advisory committee that is opposed to this. Why don't we bring them up. Don Baack and Glenn Bridger.

Glen Bridger, Advisory Committee Member (opposed): I'd ask that you give us some of the similar leeway timewise as you gave the ctilh presenters.

Katz: Just go ahead.

Bridger: My name is glen bridger, I live at 940 southwest vincent place. I am a member of the cac on this project. In keeping with -- I know there's strict time constraints here. A lot of good things were discussed and resolved during the presentations, and during our three years of work on this cac. At this point, let me lead by covering two items that you won't see in the report. Items that aren't covered in here. One that's been talked about a lot is funding. The proposed removal of the current roadways to open up development space is expensive. Regional connectors that would be done by odot are equally expensive. Either one of these projects would cost more than what has been spent in the past decade to improve city streets in southwest Portland. In hillsdale this past year, the preferred county library site had to be abandoned because the road work needed to solve traffic cases since 1950s could not be funded. And the cost was but a small fraction of the cost of this project. We have two major plans supported by the entire southwest, capitol highway and barbur, that are unfunded this year and that there's no funding for fulfilling these existing plans. These plans cost much less than this plan, and they are design informed address long-standing problems. Our point is if the city chooses to move ahead with this project, it should not come at the expense either directly or indirectly of other large number of needs in the rest of southwest Portland. I suggest if pored chooses to fund this project, consider it in the same manner as the citizen advisory committee addressed the issue. It's a community development project. The solution to these transportation issues realistically we dot evaluate transportation issues by number of acres of land or blocks of land we free up. That's a community development project. View this when you come to funding, as a community development project. Take it out of that pot of funds. The second area i'd like to address is the evolution of freeways in america. I've heard a lot of discussion about history. Think about this. The cars that first drove on this roadway in 1943 are today considered classics. Because of the era they came through. The businesses that built out on barbur as this went through that service those cars, that traffic, places like the original pancake house are evaluated because they are historic. This road which has the design charm -- it doesn't look like sunset, right? Doesn't look like the ban cock freeway. It has a unique historic character. When you ride the bus or drive your car along this road, usual enjoying a slice out of transportation history that you cannot get elsewhere in our area. Now, put this in perspective. Today the interstate system is reaching the 50-year milestone. The federal highway administration is considering how are they going to deal with this as a historic resource, because parts of that are going to become historic resources. This project, this slice of americana, this slice of design history predates the interstate system by 15 years. And it too, the naito park way area of the study, should be looked at

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critically as to the historic character that it brings to the transportation history of this country. Please evaluate this historical entity and take the steps necessary to preserve the historic character of this roadway and its part in the evolution of this city and this history. History in this area did not stop in 1930. This is an historic roadway, and I ask that you make this a part of your requirements that you evaluate the historic character of this road in our community heritage.

Francesconi: Sir, your first argument, I understand. Your second argument doesn't make much sense to me, frankly. What is it precisely about this modified design that you don't like?

Bridger: I haven't talked about the design itself, i'm talking about the roadway --

Francesconi: I'm just telling you for what it's worth --

Bridger: The present design has some very good issues in it, and I could sit here and say the present design, if we have -- if we maintain the pro-time parking, which is needed by the people who come through hillsdale and the other areas that need to go through, that would -- I can support that. If we can go ahead and make sure we have adequate connection to the ross island bridge so the larger southwest community can get onto it, I support that. In other words, the basic report has many issues that I support, and I frankly disagree with the statements that we did not come to consensus, because with inclusion to connection to ross island bridge and the pro-time parking, keeping that in, we were in consensus. One area I was disappointed I did not see in this report is we kept saying that the regional connectors would have equal status with this part of the project. And yet the regional connectors, that is direct connections between the ross island bridge, taking the through u.s. 26 traffic out of that neighborhood, should have equal importance to the ideas of reconstructing naito park way and the bridge head. This neighborhood is suffering from too much traffic. I agree 100%. And one of the most important things we can do is get that through traffic out of their neighborhood and that can be accomplished by the regional connectors.

Francesconi: Thank you, sir.

Wesley Risher, President Hillsdale Neighborhood Association: Good morning. My name is wesley, president of the hillsdale neighborhood association. I'm here to represent the neighborhood's position with regard to the south Portland circulation study. The hillsdale neighborhood association supports continuing evaluation and design studies through the south Portland circulation study with the following framework. I'll address travel lanes, directed access to the ross island bridge and regional connectors. Southwest Portland and our neighborhood specifically use front, naito parkway avenue corridor to access the river corridor of downtown and the east side. This corridor is not the only potential route, but it is the appropriate place to direct traffic in this area. Naito parkway-front avenue corridor must be designed and constructed from the beginning as a four-lane street. While one lane of traffic might be appropriate for part of the day, the flexibility must be design and built into the project that will allow ready shifting between parking car travel, especially during peak travel times, transit, or carpool service as the traffic dictates this. Will have a significant benefit effect upon the immediate neighborhood by discouraging shifting of traffic to other parallel routes and protect the long-term health of the community as well as ease the driver frustration that comes from the artificially constrained roadway. Secondly, direct access to the ross island bridge. Access from and to southwest Portland and our neighborhood specifically to the ross island bridge is an important aspect to the businesses and the residents of our part of the city. This access should be direct to the bridge head with all traffic movements, not diverted many blocks out of our way over other streets such as arthur. One of the benefits of this overall project can provide to remove extraneous travel from the cthl neighborhood. Failure to make this direct connection from naito and front avenue to the ross island bridge would be contrary to the welfare of the cthl neighborhood as well as travelers using the key connection. Again, ross island bridge is the first bridge we can truly cross outside of sellwood to get to inner southeast, and having to go extra distances to arthur to turn around and come back is similar to what we have to do on i-5 currently to get to the ross island bridge. We have to pass the

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ross island bridge, then turn around and come back to the ross island bridge to get to inner southeast. That's why southwest woods is important to the hillsdale neighborhood association, to provide that link directly to the bridge head. That was a consensus item that we felt important enough to hold firm on as a neighborhood. Lastly, regional connectors. The present southwest Portland circulation study has focused heavily upon the local street changes aspect of this study. Of equal or greater importance is the need to remove through traffic from the city streets in the area. This can be done by designing constructing direct connections between u.s. 26-ross island bridge and i-5 and i-405 which connect directly with the continuation of u.s. 26. This aspect of the project should be elevated to coequal importance in any development and further study of the area. It is one aspect of the entire project that brings benefits to the traveling public as a whole and many of the worthy consideration -- and may be worthy of considerations of state transportation development funding. You won't see that aspect of the regional connectors in alternative 5-a. It is in the report that laurel and rob brought to us. We had three presentations over the last three years from laurel at the neighborhood association. She did an excellent job representing the citizen advisory committee, don bock and glen served hillsdale very well in the process. It again came down to wanting to see access to southwest from front, naito, and provided a way to make the neighborhood whole. We've been struggling in the commercial area of hillsdale how to get on-street parking. We'd like to do an on-veto parking test during peak areas. We get resistance from your office all the time saying, we can't do that. It's in our hillsdale town center plan. We'd like to see that happen. That road carries a significant amount of volume as well as naito and front avenue does. Pro-time parking seems to be a way to balance it. If you don't need it, you can remove it later on in the future. Do curb extension and that, but I would encourage pro-time parking to be studied as a further development of this analysis. Thank you.

Katz: Thank you. Thank you. Let's open it up for public testimony.

Katz: How many people are going to testify? Let me just ask you, we are going to hear your testimony, but just let me ask you not to repeat the points we heard from your task force members. If you agree. Who wants to start?

Paula Brown, resident: I'll start. My name is paula brown, I live at 3436 southwest first. I lived in Portland five years, but recently moved to the lair hill neighborhood in december. I'm speaking just as a resident of this community, and I recently was introduced to this plan. I'm here in support of it because some people might term me transit dependent. I like to consider myself transit preference, because one of the things I love about this city is how good of a job it's done at making it a walker, biker, bus-taker friendly city. So I congratulate you on that, and I think this study moves Portland further in that direction for urban livability. I do a lot of walking through this neighborhood. I also have a community garden. I manage it at front and curry. And I can also attest to the fact that I get a very high number of requests for directions. More than any other place of the many i've lived. One of the -- there -- a couple of the times i've cited in a letter to you that you have, so I won't repeat those, but I really think that this community I live in now is unique because of its -- people are all interconnected in it, and naito parkway is really an antithesis to that spirit, because it divides it so solidly. I do take risks and cross that daily to go to ross island grocery or walk my dog, but it's very scary, and I think that if you made it more walker friendly, line it with trees, many like first street now is, between arthur and, say, harrison, I would think that would be a really good move. Thank you.

Katz: Thank you. Go ahead.

Constance Crooker, resident: Constance crooker, I live at 2809 southwest water. I wanted to refer to the map and point out, unfortunately a problem that I don't think has been addressed yet --

Katz: Go ahead.

Crooker: On the whole, I want to say that I have been in favor of this project since i've been hearing about it. I've lived in this neighborhood that has been chopped off from the rest of the area.

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This is the exit for the ross island bridge coming this way, right here as you look to the left when you're coming into city center from the ross island bridge, you see this cluster of houses. That's my -- my house is right there on this corner. There are seven of them right here at -- six, and another one across the street, seven. And our little section of the neighborhood. And we've been cut off by -- naito goes through here. So opening that up has been -- i've been in favor of that, to be able to get access across naito. The problem is that we're going to suffer a drastically increased noise level here. As it is now, we get all the traffic coming off the ross island bridge that comes to city center. We don't get the traffic that comes off the ross island bridge that then turns south, here, toward barbur boulevard. On this plan, it looks like that will be added in this direction, and somehow or other they're going to have to wind their way south. It doesn't have a good plan for the cars getting south anymore onto barbur. But the other problem is -- of more concern is that we're now going to get all of the traffic coming to the ross island bridge, coming right in front of our houses. And what it does now, this is the traffic -- southwest first and arthur, gets into this horrible bottleneck, which is impossible, and then comes onto front, curves around here, and goes -- so it misses our the section here. So here we are again. It's hard to -- here we are here. Now there's -- it comes up naito and goes this way. We're going to get it all. So it will more than double the noise level for this stock of old historic houses that are right in that area. They're all nice old houses, everybody keeps them up pretty well. So my concern is that the city council recommend that a noise study be done for that area. We get the noise and we get the vibrations from the tri-met buses. They're like minor earthquakes all the time. And I also -- the noise level as it is now, for example, I don't use my patio very much on the weekdays. I use it on weekends when the noise level is down. But it's noisy enough that it impacts conversation on a patio right there. So it seems to me that if something can be done about the noise level, it seems to me something could be done. We've got southwest kelly, which is way below us, and right here there's a pretty high wall. And our street right here is more than a story above the street below. And then on -- our houses are on hills, we all have steep steps up to our houses, so we're way up there. And it seems to me that some kind of barrier could be built without blocking our view.

Katz: Thank you. Go ahead.

Steve Karolyi, AIA Urban Design Committee: Good morning. My name is steve, i'm here representing the aia urban design committee. My address is 2137 northeast 14th avenue. The urban design committee supports the south Portland circulation study, and urges the city council to adopt the plan and proceed to detailed engineering. The next phase should have a strong urban design component and seek to exploit the potential this plan offers for a community center and enhance the pedestrian atmosphere. There's a lot I can say here, but I think much of it will echo what's been said in support of this plan. Our committee reviewed this -- reviewed the alternatives some time ago, and we also support alternative 5-a with some important exceptions. But i'll go on to say that the plan addresses a number of city goals. It promotes healthy inner city neighborhoods by reconnecting several smaller communities into one viable neighborhood. The land recovered by removing the bridge ramps can serve as a social and commercial center for the newly revitalized neighborhood. It promotes inner city housing by making land available for additional housing. It takes the regional traffic out of the center of the neighborhood and moves to it the periphery. And it also clarifies what's a very confusing pattern of traffic routes. We are concerned about the pro-time parking recommendation. We think that you would be encouraging through traffic by the pro-time parking and you'd also encourage people to speed, and it just seems to our committee that there's a bit of a contradiction there. If you really want to increase the capacity, you don't necessarily do that by increasing the speed of the traffic. We therefore recommend that the southwest naito parkway be built to the same standards as the rest of the neighborhood, and that would be a 60-foot-wide right of way with a 30-foot curb-to-curb dimension. I think some people on the committee are concerned about the bicyclists. I know that the plan or the cross-section shows a five-foot bicycle

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plain, but if you were to reduce that to 36 feet, the bicyclists could then share the roadway and you would also be reducing the speed and they could share the roadway safely. Thank you very much.

Katz: Thank you. All right.

Katz: Go ahead.

Jeff Theirfelder, development consultant for Naturopathic College of Medicine: My name is Jeff Theirfelder. My company did a redevelopment plan for the naturopathic college of medicine, which is in the district on naito parkway. The college of medicine plans to redevelop its campus near the west end of the ross island bridge instead of locating to the suburbs. As it was planning to do. The college w. The assistance of the department of land conservation and development, in cooperation with the bureau of planning and the office of transportation completed a campus redevelopment plan last december. The college is currently in the fund-raising phase for that redevelopment. Will the new design for the campus includes plans for a new three-level parking garage on the east end of the site, a new campus building complex to the west, and the renovation of the existing ncnm building. The plan roams transportation modifications to improve the local access and traffic flow and the future zone changes to come date a new neighborhood center in the area of the ross island ramps. Since the college's property is on a virtual island between kelly, naito parkway and the ross island ramps, the circulation study plans will be a life lime for -- lifeline for this campus in terms of pedestrian and vehicle access. We incorporate the study's street changes into the college's redevelopment plan and recommended two different alternatives for the neighborhood center nearby. We found there's a development phenomenon that private investment tends to follow public commitment. The south Portland circulation study is a demonstration of the public leadership and a commitment to quality planning that will benefit both the public and private sectors. The potential for the study's positive impacting on the area's livability and economic vitality are already -- have already helped the college to remain in Portland instead of locating outside of the city. Thanks.

Katz: Thank you. Move the mike closer to you, carol.

Carol Waters, resident: Oh.

Katz: Perfect.

Waters: My name is carol waters. I have lived in the lair hill neighborhood at 3430 southwest first avenue for 14 years. We've been talking about doing this since the day we moved in, actually. So it's nice to be here. I wanted to before I do my testimony, I wanted to point out something I think gets lost in some of the planner talk and everything. That is the stunning sight of all that blue that's all redevelopable land that could be reclaimed -- redevelopable land that could be reclaimed. That's a lot of land right downtown in the city. The study area that is lair hill and parts of the corbett neighborhood, should be treated as one of the city's crown jewels. We're a national historic district. We're within a 20-minute walk of downtown. We're a stunning example of urban density. The study area has seen a 40% increase in living units within the past 15 years. We embrace what other neighborhoods fight. Few if any of the lots in the study area are the standard 5,000 square foot size. Our 1885 victorian home sits on a 60 by 25 foot lot. And within our 5,000 square feet, there are two other houses, two victorian houses, and a total of six living units and ten people. We love it. It intense, it's urban, it's great. There are even fewer garages there -- than there are standard buildable lots. Our neighborhood had skinny streets long before it was a planner's buzz word, and we interact with our snakes every day as we come and go from on-street parking. Yes, we should be considered a crown jewel, but instead we've been inundate and divided by traffic and other government actions. Without any help from government -- or governmental support, this jewel of a neighborhood has continued to thrive. I urge you to do two things today. First, adopt the south Portland circulation study with two of the changes mentioned earlier. No further consideration of pro-time parking, and narrowing the width of naito parkway to 36 feet. Second, take the step in the -- the next step in this long process by funding the next stage in your next budget. Our

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neighborhood has stood by for years as others have benefited from significant public development. -- investment. Today we ask for your help to make a great neighborhood greater. It's our turn now.

Katz: Thank you.

Norman Griffith, resident and attorney: My name is norman griffith. I live at 1733 southwest westwood drive. I'm a lawyer. I'm appearing for myself. I control a business in the southwest, so I go back and forth a lot in the daytime. I have lived in Portland all my life. The pictures of arthur street of the old district, I have ridden in that streetcar, so many of these things they speak of i'm very familiar with. I'm really familiar with the topography. I think that's the key issue. I'd like to stay the central issue here, which cuts through all the details of engineering and planning, is this -- you're being asked to approve the creation of a residential area in a key traffic corridor and as a part of that, to reduce naito to a residential street from an arterial. That's a bad mistake. And I predict ultimately it will have to be reversed if you go with it. It's a bad mistake for this reason -- the corridor can't move. The reason it can't move is the topography. The west hills here pinches down to a narrow corridor, and that corridor should be preserved to allow the creation of this residential area and a residential street to make it increasingly difficult to get into downtown from the southwest. By the way, I didn't say, i've always had a law office downtown, and you don't want to -- people not to be able to get to shops or offices. And every time, and the reason I came here, is that it's increasingly difficult to get downtown. There are only three routes. I don't -- we'll go through all the traffic engineers' jargon, but macadam is overloaded. There's no question about it. It clogged. I-5 is I think is full. Capacity. I hardly drive it because of that. The only way you've got to the southwest is barbur. And it needs to be preserved. Barbur of course forks, and -- with naito parkway. And this is not what I want to stress, this is not a private dispute between corbett and lair hill and the hillsdale association. The city goes out southwest about three miles to the Washington county line. Maplewood, ash creek, Multnomah, crestwood, west Portland, marquam, arnold creek, collins view, south burlingame. All these people have to get downtown if they're going to come downtown and not go to beaverton, and they have to drive. That's not politically correct, but a lot of people won't come unless they drive. And so what you're confronted with here is trying to reconstruct a neighborhood that's long gone and at the expense of all the rest of the southwest. And what are they supposed to do, shop in beaverton? That's I suppose it. Just to try to pull this together here, it's not all or one. We're -- in the triangle between naito parkway and barbur, there's already redevelopment in the sense that you get the traffic off and people fix up the -- you see the houses are painting and businesses improve in that little area. So you are not -- if you leave naito the way it is, that area is going fine. All you can do is keep the traffic off.

Katz: Sir --

Griffith: As far as the corbett-terwilliger, what we're talking about is the little small fraction of the north part of their area.

Katz: Thank you, sir. Your time is up.

Griffith: Okay. Thank you. Sorry.

Katz: His shirt is louder than yours, so we'll let him go first. Don. [laughter]

Don Stastny, Consultant, StastnyBrun Architects: Because many of the things have been said here before --

Katz: Identify yourself for the record.

Stastny: Don Stastny. I'm here in two capacities. I was a member of the consultant team, but i'm also an architect concerned with the vitality and viability of our neighborhoods. Very quickly, the area that is made available by removal of the bridge ramps presents a tremendous opportunity to create a very unique community center. We have a topography situation going through there that allows some very innovative work, and I would hope that as a part of this that the city and the neighborhood would join together to create that very unique community center. Second of all, the

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piece of machinery that we refer to as southwest naito parkway, I shoulder to think what sam would think if he knew a piece of transportation machinery that was separating a neighborhood was named after him. I think there are two concerns within that. Pro-time parking idea that's been talked about I agree ought to be killed today. If we want to spend money studying pro-time parking, let's give it to hillsdale, where they really want to look at that situation. Second is the configuration of the proposed 48-foot width and I as wealthy that is not -- it exceeds our traditional historic width and I would hope we could get that back to the 36-foot limit. Thank you for this opportunity to support this plan. I think it's about time that the neighborhood receive the attention of the city in reuniting one of our oldest and most historic neighborhoods.

Katz: Thank you.

Francesconi: You heard the last testimony. What -- about what effect that would have on a circulation standpoint from broader -- from beyond in southwest. So what's your reaction to the last testimony we just heard?

Stastny My reaction is that the -- we have a number of neighborhoods throughout the city. The city -- these neighborhoods have been connected in a traditional way of major thoroughways and automobile carriers. I think we really have to rethink that. I think we have to repair the damage that we did early on. I'm not a traffic engineer and cannot speak to the amount of cars that need to transfer through that area, but it seems to me that we have a neighborhood in the city that really needs repair, and they've been overlooked too much, and we need to go back and do that at this point.

Katz: Thank you. Sir?

Anton Vetterlein, Homestead Neighborhood Association: Anton, homestead neighborhood association. I'm the land use chairman. I'm a member of the marquam hill plan citizen and technical advisory committee. I'm a long-time southwest Portland resident and more recently a seven-year resident of the homestead neighborhood. I've long been aware of the terrible traffic patterns in the south Portland lair hill area, and the need to redept and consolidate that traffic to help stitch the neighborhood back together. I do have some particular concerns about the plan. I do support the recommended plan, including access to the ross island bridge via wood street, and the wider 48-foot travelway. I support some degree of through movement along naito. I'm concerned that by completely shutting naito down to some amount of through traffic that will divert the traffic to the barbur sheridan area, which is the other choke point that was described by the traffic engineer, and which is the only way into the homestead neighborhood and ohsu from the north. And i'd just like to point out that if you're heading north on barbur boulevard, you want to get to ross island bridge or downtown riverfront, you'll have to go all the way around to the sheridan intersection with barbur and weave back down here to get on the ross island bridge or come through this very congested area. So the homestead neighborhood does have some real concerns about diverting that traffic, and we feel that any amendments to the recommended plan need to study the traffic impacts to surrounding streets before adoption. But the main thing I wanted to say was that through my involvement in the marquam hill plan, i've come to realize how the traffic patterns in the south Portland lair hill area play a critical role in any attempt to develop north macadam and connect it to marquam hill. Getting to north macadam district from downtown is confusingly indirect for what is actually a very short distance. Although numerous major regional arterials pass right by and over the area, there are few direct connections to them. There are very few ways in and out of the north macadam area, so the potential for traffic snarls is significant. Ohsu has chosen to expand in the north macadam area largely because of access limitations on marquam hill. But the north macadam area too has serious access limitations which could be -- could become severe once its built out. The lair hill neighborhood is certainly negatively impacted by being the on~ ramp to regional arterials from downtown Portland. Barber, i-5, macadam and ross island bridge have slice and diced the neighborhood into many disconnected pieces. On top of this, they're being asked to

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let ohsu run a tram over them. It's high time I think that the city take efforts to mitigate these existing impacts before adding new ones. So I don't think lair hill should be saddled with new transportation impacts without improving existing impacts. I think if we're committed to vital inner city neighborhoods that are livable and productive, we need to commit to solving this mess immediately. I think because access and transportation are the achilles heel of development in both north macadam and the marquam hill area, it's imperative the south Portland circulation study improvements be tied to these projects and that those improvements be funded and implemented concurrently with the implementation of those plans.

Katz: Thank you. Anybody else? Sue, do you have anybody else?

Parsons: Larry beck, kim ellett, jim bailey.

Katz: Come on up. Is that it?

Larry Beck, resident: My name is larry beck. I live in the corbett terwilliger lair hill neighborhood association. I'm happy to be here today to testify in support of further study and funding for the south Portland circulation study, so I do hope funding does get included in future budgets. It's a pleasure to be here to support a project which will help to address and solve decades-old transportation and traffic problems in our neighborhood. Rather than being here as I have been lately to try and convince you to stop further harm to our neighborhood. So I would -- [laughter] thank you for remembering.

Francesconi: If we forgot, your button reminded us.

Beck: I do have extras, and i'll be happy to hand them out. Again, this would help to reconnect the street grid. You've heard about that. And we support that. We've heard about the goals of south Portland circulation study to put regional traffic on regional connectors, which is great. And local traffic on local roads. So if we're going to do that, let's make sure that the plan that p dot is working on and we'll be working on in the future will actually do that. So we've already got a four-lane road with front after. Let's make it a two-lane, 36-foot road. Let's don't move the regional traffic that's on front onto corbett or first avenue. We don't solve the problem, we just have a new problem somewhere else. On the ross island bridge ramp, I agree that should be eliminated off of naito parkway. Let's don't include one at corbett and woods. It's the same problem. I did want to point out when I went to open houses, tentative 5-a, alternative -- this alternative did not include that woods ramp off of -- at corbett. So that's been added, and I don't know when. That's been addressed, so that should be eliminated as well. There does need to be access to the ross island bridge for people on the west side and maybe that's something that needs further study. I think there's a lot of regional issues with i-5 and 405 that need to be addressed and maybe that's something the city needs to work with other folks with. I hoped I could get through testimony without the t-word, but it was already brought up, mentioning the tram. This study does include in an appendix the approval of a tram between marquam hill and north macadam over this vacated land. The land that would be vacated by the ross island bridge. So I would urge you not to support that and not even ohsu is supporting that. It also indicated an intermediate stop in lair hill, which they don't want, and nobody seems to want either. So I do want that to be pointed out. Again, i'll echo that it's time for lair hill, corbett terwilliger to get help transportationwise. It's our turn. Finally, thank you to john perry and jim gardner, cheryl mcdowell, and tad lefter. These old weeds in the parking lot that have stuck with us for so long. I congratulate them and urge you to congratulate them too. Thank you.

Katz: Thank you. Go ahead.

Kim Ellett: Good morning. My name is kim, i'm a new weed in the parking lot. Today marks the one-month anniversary of my husband and I moving into our house on 3224 southwest kelly. We love our house. We pretty much love the neighborhood, but it hasn't taken us too long to discover what a traffic nightmare it is downtown. In the southwest area. Basically we're -- i'd say we're prisoners of our own house between 4:00 and 7:00 at night because you can't go anywhere. Just the

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same as I wouldn't ever dream of driving up to vancouver in friday afternoon rush hour, we don't leave between 4:00 and 7:00 at night. Trying to get onto naito parkway, I picked up my husband at psu one night and it took me 20 minutes to get to the turn on harrison. I turned around and made him walk home. A couple weeks ago we moved in, we were buying a washer and drier set. We were sitting on our porch waiting for them to be delivered because we knew it would be difficult for the delivery truck to find the house. We saw them driving around in a little piece that's stuck to the side up and down. They were on kelly, they knew it, but they -- we saw them. We finally went inside and had dinner, and.

Ellett: 45 minutes they came -- 45 minutes later they came knocking on the door. I like to walk my dog for about five miles or so everyday. And where we are, i've gotten lost and not been able to get back home. Hi to lengthen the walk another half hour. And the dog was very tired by the time we got home. I ended up in that little piece that's off, that's cut off, and I could see the house, and I couldn't get there. Unless I decided to run across naito and the dog's too old, he wouldn't make it. I didn't think I would make it. I hadn't heard until a couple weeks ago about the idea of making naito down to two lanes with parking, and I would have to say I would support the parking. Permanently, not where they leave at 5 o'clock. I would love to be able to walk the dog up and down naito on a tree-lined street. First is absolutely gorgeous and we love walking along there. The dog loves to smell the squirrels, the other dogs, and right now we walk order naito once and it was a very scary situation. We got to the overcrossing and pedestrians aren't allowed there, and I didn't know what to do so we had to go down and then I ended up lost again. So I think it's wonderful that people have spent 20, 30 years in this proposal, and i'm going to offer my support, having only been there a month, but everything I can do to help, i'm willing to do.

Katz: Thank you.

Andre Roode: My name is Andre Roode. I have a very brief point about the wood street being included in this plan as a possible access route. The wood street is -- as you may be familiar, it has the children's museum on it. It used to. Lair hill park and a building across from it now is the cedar wood stool. Parents drop their kids off all the time there and they park on the street and kids cross that road all the time to the on-street marking. So I wouldn't -- would I urge you to drop wood street from consideration as an access route right off the bat. I don't -- it doesn't seem like a good idea at all. To address of the -- some of the issues raised about traffic flowing to the further out areas from downtown, it seems to me that when you have two boulevards with two throughway roads within three blocks of each other, there's some duplication, and I think that's what people are finding. We have barbur boulevard as an adequate access to get to hillsdale and the other areas beyond, there's no reason for naito and no reason for naito to cut up the area like it does. I'd like to support f-a and the 36-foot naito parkway. Thank you.

Katz: Anybody else want to testify? All right. Staff, come on up. Are there any questions? Commissioner Hales, i'm sure you have a few.

Hales: A couple. Maybe get you to address some of the issues that have come up here, one is this question of the connection of southwest woods to kelly way. I know we haven't done engineering yet, so this is a concept plan. How do you anticipate that connection to work? I assume it's not supposed to be possible to turn left onto woods from kelly. So what's the rationale behind the current scheme?

Wentworth: The simple rationale is that we were trying to reconnect all these west streets to as many different place as possible. And to try to gain for this area that currently is enveloped by the ross island bridge ramps a reconnection by -- back to the neighborhood and ultimately to the collector system. So that was seen as a local connection, not one to the bridge ramps itself to kelly way. Whether or not that's a workable situation at woods, even if it were to be by connection to the right -- as a right-hand turn is unclear at this time, I think. And certainly we would want to take that into consideration as well as to porter, hooker is not connected to the street system itself as is meet.

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But either to woods or porter in certainly in preliminary engineering to look at that much more carefully. We included as being a reconnection for the simple reason of connectivity as generally good. Whether that's an auto connection or one that potentially could be for pedestrians is not real clear at this moment. And it isn't a necessary one for the flow of traffic through and to that area. So I think that's certainly something we can consider down the road.

Hales: Okay. And then my second technical question is, I assume the right of way on naito issue and the pro-time parking issue are linked. You need the wider right of way in order to accomplish the pro-time parking. Is that it?

Wentworth: Not necessarily. The reason you see the difference between 36 and 48 feet is primarily due to the bike lanes being there. And certainly -- and as well as the on-street parking. As you change the dimension to 36 feet, generally you're going to have a street that looks a lot like northwest 23rd avenue. So it's a lane in either direction, and on-street parking without bike lanes.

Hales: Oh, I see. And how wide -- how wide sidewalks?

Wentworth: Ten foot at a minimum, 12 if you had that ability. The reason you can't be real specific about this particular right of way on naito parkway, it's incredibly variable. It's not a situation where we had a clear center line, went a certain dimension on either side, it wanders tremendously. So the real issue here is this. If you were to not have pro-time parking, go back just a little bit. In setting out a design theme for naito parkway, the consideration has always been to make it more of a neighborhood type of street. And in that, we were trying to include all modes. That's what the 48-foot configuration does for you. It allows for, as I said, on-street parking on both sides, the bike lanes both sides and a lane in both directions. You can change that by certainly taking out different elements. With the 48-foot you do have the option of looking at the potential for the pro-time parking, and one note there is that the pro-time parking was in the peak direction of peak hour only. And that particular design element, including that -- the 48-foot-wide cross-section, certainly provides us with some consternation with regard to how you deal with the other design elements that should be within that cross-section.

Katz: Exactly.

Wentworth: Once you have on-street parking involved and it is pro-time, you really can't have curb extensions, because of the logic of not being able to run through them during the time in which you'd be taking that parking off for some other through lane. So it's a trade-off between ultimate flexibility of that curb-to-curb distance with the pro-time parking versus making that more static and more of a traditional neighborhood street without the pro-time parking. And this was clearly a compromise that we were willing, very willing, with our partners, both technical and as well as community partners, to take into the next phase. But we also are supportive of the council giving us a different directive.

Hales: Okay. Two more questions from me and then i'll --

Francesconi: Could I follow up on that question?

Hales: Okay.

Francesconi: So which do you recommend? What's your opinion from a traffic standpoint? Should we eliminate pro-time parking right now?

Wentworth: I think it's a bit early to tell that. However, from a personal point of view, in terms of the transportation policy and the directive for this particular street, I think that it's logic to maintain only a 36-foot wide cross-section, because it does more carefully follow the city's policy with regard to the design of the street and how it is relevant to the land use as it might be along its edge. The kind of consideration for redevelopment of those properties at the bridge head as well.

Francesconi: Okay. So from the concern that was raised by the lawyer who I thought was very articulate, that it would interfere and from west richer and others, that it would interfere with circulation and further southwest, you think -- first, do you think that would happen? Second, I take

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it from your answer the trade-off for the benefits you would still favor the 36. But I just want to hear it from you.

Wentworth: I think there's two things you have to consider. One are the policy considerations which I just mentioned, which I think support a narrow cross-section there. The trade-off are -- for a number of different operational concerns, not the least of which is the pro hood river time parking, but for alternative modes, like bicycles and their through routing on naito parkway versus other local streets that might be used in its place. Getting back to the issue from outer southwest, I think traditionally naito parkway has been used as a reliever for i-5 and barbur boulevard in terms of peaking cashing advertise -- peaking characteristics of those two facilities. Certainly our partner with the Oregon department of transportation, who is the owner of this right of way, has concerns with regard to that as well. So we would always take the next step in preliminary design engineering to look at that traffic and if we found that there were -- traffic analysis. If we found there were consideration situation that's were negative both to this community as well as outer southwest, with the 36-foot-wide right of way -- excuse me, curb-to-curb situation, we would come back to the council and say, gosh, this doesn't work as well as we had anticipated. We need to do and look at something else.

Francesconi: Thank you. You answered my question.

Hales: Related question, and that is, I should have asked it when jim was up here, but the neighborhood plan for this neighborhood, assuming that's part of the southwest plan that's coming back in some form, does the neighborhood plan deal with the zoning issues in the blue area? In other words, there's a patchwork of zoning now that wouldn't make a lot of sense, in my opinion, with this street scheme. Have we already anticipated that in the neighborhood plan in terms of the zoning pattern?

Wentworth: In a general way, yes. Specifically, no. The only changes that at least have been made to the planning commission in this area are actually in that triangular portion of that triangular area that had been spoken to that is outbarred -- outboard of kelly way. You're quite right, there is -- there are some patchwork areas in terms of zoning in the area that we're looking to redevelop, but I think consistently it provides you with enough flexibility within the community that it follows their own neighborhood plan. And their vision of what this should be within the existing zoning and comprehensive plan designations. And particularly within the plan designations.

Hales: That's what I meant. I certainly want us to footnote that for future reference. If you want a main street environment and it's zoned cr-2 and r-1, you're not going to get it. You know what you want, and I think everybody understands you want a neighborhood, commercial street with a mixture of housing and commerce. Okay -- but you've got to have zoning which gets you that which I don't think we have now. If there aren't other questions for the staff, I have a suggestion. The only thing more dangerous than traffic engineers doing things quickly is politicians doing things quickly in terms of traffic engineering. So i'm very reluctant to make any changes, but I think -- in other words, my bias is I think we ought to accept the report, but talk a little about the future. And that is, from my point of view, I don't think we're ever -- i'll be stronger than that. I can't imagine we're going to do pro-time parking here. I'm always open to somebody persuading me differently, but having heard this presentation and having seen the effect of pro-time parking elsewhere in the city, which is not neighborhood supportive, so -- I don't care whether we dump it now or later, frankly, I don't think it matters. At long -- as long as you've got this city council and you're going to have us for a little while, at least, hopefully this planning effort now goes fast enough that you won't have a completely different count the next time we deal with this.

Sten: Let's dump it now.

Francesconi: Let's dump it.

Hales: I'm happy with dumping pro-time --

Katz: So much for politicians making --

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Hales: I don't know --

Francesconi: Let's go to 38 --

Sten: I'm making a decision based on John Perry's 38 years of studying this.

Hales: I'm comfortable with that. I'm reluctant to change not the paved section of the street so much as I want to make sure you've got enough sidewalk. And I haven't sat here and figured all that out, but I don't think we want to mess with the right of way width and maybe not even with the paved width until we figure out what the streetscape is supposed to look like with curb extensions, which you get without pro-time parking, and with on-street parking, which you want, and I think with bike lanes. Though I want to think more and talk more with all of you about whether bike lanes make sense on this street or not. So as much as we love bikes in this city, I'm not sure, given we've got a regional bikeway on Barbur --

Katz: If you're going to make it look like 23rd with those dimensions --

Hales: There's a big problem, practical problem with a neighborhood commercial street and bike lanes and corridors which we've got to deal with. Until they invent recessed car doors, we've got a problem here. So I don't want to guess with that one. If we can throw out the pro-time parking issue, say there's a not going to be part of the report --

Katz: Is there a consensus to eliminate the pro-time parking issue?

Hales: Fine.

Katz: So you've got direction from the council to eliminate that. But to proceed and take a look at some of the other issues that were raised that I think it probably is too early to give you council. All right.

Francesconi: My preference is the 38, but I defer to commissioner of transportation, and let's keep it open for now.

Katz: Okay. All right. Then I'll take a motion to accept the south Portland circulation study report. And its recommendation minus pro-time parking.

Hales: Move to accept the report as amended.

Katz: I do hear a second?

Francesconi: Second.

Francesconi: Just briefly, there's five terrific reasons to do this. One is it does reunite a community that's been way too long divided. By the way, where there used to be Italians and Jews and others all gathered in one place, the second is it provides a sense of community by providing that -- not only reuniting but the blue property. More availability for housing. So we're replacing a freeway, not with a park, but with houses. And then the third is it takes local nonregional traffic out of the neighborhood, which also act to divide it. Fourth, it respects the historic character, and it -- fifth, it increases the opportunity for multimodal. I guess we've dealt with the issue of pro-time, 36. On the issue of funding, given the severe issues facing the city in general and transportation in particular, the thought -- and I don't -- of -- is there any way that blue area, and the development rights, if we are able to do this increase -- that's a development opportunity right there. So if we can figure out how to tie the future funding and get some private developers to help us with this in light of the fact there's a tremendous development opportunity there, I think we need to see if we can do some creative things like that, or else this thing is going to sit on a shelf for another 25 years. And John won't be with us anymore. And so -- and the weeds -- so we need some creative approaches. It was appropriate that the T-word, the tram came up. I was pleased to see that OHSU is supporting this. They understand the divisions here. But the truth is, we have to figure out a way to do this, given the fact there is an impact in other ways upon this neighborhood. So the idea of trying to tie these together. I wish we had some funds from the Portland Development Commission that could help on this. I think given the realities there, there may not be the tax increment dollars. But seeing how we can advance from a funding standpoint with new creative ideas, probably tied to that development, is something we have to do. Aye.

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Hales: Just some thanks, first to an excellent staff ask consultant team, I think you can tell from the atmosphere in the room these folks have worked very well with the community, and that's much appreciated here. So thank you, and others and their team for good work. And thanks to the neighborhood activists who -- I think it's the first time people have showed up and described first their neighborhood and themselves as a weed, so they're too modest. Maybe weeds are wild flowers. So these folks are -- this is a beautiful neighborhood, and this will help make it clearer to others that it is for those of you who have seen ha and invested in it. Some encouragement here. This city council is not where you were 20 years ago in terms of the philosophy here about neighborhoods and transportation being subservient to neighborhoods rather than the other way around. That's something we've accomplished as a city that's outlived all of us who are now on the city council, and that's a great important change. Translating that into action is the hard part, and money is the a -- is a serious problem. We're a week away from a major budget cut in transportation in this city, we have a significant problem there to solve. There are some opportunities out there on the horizon, at least in terms of the state's role here, the property issue that jim just raised I think is a very valid point, trying to use the value of that freed up property to boot strap our way into some of these improvements is what we ought to be trying to do so. I certainly am interested and will work hard at and I know the council is interested in finding the ways and means. You need to understand, the money is not there today. The -- to engineer this, to build it, to do -- the money is simply not there. And we have to find or create those funds rather than simply budget them. I wish that it were so, this city council could just say, we're going to change our priorities and budget more money to fix this problem. That is science fiction. That money does not exist. So we have to solve that problem financial problem before we can solve this practical problem. We'll work together on that as well. Thank you for good work. Aye.

Sten: It's all been said. I'm delighted to support this, and I agree with commissioner Hales. We're going to have to figure out how to fund it. It's been a long time coming. In fact, I think the tenacity of all of you I greatly admire, because it says a battle worth fighting is worth fighting for decades. Hopefully we can speed up the next couple of steps and I think it's a lot easier to fund things if you have -- even if there isn't money, it's easier to find a way if there's -- I think we're pretty close to knowing what we want to do and I think this is important and compelling enough that I think we will find a way to do it. I'm just ready to pitch in and try and do that. Thank you for all your hard work. Aye.

Katz: I think we're at a crossroads in our whole regional transportation program. Commissioner Hales sits on one committee, I sit on the other that now is looking agencies item failures throughout entire regional loop. Communities are growing, vancouver until they make a decision about light rail extending over to their part of the territory, is continuing to flow traffic into our area. Our systems cannot take that kind of traffic flow. So we may have much larger opportunities, including this, if we step back and look at a much broader and much bigger picture to fund. And there we may, and I only -- commissioner Hales, you know better than i, but we may entice some of our federal partners to kind of rethink what the city of Portland is looking at in terms of retrofitting all the wrongs that have occurred over the many, many years, and may provide us some financial relief. I'm guessing, but I think it would be easy -- easier to sell than doing it piece mail at a time. So that is a possibility. As well as some of the state funding resources, though we would have to craft it so that it meets their criteria and their guidelines. I like the notion of development opportunities. This is some of the things that we also were able to accomplish with other private partners, so there is a potential for that. And so I want to thank everybody for really sticking to this task, especially the perrys, and others who came to me very, very early on and now it's translated to reality. So thank you all for working on this. I want to thank the staff, and have patience, and we'll get some of this done. Aye. [gavel pounded] all right. We are way above our time certain. Thank you. 923.

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Parsons: 920?

Item 920.

Katz: Okay. Come on up. May I recommend that you collapse your presentation so we still have some items on the agenda -- okay. [gavel pounded]

Katz: Why don't you -- while you're doing that, i'll turn to commissioner Francesconi to set the discussion with us. All right? Commissioner Francesconi.

Francesconi: Well, it's just -- I had the privilege of attending a presentation at university of Portland. It's one of the most hopeful things i've seen in the last four or five years. I got to meet some young people that are terrific citizens, and we can learn a lot from them. So what I wanted -- they have the council and the public, the broader public exposed to this, that was my thought. The university of Portland, in partnership with worksystems, iic, and a program called rewarding youth achievement, started a unique pilot program that really offers a lot of hope to our city. That's a mba program. What they did is they identified 15 high school students with a lot of talent and ability, and they gave them some entrepreneurial training at the university of Portland in a structured way with support of organizations like intel and nike, and they pick university park to analyze as to what they could do to benefit. So it's not just benefiting these young men and women and exposing them to opportunities so they can run their own businesses, but they took that and focused it on a public purpose, a park, community center, in a way to improve that operation for their brothers and sisters and friends, and relatives in the future. So this is the kind of thing we need to do as a community, and I wanted to have a brief presentation. So the person i'm really impressed with, my new friend here, who we have big plans for, is the assistant director of center for entrepreneurialship, heidi sause. Then i'll let you --

Katz: Come down and speak at the mike.

Heidi Sause, University of Portland: Dr. Rob peterson is going to join me. Thank you very much for this opportunity. The university of Portland was approached by wsi to develop this program. It was an incredible --

Katz: Wsi is worksystems systems inc. I'm on the board of the major group and commissioner Francesconi is on the board of youth council.

Sause: It was with their support this program happened. And these students are wonderful community citizens. You'll see their demonstration of the business skills they picked up in one week. Professor rob peterson was the star of the program. I think they taught him a few things. [laughter]

Dr. Rob Peterson, University of Portland: Without a doubt. I had the best job. I got to spend a full day with these people. We were talking about traffic and different things this morning, as you could hear, the traffic of the mind out there was the young people. I got to spend a full day of doing negotiation skills, which they're going to show you. If we're ready --

*****: We're ready.

Katz: Go. Collapse your presentation to the extent you can. Because if the young people are going to be talking with us, we'd like to rather hear from them.

Francesconi: That's what you're going to do.

Katz: Why don't you stand. That way you talk less too. [laughter]

Power Point Presentation given by : Nnamdi Anyakwo, Joaquin Harvey, Jayvin Harper, Frederick Jones, JeRon Tucker, Omari DeGruy, Suetlana Perepecheva, Elijah Cocharn, Nathan Brannon, Markis Cranford, Tremaine Thompson, Antonio Anderson, Garrett Fields, Niyi Sobomehin, Quincy Sanders.

*****: My name is oni. I'm a -- i'm going to be a junior at catlin gable. During the week of june 25th to 29th, my peers and I went through a week business camp in which we were taught key business skills, skills we -- we'll later apply to the enhancement of a local resource center. The following presentation is our analysis and recommendations for the further development of the

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university park community center. I would like to introduce jackie harvey and myself for the mission statement.

*****: Good morning.

Katz: Could you tell us what school, where you're from?

*****: I'm a graduate of benson high school.

*****: We're 15 members of the mba camp spent the week of june 25th learning business aspects of the with the tools provided we visited the university park community center and came up with a few conclusions which make up our mission statement. To enhance the community by maximizing available resources for the university park center. This will further provide opportunities for the community by increasing community involvement. Currently the university park has a lacking attendance until donated \$278,000 in computer equipment, but they are not being maximized. We have a few ideas of how to change that which will be talked about later in our presentation.

Encouraging and --

*****: Encouraging academic excellence. There's 16 computers that are not being being fully maximized to their fullest potential and we'd like to see those being used for kids after school, for projects, and also university of Portland students are required to have a certain amount of community service hours so we can have the university of park community center for -- as an outlet for them to help turn on the homework and things like that. Also, developing essential computer skills. We found different skills are really needed, and technology is really growing real rapidly these days, and there's a lot of computers to be utilized. We'll provide -- they'll be trained in order for them to maintain the computer lab. They'll use those skills they learned in order to host did I type of computer courses for kids and also any ages, any people in the community for just so they can learn computer skills like microsoft, power point, internet, even things as simple as e-mail and stuff like that.

*****: Providing a positive recreational facility consistently accessible to the public. We say a positive recreational facility because we know the reputation that comes behind the -- with the upcc university park community center, this provides kids with a possible five environment which education and fund extra curricular activities interact. It provides basketball courts, a workout gym, classrooms, and a \$278,000 computer lab with the technology that it takes -- will take students anywhere. A dedicated staff that alone is a resource that will help promote the academic excellence. The community center already has camps for youth in the summer right now that allows working parents to take their kids to a positive environment where their brains are constantly being fed. Even though the location is focused towards the 10 meant, participation from all over the state is welcome so everybody can enjoy the opportunity provided at the university park community center. Thank you. And now introducing tremaine thompson, our next speaker.

*****: Good morning. I am tremaine thompson, graduate of grant high school. I will be attending u of o next fall. I many hear to talk about the current status of the center. Intel has donated \$278,000 for the computers and things like that. They have the inventory of only 17 computers and a low supply of computer software. There is a need for resources. Resources such as u of o students and high school students to help tutor children at the upc center. It is under construction and has been the last community center to be renovated. Upc center has world war ii vintage. Here are some possible outcomes. The money raced or donated can be used to buy more laptops and up-to-date software for kids so they can help kids that don't have computers at home. We can build relationships with students and high school students at such high schools as roosevelt or jefferson high school so they can possibly get credits for tutoring young children. To increase the community awareness and increase community participation, there can be a post-construction announcement or big block party to invite social activities for the upc center. Now I introduce to you jerone tucker.

*****: Hello, I graduated from grant high school in and I will be attending howard university this fall. I'm here to talk about objectives and resources. With objectives, we like to see long-term

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solutions created for such things as increasing the community participation, we like to see more people utilizing upcc, building tragic alliances, having participation from the wsi, and the ryila and the university of Portland. We like to generate revenues, making more money for the upcc to allow them to upgrade the technology and to purchase more resources. We would like to build the staff to keep the upcc open longer. We feel if they are -- there is a longer staff we can make the upcc available to more people for a longer amount of time. Positive media exposure. A lot of people don't know about the upcc so it's not being utilized. But we feel through use of the media, it can let people know about the upcc. Marketing strategy, which will be spoken on later by another student. And transportation. Right now there's a number 4 bus that goes past the upcc. When we went to visit we noticed there were two Portland parks and recreation vans there and we thought that may be a good way to get people to provide transportation for people to come to the upcc, those who had a hard time coming to the community center. As of resource, right now we have the facility. There's a staff of three working -- one is full-time and the other are working part-time. We would like to see more people working there to keep the center working longer. This -- there's 17 computers in the inventory. The room is climately controlled, for the comfort of the people who use the center. There's funding for Portland parks and recreation. The university of Portland students can be a resource we thought that what we could do is get the students of university of Portland involved by them being mentors or students to help other people who come to the center so -- in -- and in turn they could receive credit for their classes, or community service credit. Then there's intel's grant writer, christie sweeney. Now i'd like to introduce frederick jones, who is going to talk about marketing strategy and market analysis.

*****: Hello. My name is frederick joan, a recent graduate of benson. I will be attending university of Oregon in the fall. I have the marketing strategy for the university park community center. We thought we should have an ad in the yellow pages or also the st. Johns area -- maybe a special in the church bulletins or maybe flyers or door-to-door information. Perhaps the local papers like the portsmouth press. Or the radio or the university park internet website. Or maybe tri-met's bus ads. Next i'll be talking about the market analysis. The question is, is there a demand? With technology expanding day by day, there's definitely a demand for computer training. But has the need been met? Due to the lack of awareness, few residents of the community know about the resources at the upcc. Is there room for growth? As previously stated, the upcc is undergoing renovation. Along with added space there's plenty of room for growth. Are there any significant trends? The government gives out money to community programs each year. The 20/20 vision plan is the latest idea. Finally, the swot analysis. Strengths, weaknesses, opportunities and threat. The strengthening are there is a community center. That offers computer training. The witness is the level awareness. Opportunity is to let the community know. And the only threat is the -- is to do nothing and let the resources at the upcc pass you by. Next up we have javin and damara.

*****: I graduated from grant high school, I will be attending virginia union university.

*****: I attend jefferson high school. I'll be a senior next year. I'd like to display some of the barriers around the community center.

*****: We'd like to call them opportunities. Opportunities that have not been taken advantage of. Right now the equipment is being utilized right now. We have come up with a solution to promote the community lab by having a web page that has a list of activities, events, and schedules that people can gain access to.

*****: Another opportunity is to establish a bond between the students of the university of Portland and some of the high school students around the Portland area. Currently they need a number of community service hours to graduate from their school, and what we do is the if -- if they come to our lab we give them enough hours if they help us out to graduate. Also, we need desk tops, laptop computers to fun usual our lab, because if there are overpopulated lab, which we think it will be overpopulated soon, if it's overpopulated there will not be enough computers to

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accommodate flair needs. Some of our students are coming from lake oswego or even wilsonville, and they don't have transportation and we need finances to fun usual bus tickets or a van to pick them up and bring them to the lab. I thank you for your time. Please don't let this window of opportunity close on you. Calling --.

*****: My name is nomdi. I'm going to attend --

Katz: Where are you from? What high school?

*****: De la salle.

*****: And i'm salana. I'm going to go to -- be a junior at jefferson high school next year.

*****: We're going to talk about competition.

*****: The direct and indirect competition facing upcc today is focus order how people spend their free time hours.

*****: Some of the direct ways of competitors are the goalpost lab and psu's computer labs. They have a variety of different classes and programs that you can take and also they provide a climate controlled atmosphere that makes their students comfortable while they're doing the work. And another is other local and computer labs, including the last two computer labs i've talked about. Most computer labs are near -- are located by an institute or on campus. The institution provides a surplus of students that can be possible and definite customers.

*****: Indirectly upcc tends to be overlooked because people have alternative plans. For example, they may choose to go to a restaurant in their free time or a library if they have research.

*****: Also they may go to a recreational center to play sports or maybe go to a movie theater.

*****: Television is also -- is another competitor because it captures the interests of many teenagers, which is the main age group targeted for the center. Friends and social events are also a factor of competition because they don't add to the amount of participation at university of park computer center. So it may not be directly, but these components are still competition.

*****: In conclusion, out of both direct and indirect competition, free time is our main competitor and these are some of the things our possible customers do while spending their free time. Thank you.

*****: Good morning. I'm marcus, I attend grant high school. I just like to share with you some of the types -- i'd like to share with you the type of funding we would need for -- to start off the program in the way that we designed it. Basically what we would like to suggest is that like the \$10,000 that we would like to get is not even significant to what will be in -- which is multiple people coming in and multiple interests in the community center. I would just like to give you the list of things they would -- that we would use the \$10,000 for. We would use \$15,000 for the lab top bridge program, a program for youth and high school that maintain a 3.0 all throughout high school, they will have a laptop to use during high school and we would also need \$20,000 for part-time computer training staff, which would basically be like for the part-time staff, that would need computer training to run the lab and help out in the computer lab. And \$5,000 for software, which is software is very important, because in the computer age we live in, you can't fall too far behind, you have to stay ahead. And we'd also need software computer training, which is what I talked about with the part-time computer training staff, and we would also need \$5,000 for hardware replacement and upgrading, and basically to upgrade the computers so they don't fall behind, because you know -- next coming to the stage is nathan.

*****: My name is nathan, I attend roosevelt high school. Today I would like to talk to you about upcc as a service provider. Upcc provides service and because it provides service, it has many, many competitors, as you've seen in the other slides. So we thought about these different things and we brainstormed on what upcc would need to have or do to rise above all its competitors and be appealing to the public. And we came up with these six points. And they are the first one is to have better quality in all its competitors. Because people are drawn to an establishment with the best quality, because it's worth more of their time. And also, we have accessibility through awareness.

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If we can get the word out that upcc is out there, and more people know about it than they know about all of the -- its other competitors, then that would be also a way to draw people in. And our next three are convenience and atmosphere and improved transportation alternatives. And that goes back in the quality as I stated earlier. And also we have variety. Upcc has a wide amount of different things to do besides the computer lab. It has dance classes and music classes which it conducts over the summer, and some through the school year. It also has a basketball court which is being rebuilt right now. It also has a small music studio for people who want to start music and want to do things with music, things like that. And those are the six things that I think would allow upcc to stand out greatly among its competitors. And now I introduce salana to help me with the other slide.

*****: The result of all our work leads to the following recommendations.

*****: Our first recommendation is strategic alliances. That is matching our resources we have with our needs.

*****: Like we said before, it would be great to have university of Portland students, especially those majoring in engineering and education to come down to help teach, tutor and mentor younger students. We could also use high schools as a source of exposure for the center and invite high school students to come to just do their work on work on projects, whatever work they need to do. Another solution we have to get attention is to put an advertisement in the portsmouth press, a newspaper distributed only around the area where upcc is located.

*****: Classes can be creative with the help of nifty, and that sounds for national foundation for teaching entrepreneurship. And work systems inc to educate the people of community to -- such aspirins of business and entrepreneurialship. And many other subjects to help support the growth of the community. Also a partnership with renaissance market in northeast Portland to bring a small -- to bring a small store to the upcc to cut the traveling time and distance for the people in the community. Ill would be very good for the upcc. And also, we have another recommendation, and that is the laptop room. What that is is a room that has laptop hook-ups to increase space and participation without using -- without adding to the secure room that was donated to us by intel.

*****: And lastly, since the building is currently being remodeled, after all the construction is over, the people need to know the facility is available. So a nice kick-off party to attract people to the center is also strongly recommended.

*****: Thank you. Now I introduce garrett fields and antonio anderson.

*****: My name is garrett fields, and i'll be a junior attending central catholic high school next year.

*****: My name is is antonio anderson, i'll be a sophomore at rex putnam high school. I -- good people do for themselves, great people do for others.

*****: I just like to thank you guys for your time, patience, and for making time for us out of your busy schedule. Thank you.

Katz: Thank you, everybody. [applause] [gavel pounded] not permitted, but thank you anyway. All right. You want to introduce yourself?

*****: I was a project manager for this project, my name is shan.

*****: This was your summer project?

*****: Yes, it was.

Katz: Thank you very much. All right. Anybody else want to come and say a few words? Come up.

*****: We'll give you a couple of seconds.

Dianne Walton, worksystems inc.: Madam mayor, members of the council, the work systems --

Katz: Identify yourself.

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Walton: Diane-- Diane Walton from work. Very proud to be here, and to make a commitment to -- from worksystems and supporting our park system. We'll bring \$10,000 to the table. We look forward to working with commissioner Francesconi to raise the additional resources.

Katz: Thank you.

Lee Jenkins, Director, University Park Community Center: Hi. I'm Lee, the director of university of park community center. Portland parks and recreation. I just would like to thank these young people for coming over and doing such a good job and finding all the things that it's taken me a couple years to find in one week. I really appreciate their efforts, and their communicating those things to you. I really appreciate that.

Katz: You knew all of them too.

Jenkins: I know. [laughter]

Katz: Thank you. All right. I will take a motion to adopt the report.

Hales: So moved.

Katz: All right.

Sten: Second.

Katz: Roll call.

Katz: I'm sorry -- oh, you were seconding it. Not yet, but maybe some day. [laughter]

Francesconi: I just wanted to say a couple of thank yous. One is to Diane Walton and worksystems inc. They're doing a terrific job. I was a little skeptical in the beginning. But they're coming around and doing -- they're serving a whole lot of skids and some kids that need some help, and they're doing it in creative ways. And they're doing it in an empowering way. So Diane is -- and worksystems, through a grant from Wells Fargo, has graciously agreed, because of your efforts, to contribute in -- an additional \$10,000 to accomplish what you wanted. But they put a couple of conditions on it. One is that some of you need to stay involved with Lee and University Park to make sure we do with a you say. So you have to be part of a team that we're creating as we redesign the facility with public money and as we program it. So that was one of the conditions. The second is that we have to raise additional resources. I think the intent will be to give this the parks foundation, which we're creating. Jim Carter was here from the parks foundation, Joe Pope was here, but they all left. So the gift will go to the parks foundation, but we have to match it. And that's a second. The third is, parks and work systems are going to work together to create some other entrepreneurial programs where we can use park facilities as opportunities. Whether it's the rose -- the store at the rose garden, carts along east bank esplanade, but we're going to do more of this together and we're going to work on this. So I wanted to thank worksystems. I wanted to thank parks. Michelle Harry Potter as well as Lee. Her son will get one of these certificates that we're going to give to all of you. All of your certificates are in my office and we're going to give them to you. We were going to do it now, but we ran out of time. I want to thank them for working on this, and congratulating them. I also want to thank Christie Sweeney and Intel. We're not asking you for more money, which you thought this might have been a set-up for. But we want to thank for the \$260,000 that you invested in this. And I want to thank University of Portland. This is a model that we can expand to adults as well as young people to deal with the issue of gentrification. But I am very impressed with you, and the work you're doing. But finally, the last thank you is to the young people yourselves. Thank you for what you've done for parks, thank you what you've done for yourselves, but -- in giving you more opportunities as you go along on to higher ed and as you're in high schools here. But most importantly, thank you for breaking the stereo type that is unfairly been put on you. There's an aim.

> that you can play basketball, but you can't run your own businesses. And that's an unfair stereo type that you are breaking. And I just want to tell you, thank you for doing that. We need it in this community. And thanks for all that you're bringing to us. Aye.

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Hales: Great partnership and great presentation. Thank you. We get to hear a lot of reports in this chamber, that was a very good one. And I think the other thing that strikes me about this in addition to the quality of the professional help that we've got from these students here is that I think public facilities work best when people don't say, that's the city's thing, whether it's a street, or a public square or park, but when they say, that's ours. And your work here really helps reinforce that, that these facilities they don't belong to us or the city, they don't belong to everybody, they belong to the people in the neighborhoods they serve, and that's really what you helped reinforce here. Thanks. Good work. Aye.

Sten: I agree. Thank you. It's a terrific piece of work. You may not know it as you're in the middle of this how important this is to reach out and I think your quote at the end was right. Obviously all the great work lee has been took is showing up. I think all of you have a great future, but what's more impressive to me than your future is that even right now as you've got to focus on college, you're making things better for the communicated. You should really pat yourself on the back and on other note, I don't mean to offend everybody, it's nice to see all the grant high school graduates achieving so much. I'm a grant high school graduate, so I had no doubt about you. It's good you're proving them right. Aye.

Katz: Let me just share a few of the notions of entrepreneurialship. And what that all means. It means, really a basic change in how you view doing business. And if you are going to take a course in that, it's also -- it also means the development of what we call gazelle companies. Companies that are very quick to make those kinds of changes. So you are part of that today to make sure that our community center stays competitive as well as the community at large. Allen webber, who was the publisher of "fast track" magazine, and he sold it just recently, was here in Portland, an old friend of mine, and he said that the change comes from people that have dirty fingernails. What he meant by that was that the change comes sometimes from people who are not sitting at the table with the ceo. That change comes from an individual who may be sitting at his or her computer, that the ceo probably doesn't even know who they are, but they have figured out the change, and that's what this is really all about for you. For you to think of yourself as change agents. And think creatively and think out of the box and tell the ceo of any company that you're going to be working for, I can make this organization a lot better than it is today, and I can make it more profitable for you and for everybody that's working there. So this is the first baby step for all of you, and congratulations. You've done great work. We'll find you the rest of the money, but as commissioner Francesconi said, you're going to have to stick with us and make sure this happens. Good luck to you and -- at howard university. Thank you, university of Portland. This is a wonderful addition. And of course intel and worksystems. Aye. [gavel pounded] thank you, everybody. 958.

Item 958.

Katz: Wait. I don't have a quorum. You're fine. Somebody get our commissioners back into the room. He's shaking hands. Okay. I will need commissioner Hales as well for the vote. Let me introduce very, very quickly. Every year we get around a million dollars from the federal government, which is block grant money. And we are partners with a lot of other jurisdictions, and jane will rattle them down for you. Will so it would be nice if we could keep the entire million dollars for ourselves, but we know we're partners with other local law enforcement jurisdictions, including the county that's getting a very handsome share of these resources. And let me turn it over now to jane, and she will explain to you who our partners are and what the money is going to be used for. Let me flag that we have thought the long time where we need to plug some holes that currently we don't have the resources, you will hear about the expansion of the drug-free court, the drug court, you'll also see the need for us to provide resources for outreach workers.

Jane Braaten, Portland Police Bureau: Jane, from the Portland police bureau. As the mayor said, since 1996, these law enforcement block grant funds have been used for four primary areas.

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Innovative law enforcement and crime prevention programs, targeted missions on crime and livability problems, auto theft, theft from auto missions, specialized equipment and technology to support the bureau's mission for the especially -- special emergency reaction team, hostage and negotiation team and metropolitan explosive disposal unit. And our Portland public schools with our other criminal justice system agencies, including one of the primary partners we've had since the beginning, the Multnomah county district attorney's office for the neighborhood d.a. Program this. Year's package was approved by the bureau, its partners, and its community advisors at the required advisory board meeting on July 12th. This year's application includes funding to continue firearms investigations, enhancements to crime mapper and those services, specialized precinct missions and the d.a.'s neighborhood d.a. Program, and additional funding to enhance the bureau's investigative function. For funding for equipment and technology to support our investigators, primarily our computer crimes, our fraud investigators, where technology is a much-needed tool. The mayor asked to elaborate on the partner proposals that you will see included in this package. The neighborhood district attorney's office receives funding for two neighborhood d.a.s and a drug unit d.a. Multnomah county sheriff's office receives funding for overtime that they use for specialized training for their -- both their sheriff's deputies and their corrections personnel. There's \$250,000 to support the stop drug court program, and the treatment court to develop -- divert mentally ill offenders receives funding for the first time this year. And those are for Multnomah county. In addition to that, we have a portion of funds going to support the oni block captain recruitment program, the embrace program for high-risk offenders and youth gang outreach. So those collection of partners are included in the package that we are asking you to -- permission to apply for.

Katz: Did you want to say anything? No.

Susan Crabtree, Police Bureau: No. I'm Susan Crabtree from the police bureau fm analyst. It's actually \$1.8 million.

Katz: That's right. Because there is a local match. Correct. Questions? Anybody else want to testify? Roll call.

Francesconi: Sounds terrific. Those are good priorities. Aye.

Hales: Aye. **Sten:** Aye.

Katz: No, I'm going to have a warm heart and not say anything that I would have said a couple of weeks ago. Aye. All right. [gavel pounded] 967.

Sten: 959.

Katz: Oh, I'm sorry. Go ahead.

Item 959.

Katz: All right. I'm going to give the mike over to commissioner Sten. The only reason that the three of us are on it, yes the only three in city hall. So if you want to add your name on this resolution, feel free.

Sten: Well, it's lunchtime, so I'll be short. I wanted to share a couple of quick shots. I think when 178 nations endorse the Kyoto protocol last week, or the week before last and the United States was not one of them, I felt there -- it was important, as did the rest of the council, to reaffirm it's a long-standing commitment, Portland was the first city in the nation back in 1993 to have a local plan to reduce gas emissions. Two things have become clear -- one is that it can be done. And hopefully as we redouble efforts we'll get to an overall decrease even with the -- even with the population growth. Two, the fundamental reason, I think this is the point we want to keep underscoring, that the U.S. is staying out of these agreements is that the national position has become that it's too expensive. And it's been our experience in Portland that we actually have had a very good economy at the same time we've reduced emissions per capita, and I believe strongly that those things are related. If you have a strong quality of life, you actually produce a city with transit, with good land use, with good recycling systems, planting trees and all of the things that reduce emissions, you

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actually have a better chance of having a good economy and I have a very short panel we invited and -- to quickly give background. One of the members was Tom Kelly, who had to leave because of the hour and was going to speak to this from a business perspective. He shared with me his testimony that I'll give to the council, but one of the things he brought was a quote from *Kidnap Linger's* magazine, not a left-wing periodical, that points out there's very good chance aside from the obvious environmental consequences of not solving this problem, and I think they're dire, businesses could suffer very much that the U.S. staying out of this for several reasons. One is that any emissions reductions of businesses make in the short-term will not be eligible to be traded, which is a key part of the worldwide scheme on how to take this on, ask secondly, there's a good reason to believe that other nations will see this and -- as an unfair trade barrier because their companies are forced to take this on while ours are not. So we're in a very dangerous position where on one hand things like our auto manufacturers could be in big trouble as the world changes the types of cars it buys and our manufacturers themselves could be so far behind on something that I think is inevitable if we're going to do the right thing. I not only think this is the right thing to do, but I feel strongly that it can be done in a way that helps the economy and thought this was a message and -- the other major city who has taken this step is Seattle, so Seattle, Portland are starting to form a block in opposition to I think what is a very short-sighted national policy on global warming. Let me introduce Sandi Scheinberg, and Mike Burnett.

Sandi Scheinberg: I've been introduced. I'm here to speak from a faith perspective, which will add a unique complement to the economic perspective as well. I am very proud that our city council is not waiting for others to take a lead on the critical issue of global warming, but -- and has already. But understands the monumental flat of global climate change and is setting about taking further responsible action. Jewish tradition teaches us to be responsible stewards of creation. And to leave the bounty and beauty of the world intact for future generations. We believe our personal energy behavior should reflect these values and should be based on conservation of resources, protection of public health, and environmental protection. And these are values that's almost all citizens share. And we should strive to have our local and national policies reflect these values as well. Recently nine Oregon rabbis signed an open letter to the president, the congress and the American people, along with dozens of spiritual leaders from other faiths in concern for global warming. I'll briefly read a segment of the letter. Far more than rolling blackouts and gasoline price increases are at stake. The future of God's creation on earth, the nature and durability of our economy, our public health and lands, the environment, and the quality of life we bequeath our children and grandchildren. Yesterday this very letter was sent out to President Bush and the congress with the names of more than 500 additional rabbis from across the country. So the Jewish community is strongly encouraging the Bush administration to change course and to act responsibly on this issue on a national level. And on behalf of the Jewish community I'd like to thank the city council, hopefully for taking a leadership role here at home and I'd like to finish with a quote from Jewish text. See to it you do not spoil or destroy my world. For there will be no one to repair it after you.

Katz: Thank you.

Mike Burnett, Executive Director, Climate Trust: My name is Mike Burnett. I'm the executive director of the Climate Trust, a Portland-based nonprofit that helps implement Oregon's cutting edge carbon dioxide standard for new power plants. The earth, which is our home planet, is undergoing rapid and accelerating climate destabilization and human activity is the cause. There are overwhelming odds the earth will warm by approximately 5 1/2 degrees over the next -- during this century. This is about five times as great as the amount of global warming that occurred last century. This will cause things to happen such as the snow line moving a thousand feet up mountains worldwide. The northern polar ice cap melting completely in the summers so when you look at the image of the globe there will be no white cap at the top. In the northwest, the global

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warming is expected to be greater. Eight degrees over the next 100 years. For Portland, that means our coldest winter months, december and january, will be like march is now. And our summer months, june through september, will be hotter than august, and will in fact be like sacramento summers are now. So very dramatic changes in our weather pictures. So what does this mean for natural resource base? It's dramatic and very negative impacts, severe summer droughts will become common, forest species composition will shift, and forest fires will become much more frequent. The winter snowpack will melt sooner, creating water stress, water supply problems, and negative impacts on the salmon. So all of these are very dramatic and very substantial problems. There is the good news -- that's the bad news. The good news is there is preventive action we can take now to reduce these impacts and that's why I commend the city council for stepping forward and addressing this very important issue. Portland is known to be -- known to be one of the leading cities on this issue, and you should be proud of your past accomplishments dating back almost a decade. The global warming action plan, aggressive energy conservation in your city facilities a fuel cell at the wastewater plant, the l.e.d. Traffic lights. So lot of stuff you are doing. However, like kyoto, these are only the first and small steps. I urge you to back this resolution with bold action that you would take and do so soon that would affect the entire community. Things I suggest you consider include investigate in a wind farm that would power -- provide the electricity to serve all of the city needs. This could be done using an innovative financing mechanism called renewable energy inflation bonds which dramatically reduce the cost increase or cost impact of going with renewable energy. It's a very attractive investment as well. Whether in all of the apartments and houses in Portland. We've been doing this for 20 years, let's try to get it done over the next ten years. Work with the utilities and businesses to help them cut their greenhouse gas emission and on the transportation front, things such as let's think about making all mass transit in the city free. Not just downtown. All over the city. And as a city fleet turns over, move to hybrid vehicles, move to fuel cell vehicles as they become available and power them by are you newable -- renewable energy. I'm proud to live within a city that understands and is willing to address these issues and is taking actions such as this resolution here today. And as a representative of the climate treaty, we look forward to working with you all to try to help improve the bottom line of the earth's atmosphere. Thank you.

Katz: Thank you. Anybody else want to testify?

Sten: Briefly as a factual thing, the kyoto protocol requires a 7% reduction by 2010. The city stated goal, which I think we'll get to, is 10% reduction by the same period. So as a city with zero help from the federal government, we believe we can exceed the kyoto protocol. It itself has -- is not enough to solve the problem, but I believe if the federal government partnered with us we could get to those numbers to be on pace to solve it. Our efforts alone should get us past what the u.s. Government is unwilling to commit to.

Katz: Thank you. Roll call.

Francesconi: My favorite bumper sticker of all time is, think globally, act locally. If we don't act locally, we're not going to have a globe to think about. So we need some collective efforts like this at the local level by a variety of localities, and it needs people to take the lead. So I appreciate all of us, our efforts, commissioner lindberg, who really pioneered some of this, our efforts in this regard. It is economically in the long run, it's the right thing to do. But I was particularly struck by the testimony we received here on the spiritual side. I'd like that quote from -- i'd like the quotation, if you could get it to me. The idea that we are responsible stewards of creation and it's our job to do this, we really, the other thing that's changed in the last ten or 15 years is that the science is proving that this is happening. And we really are destroying our planet. And then there's the equity issues that the united states, which is superior standard of living, which needs more resources and burns more energy in order to have that high standard of living, compared to other countries in the third world that don't have that, it's just a fundamental equity question that makes it sometimes a little

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difficult for us to be americans. In this world that we're trying to protect. So this is the right step. The president is out of touch with the citizens on this issue. We're doing the right thing. Aye.

Hales: What a contrast. The bush administration is proving that when you have your head in the sand it does affect your vision, and erik, your leadership is proving we can do this really without having to make any kind of hero I can effort or huge sacrifices, that we can exceed this goal.

Thanks for your vision and leadership on this. Aye.

Sten: Aye.

Katz: We are an international embarrassment on -- not only on the kyoto protocol, but the bm treaty and germ warfare, and the list keeping growing. So it's really up to us now at the local level to set the tone and to set the example and make sure it happens, because at least as far as this administration, they have abandoned us. I'm glad that we have support for free public transportation. It's a goal that i've been pushing. It is costly to do it, but there's no question about it, that if we provide it, they will come. The streetcar was a perfect example of it for that first weekend when it was running. So thank you, commissioner Sten and we'll be working on this issue in the future. Aye. [gavel pounded] all right. Thank you. 960.

Item 960.

Katz: I've been asked to bring this back next week because the office of finance and management have not reviewed it. That's all right with the council, i'll put it on the -- did you want to say something about that? We'll bring it forward next week. Any objections? Hearing none, so order. [gavel pounded] 961.

Item 961.

Katz: Go ahead.

John Warner, Finance Coordinator: Good afternoon, madam mayor, commissioners. I'm john warner, finance coordinator. Before you is an ordinance authorization execution of a letter of intent for bonds for the museum place south project, a mixed income mixed use component of a larger multiphase museum development e it will provide apartment housing, 47,000 square foot grocery store, 1200 square feet of neighborhood serving retail and 219 underground parking spaces. These bonds are called conduit financing because the city issues them. But the bounds are not an obligation of the city. The borrower through a loan agreement with pdc will assume responsibility with the debt service on the bonds. Council gave preliminary approval for the issue answer of these bonds for the project on february 14th of this year. Among the provisions of the resolution was authorization for the city's debt manager to execute a letter of intent for the bonds. Since council's approval of that resolution, the city attorney has determined that the letter of intent constitutes a contract that per city charter must be authorized by ordinance. The ranks restates the council's prior approval to execute the letter of intent and we anticipate coming back for final approval in september of this year. I'd be happy to answer any questions.

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

Francesconi: Via question. First, it's a great project. I'm going to vote in favor of this. But I don't totally understand it, and I should. So this is separate from tax credit.

Warner: Correct.

Francesconi: What backs the bonds? I know it's a dumb question.

Warner: Just the revenues of the project. It's a revenue bond effectively. The city issues them but they're an obligation of the borrower and the only revenue is -- that would repay the bonds is the income from the project.

Francesconi: Okay. And there's sufficient income to cover the bonds?

Warner: Yes. It's got 125 debt service coverage in the initial year and it grows substantially through the per forma.

Francesconi: Thank you.

Katz: Roll call.

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

Katz: Just want to add a ps. It's no longer called museum place. Aye. [gavel pounded] 962.

Item 962.

Katz: Oh, look what we have here. I thought you were going to give her away to us.

Maura White: I started young.

Katz: Okay.

Merilee Laurens, Portland Police Bureau: I'm with the Portland police bureau, youth crime prevention division.

White: And i'm maura white. This is anna marie. We're here to ask you to improve an ordinance to apply for a continuation grant. Although it says it's a new grant, we got a grant last year that you approved and we got \$296,000 from the office of community oriented policing to do prevention and fun stuff with youth. We now get to apply for 30% of the funding and I asked for 38%, \$111,000 to go back into programs. It will be the last year they'll be doing the funding for this and so we're asking for approval. We've had great Portland public schools, great collaborations, everybody's got a piece of it. As -- along with all the law enforcement agencies in the area. Portland school police, sheriff's office, gresham, it's been great. Really great. A lot of kids have been served, a lot of kids have been impacted. High impact. We pulled everything all together and a big thanks to the Portland police bureau. As a fiscal agent and as a big partner.

Katz: Do you want to add anything?

Laurens: I would like to add a couple of things. One is, one of the programs we're going to try to implement in conjunction with the program this year is the first step program. Steps to success and the legislature had done that through the Portland public schools a couple years ago, and through the head start programs. And dr. Hillwalker and jeff sprague, university of Oregon, in the violence and behavioral science area, are going to work with us in trying to develop a program where we would have our police officers and our career academy kids at roosevelt high school and the public safety career academy, and the police core do mentoring to the younger kids and working with behavior modification and in some ways in the schools, but also at the youth center and some of the other facilities that would be using for this program. So that we're getting more of the -- the title of the grant is justice based after school programming. So our intention is to try to involve more of the justice-based people, the people that are in -- involved in public safety, to help with this. And i've also spoken with don porth at the fire bureau, and he has a project he's working on down at that fire station 13, and he's going to be working with us as well.

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

Francesconi: Just -- we appreciate the partnerships between police and parks. We just did something with kids on the -- that was a terrific thing on our park rangers, with the police cadets and a joint program on the east bank esplanade. So it's been terrific. Your idea, your plan to include hill walker, dr. Hill walker is tremendous. The guy is a very, very good, and not only my -- my only request to you, I ended up speaking to one of the principals who was contacted a little late and didn't feel quite included in the program in the -- the last time around. So it's really important that these partnerships be developed and kept people kept apprised. It's working out now, but the principal expressed some concern. So it's important that we keep --

Laurens: I'm sure we know which one that is. We took care of her.

Francesconi: Aye.

Hales: Great partnership. Aye. **Sten:** Aye.

Katz: Good work. Aye. [gavel pounded] thank you. All right. 963.

Item 963.

Katz: Okay. Does anybody want to talk to us? Anybody have any questions? Anybody else in the audience want to discuss this with us? There isn't anybody left in the audience. Roll call.

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

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

At 12:27 p.m., Council recessed.

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August 1, 2001 2:00 PM

Katz: The council will come to order. [roll call]

Katz: If you look at the balcony, we have friends from all over russia here at least in Portland for a month to learn english, but they speak a lot better than english than any of us speak russian. So you ought to be congratulated. We welcome you here. Item 964. Again. [laughter]

Item 964.

Sten: I've already seen this movie:

Katz: I need a substitute motion.

Hales: So moved.

Katz: Do I hear a second?

Sten: Second.

Katz: Any objections? Hearing none, so ordered. [gavel pounded] would it have been an amended, but the city attorney told us a substitute is probably the route to go. So gil. Is this the last?

Gil Kelley, Planning Director: We'd like to think so. We have -- you've referred us an issue that i'm not going to go into great background about. Gil kelley, planning director. Essentially we went away to meet with a variety of parties, internal and external to the city to see if we could craft a process by which the cnf corporation could commence its internal master planning so it would run simultaneously with the area planning efforts that the bureau and citizens are conducting you no. Those processes each are expected to take about 18 months to complete. We have crafted something along the lines of proposal we gave you last time, which would mean rezoning a subdistrict of the transition area west of i-405 to ex, but to impose a requirement that any substantial development on those properties receive a master plan approval prior to commencement of building. And that would give both the flexibility to the property owner and the certainty to the neighborhood that that property would be developed with an eye toward the whole of the long-range development and with certain community standards and aspirations in mind. You'll probably hear some things today where there are still a little wrinkles in -- interpretations, and so you'll need to hear from the other parties today to get a sense of what those are.

Katz: How deep are the wrinkles?

Kelley: I'm not sure they're real deep, but you may want to judge for yourself on that. I think we've -- we have something for which no one feels completely happy which may be means we've got it about right or as close as we can get it. I think we have stayed true to what we presented to you with conceptually at the last time, which was your direction to us. I think what you're really hearing about now are some details.

Katz: Okay.

Kelley: Let me let barry walk you through a few of those pieces.

Katz: All right. He's not going to go flew the whole thing?

Kelley: No. Highlights.

Katz: All right.

Barry Manning, Planning: I guess i'll just go through -- i'm going to skip the power point and we'll go through a few of the highlights of the packet you should have received, which is now -- as gil mentioned, we put together a master plan proposal that would be effective in a subdistrict of the northwest plan district and that's -- the report on that is contained in exhibit b. That is the substance of the master plan proposal. Did you all get copies of that? And we'll just turn to the power point for a second to review what the objectives are in the purpose statement of this. Hang

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on one second. Let me show you, this is the area we're talking about, and i'm going to point to it with the pointer. The area over here to the right of the screen that's in the green hatch is areas that the council and planning commission had already decide order --

Katz: You're rolling, barry. Will.

Manning: This area up here --

Katz: The screens are rolling.

Hales: No. Jim's is and yours is.

Katz: Okay. Go ahead. It's all right.

Manning: The area that we're dealing with now is this area, subdistrict b, and the area where there's green happening is the area that we're proposing the -- be rezoned and change the comprehensive plan to -- from ig-1, industrial sanctuary, to exd, combined with the master plan. I just wanted to review that the master plan concept was to rezone selected properties and the master plan regulations and subdistrict b are generally to ensure -- and these are from the purpose statement -- pedestrian oriented transit support and development, development that includes a variety of uses but retains the ex zone focus on employment use that's need a central location, high-quality design appropriate to an urban setting, a street plan that provides for frequent and pedestrian -- provided by existing grid in that area. Transportation and parking demand management strategies to reduce reliance on the automobile, development that's integrated in the broader area so this doesn't become an island in the area of otherwise dissimilar development, transitions to the areas on the edges, and this relates to the development that fits into the broader urban fabric, and an efficient use of land. There's quite a bit of acres involved and we want to make sure the land is use in the best manner possible. As I mentioned earlier, gil mentioned, this applies to the sites in the ex zone as optional for properties that are zoned ig-1 and cnf, who happens to be a major landowner --

Francesconi: What is the requirement for parks and greenspaces in this master plan

Manning: Difficult to do in this type of master plan.

Hales: Can't do it. That's where it is. Can't do it.

Manning: The master plan components, we have a number of different submittal requirements that would include boundaries overall scheme, site plan, transportation analysis, things of that nature. We've done clarification in the plaster -- master plan process about the review procedure. It's a type 3 procedure that would be reviewed by office of planning and development review. The review and approval would be by the hearings officer with a recommendation on design issues from the design commission. The master plan must be found to be consistent the purpose of the master plan and plan district and meet approval criteria that addressed those issues. Those are the highlights of the master plan there are some amended maps in the back of that that expand the plan district boundary larger than it was from the original planning commission recommendation to accommodate the master plan. You'll see those in the exhibits. And then in addition to the master plan, i've included a few others that are noteworthy and you need to be aware of. Exhibit c is substitute language for the mechanical equipment issue that the council heard about I guess two meetings ago on the same subject, so you've seen that language before. Exhibit d is amended language for limitations on retail sales and service uses. These limitations are -- codify and redraft the limitations that the council and planning commission are recommended -- had recommended in the pearl district, which was at 40,000 square foot maximum peruse on retail sales and service uses, and in the northwest district association area in subdistrict a, which was the original area a. 10,000 square foot limitation on retail and service uses. Because of the metro requirements and other issues of neighborhood concern, we have also recommended including a limitation on retail sales

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and service uses in subdistrict b, where the master plan applies, also at a 10,000 square foot peruse limit. We thought that was -- a, met the metro guideline, which calls for a 60,000 square foot limitation, so more than meets that, but it's also consistent with the planning commission's recommendation for a 10,000 square foot limitation on retail in the nwda area west of i-405 and consist weren't -- consistent with the neighborhood's desires as per their adopted neighborhood plan. Exhibit e in that packet is a map that just shows clearly the areas that are proposed for rezoning from ig-1 to exd. Which includes the area of the master plan as well as the areas discussed before. And exhibit f is simply a map correction. One of the maps that we had included back in the planning commission recommendation showed an area in the central city as not having height bonuses eligible because of just -- because of the timing of projects this map was produced before a project was adopted. So this is a clarification that height bonuses apply in the area south of lovejoy and east of i-4 I 5 that were taken through the union station clock tower project. So that concludes all of the additional exhibits that were propose -- that we're proposing.

Katz: What are the wrinkles?

Manning: The wrinkles, we've got cnf is concerned about a few issues. The major one here we're going to hear about today is regarding the retail limitation and we'll let the different parties make their case about that. This was a fairly late in the game addition that we put in there as we were going back through the findings. We realized we needed to be consistent with metro so we needed to prohibit retail sales and service uses at a minimum of 60,000 peruse. What we did in the area of pearl district west of -- east of i-405 we made that limit to prohibition and limitation consistent with 40,000. In the area west of i-405 and nwda we proposed 10,000, consistent with what the planning commission recommendation was, and what the neighborhood had desired in the neighborhood plan. We had looked at for the master plan area some limitation that's were a little more liberal, perhaps 40,000 square feet, which would allow things like a grocery store and those retail limitations could be negotiated, but that was found to be unacceptable to the neighborhood association at this point in time. We offer those with the sidebar that these can all be resisted as part of the northwest area plan process. If we have the numbers wrong they can be adjusted, which will be concluding in fall of next year. So the other wrinkles that i've heard about from cns, they're still concerned about the surrounding grid pattern as the benchmark used as connectivity in the area. i've heard they would like additional assurances that the existing development, their office development can be utilized as office space perhaps by other users. We feel the code as we've written it takes care of that issue. They desire clarification of a -- our understanding is that if they have an approved master -- if they applied for a master plan prior to any changes to the code, they would be subject to the code in effect when they made the complete application. So if the -- they applied and the rules were in effect they could continue on that -- down that path and work through the master plan. As we said earlier, ideally cnf's internal master planning process and the northwest area plan process goes on concurrently and perhaps the need for a master plan goes away entirely and the development standards and guidelines can be codified in the area plan itself. Nwda, their concerns primarily have been that the master plan does not specifically address the need for a park and open space. I think we heard commissioner Francesconi just speak to that. We've tried to built safeguards into the master plan language to make that happen. And they're concerned about deviation from the northwest area plan process. Finally, st. Patrick's church has been involved in our discussions, and my understanding is they haven't -- they don't -- I didn't hear of any specific issues, but they did wish to participate in the whole northwest area master planning process and make sure they were engaged in that.

Katz: All right. Questions of staff? All right.

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Manning: Can I bring up one other thing? We also in the process of reviewing this code language, and it's been a very interesting process over the last three weeks, we have had participation from the planning bureau, several folks in the planning bureau from folks from pdot and folks from opdr, and opdr has expressed some concern about the design related approval criteria in our code. They feel given more time we might be able to further refine that and make it more clear for the design commission the exact features they're reviewing. The code before you I think does get at it, but probably not as well as it could, given a few more weeks to work on this. That's the last of the comments. Did you want to add anything, gil?

Katz: Who do we have who wants to -- okay. Come on up. Does the church want to talk to us too? Yes. Come on -- your property is smaller than all the interests at the table, you're still a partner with us.

Sten: Could I have one personal --

Katz: Absolutely.

Sten: I have a guest visiting from greece. In the interest of fairness to all mediterranean nations, after commissioner Francesconi has been bringing in italian visitors, my wife's cousin sophia is visiting from athens.

Katz: Nice to have you here.

Hales: I assume she's not going to sing, however. You can if you'd like.

Sten: We had italian guests sing a song a couple weeks ago.

Katz: Actually it was a song about Portland, and we're going to extend that opportunity to all our ethnic friends. No, no, not today. All right. Who wants to start? John.

John Bradley, Chair, NW District Association: Thank you. My name is john bradley, I reside at 2350 northwest johnson. I am chair of planning for the nwda. I am here to speak for the proposed planning document. Having said that, I must add that the support is less than unanimous and less than wholehearted. First and foremost, on many of the committee members' minds is the fact that the process through which this product was arrived at has not lived up to Portland's high standards of public input and planning. We point no fingers of blame, but somewhere in this whole procedure the land use side of this slipped over into a deal-making process for the benefit of one landowner. It is our belief that this sets a dangerous precedent for all future large land developments of this style. On the product side, we have grave concerns about exactly how the master planning procedure will inform and interact with the larger northwest neighborhood area plan, and exactly how it will prevent cnf's area from looking like suburban campus planted in an urban area. To plan for a smaller area first while letting the larger area hang fire, is not the best paradigm to follow. Also of concern to the committee is the fact that there is no mandate to reestablish the street pattern. What we thought would be specific language dealing with which streets would be reopened has been replaced with language using such words as where practical. This leaves the door open for future wrangling. If this area is not going to look like a suburban campus, let's deal with the street grid now. Lastly, and most importantly, nowhere in this document have parks and open spaces been mentioned. If this whole exercise has been given -- has been to give of a specific set of guidelines so that they know what they're getting into, surely they need to know that parks and open spaces are part of this deal and a high priority for the neighborhood. All of the planning calls for usable open space in this area and the 20/20 parks plan's ideals would seem to call for the same. Please don't leave us the neighbors with nowhere to recreate. Too serious?

Francesconi: Two --

Hales: Two questions. How would you propose we deal with the parks issue?

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Bradley: I would like to have at least seen parks mentioned in here and say that that will be part of the master plan.

Hales: What does that mean?

Bradley: It would go in the purpose statement. Nowhere in the purpose statement does it --

Hales: How would that be -- how would that produce a park?

Bradley: How it in and of itself -- it would not produce a park, but since I believe this whole exercise has been to give surety to cnf so they know what they're getting into, that they should be -- they should be apprised that somewhere in this deal there is going to be some sort of park required in this area. If that's part of the -- if they want to know what's going on in this area and they want the plan -- they want to know what's going on in this area, which they do, we should say, there's going to be a park in this area.

Hales: The reason i'm being pushy about that is I think we need to be very clear about this subject, and not give people either false hopes on one side or false fears on the other. And that is in my understanding, there are precisely two base by which municipalities can get parks in this era. One, we can buy real estate and build parks, or two, we can execute development agreements with developers and require that the developer build a park in exchange for other public benefits conferred on that developer, as we did with hoyt street properties. Those are the two ways we get parks. We don't get parks with vague and general plan language. We never have, and we certainly never will now after nolan and dolan. And we don't get parks with requirements because nolan and dolan, two supreme court cases, told us we didn't do that anymore. If we want park, we need to buy property or we need to execute a development agreement with cnf or somebody else and have them agree to donate land for a park in exchange for public benefits. Those are how we get parks. So I don't want your membership to have some false hope that if we put some nicey-nice language in this thing about there ought to be parks in the plan, that's -- that could somehow ever result in a park. Somebody needs to correct me if my legal understanding is wrong, but I believe those are the two ways and the only two ways by which municipalities in Oregon, at least, get parks.

Bradley: Are you saying you don't support a park?

Hales: No, i'm saying we should buy some property yesterday for a park in this district. And i've been saying that ever since we started talking about this issue. I think jim agrees. If we can find the money. So -- but we need to be clear. We can't sidle up to the issue and hope a park is going to fall in our lap. We need to face up to the issue and come up with some money or come up with some kind of deal, you're using your word, with this property owner or some other that they decide to donate property for a park in exchange for other benefits. That's how cities get parks, period.

Francesconi: And I appreciate -- I appreciate commissioner Hales's help. I haven't been part of this. Gil, I need you to hear this too. I haven't been part of this, but it's my understanding some conversations may have happened with the developer about this idea of getting a park there, and there may not have been interest in that. So I don't know if that's true or not. I've just heard that. So you may be -- maybe you can respond. We have a parks bond measure potentially that there could be some money. This is a park-deficient area. And we know that. The question -- commissioner Hales is connect in his legal analysis in terms of dolan, so just putting language in a master plan doesn't really get us where we need to be. But as measure 7 has taught us, government can cost property owners money, but upzoning can also make money for property owners. And so it seems fair to have a discussion about the potential of a park before the zoning change happens. And that's kind of -- I guess we should get it out on the table. I'd like to hear where we are. We may decide not to proceed, but if the leverage is now, now is the time to have the discussion, not later.

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Katz: Let me just add my two cents. I think commissioner Hales is right on target. Quite frankly, if you had additional resources, city hasn't done very much for two parks that we have today in the most dense neighborhoods, which is Couch and Wallace Park. So I'd like to see a couple of dollars going there for parks that have -- that sit in the highest density neighborhoods. That's my two cents, for whatever it's worth. John, do you want to comment on that?

Bradley: You know, I have to agree with commissioner Francesconi. But first, I agree with you. Yes. There needs to be more money spent on parks, in needs to be more money spent on trees, we keep dedicating heritage trees, there's no money to support them and no money to trim them. Yes, we need to upgrade both of those parks. At the same time, as Jim pointed out, now when the price -- when presumably the prices will still be available at the level, or somewhere in that ballpark, before this is all rezoned, and pricing goes up, we need to make some statements or have some discussions about whether we -- or not we want a park in this area. And I don't -- and I'm rather surprised at the -- you made your statements, and, yes, I understand that. We've had discussions about this. And know, I didn't expect a park to magically drop out of the sky. But I do -- but some sort of recognition from the council in statement of support that this area is underparked I think does a lot for community morale. I'm not going to go out there and pitch this as though we were promised a park, and I'm not saying that. I'm just saying, I would like to be able to take back to my people the fact that, yes, someone is listening and in this process we may or may not move up on the priority scale getting another park for the neighborhood.

Hales: Let me explain my vehemence. It comes from a belief that -- belief that we are about to dither our way through losing the opportunity for a park in this neighborhood. Now, we have a capital improvements planning process in PDOT where people sit around and plan and think of improvements they'd like to have that never get built. You as a neighborhood leader could take home a -- as a product from that kind of discussion a great design for some street in your neighborhood. But wouldn't you rather take home the street improved to the design that you wanted? The same thing is true for a park. We could put some nice language in here and you could take home that the city council heard your concern about parks and put something in the plan about parks, and then never get the park. Wouldn't you rather take home the park?

Bradley: I will. And I'm --

Hales: And my vehemence is coming from a strongly held belief, looking at the history of the last couple of decades in this city, the only way, the only way we get park land since Forest Heights, there has been precisely one park donated to the city of Portland by a developer in the last 20 years as an exaction. That was Forest Heights. That was the last one. That donation was prior to the Dolan and Nolan Supreme Court cases that told us we can't do that anymore. Since then we have acquired parks through three means -- the transfer of property from Multnomah County to the city of Portland, the acquisition of real estate with public money, and the execution of development agreement with developers who've agreed to give us parks in exchange for the city investing in infrastructure, like, say, a streetcar. If we don't do that soon in this neighborhood, I would have preferred that negotiation had happened before today, but it hasn't. If we don't do that soon, to put it more explicitly. We don't exercise an option with somebody's real estate or -- sorry, acquire an option with somebody's real estate real soon, we'll pay higher later or simply won't buy the property. So my vehemence is coming from a belief that the need for a park, which is critical once we change the zoning, you don't need a park in an industrial district. If it's going to be a residential and mixed use district, we have to have a park. And it's an underparked -- Northwest is already underparked as a district anyway. If we don't option a couple of blocks from CFF or somebody else

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in the next 60 to 90 days, it won't happen. In my opinion. That's where my vehemence is coming from.

Katz: Okay. I think I -- let -- I think I hear frustration on everybody's part. I think John in all fairness, I think everybody on the council realizes that parks, open space is critical to neighborhood, and this neighborhood has always been willing to take the density and as we increase the density, there has to be additional open space. Now, if there is -- has been discussion with the owners, and why not? If there's been discussion with the owners then we need to know about it.

*****: Thank you.

Katz: There hasn't been discussion.

Chuck Dragon, CNF Vice President of Administration: My name is Chuck Dragon, vice-president of administration for CNF. I'm here today representing CFF with the intent of support for the revised ordinance. However, I must qualify that support subject to confirmation that the council and the bureau of planning staff share our interpretation of three points, which I will address the first two points and we've asked Steve Pfeiffer to address the third one. Barry, in his opening presentation, touched on them quickly. It is our understanding the purpose of -- a proposed ordinance includes the possibility a northwest area plan from the upcoming legislative process will void any CNF master plan approved prior to the northwest area plan approval. Earlier draft of the ordinance contain add provision which expressly stated the northwest area plan could overrule and render void an improved CNF master principal. We understand that based upon our objections, the current version of the ordinance eliminate this provision in its entirety and add language in the purpose section which states that a northwest area plan merely may modify or delete the ordinance before the council and would not affect in any way an early approved master plan. Point two, under the current industrial zones, the three existing office buildings may be used for offices only by CNF unless a conditional use permit is obtained. We have heard repeatedly neighborhood representatives and the bureau of planning staff that they would have no objections to CNF being able to utilize these buildings for their own purposes or as leased office space to a third party tenant under the new EXD designation. We propose specific language that all existing buildings could be used consistent with the new zoning designation without requirement of the master plan approval. Although staff declined to include our language, they have again stated CNF and a tenant without a master plan approval can occupy the office buildings. We presume their interpretation is based on language in subsection c-1, saying that a master plan is required only for an expansion of floor air and for a change from one use category to another. Accordingly, it on our understanding that the buildings could be utilized for full office purposes either by CFF or an independent tenant provided we do not expand the existing floor area and we do not change another -- to another use category. And in order to fully support adoption of this ordinance, CFF requests that at this time either Gayle or Barry basically indicate whether they share our interpretation and we are correct, or they -- there's another interpretation.

Katz: All right. Are you finished with your testimony?

Dragon: Yes.

Katz: Okay. Steve, you have a point you want to raise?

Steve Pfeiffer, CNF: I do. Steve Pfeiffer, 900 Southwest Fifth, Portland. On behalf of CNF, two very quick thoughts on the park issue. As a 25-year resident of northwest, I -- I think your discussion really highlights the difference between planning and implementation. What John is asking for I think appropriately is an acknowledgment of a need for parks as a planning issue. I think it belongs in the ordinance that you adopt, but not in the master plan section. It belongs up

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front in the pieces that you hash through earlier, the plan district and the purpose plan, identifying as a matter of policy parks and open space is something which should be achieved in the area as you increase density and office and employees. It comes up today in the implementation, and -- the property owners be called upon to do it as part of a master plan. That's why commissioner Hales comes from the other direction. The common thread between the parks issue is as a matter of policy and planning as you go through this next legislative process, the bureau will undertake for the next 19 months, parks ought to be part of that. Whether you get the parks as part of a negotiated development agreement in a master plan or through the other means, will take care of itself in the master plan negotiated process. But put it in the policy piece if nothing else. Conversations Gil and I had a number of conversations, I don't know about Chuck, about the need for parks and we've actually pulled out maps and talked about even on CNF property where quarter block, half-block parks make sense for employee, routes, pedestrian circulation. But we haven't talked about CNF and under what circumstances. But we played with the maps, believe me. It's parks deficient and we're about to, with this change, add a bunch of density and probably other mixed uses. And it will increase with that decision. Two other points on -- quickly on -- to supplement checks. They have to do with code language. The retail limit takes in the street grid issue -- and the street grid issue. I go back to the key point before you. What you have is a master plan requirement for subdistrict B. No development can -- of maintenance and repair if you adopt this without a full master plan. As you know, it is nothing short of a plan of zone change process with the type 3 hearing and extensive testimony and input from everybody involved to do a master plan and you will have that here. The two issues that I'll leave you to consider, the retail sales and service is a prohibition. Now, that means that even a hearings officer in the course of a master plan could not authorize 10,400 square foot. Could not authorize a grocery. Because you inserted the word "prohibited." that was a late change. When I heard about it this morning, my reaction was, that's fine. We don't have a need right now, we haven't started the plan for 10,500 or anything else. On the other hand, my response was as long as dealt prohibit it, it ought to be capped at 10,000. Unfortunately, coming in to we learned it had been reduced to a prohibition. That's the antithesis of the master plan process. You're going into a master plan to by range of spectrum with input from everybody and you and I know, many of us, there has been input from many groceries who want to move into our area. This area. To service both river district density and our density in the neighborhood. Those grocery floor plates range from 2500 in a truly urban setting to -- I have to think about city market, it's probably less than 10. We're talking about a quarter block of downtown, single story at 10,000 cap. That's more than most inner city grocers would require. We are quite comfortable with it if you could put the 10,000 in but, say, accept as otherwise approved as part after master plan. I understand why in the river district it's a prohibition. There's no master plan requirement. If you didn't put prohibited in there, you'd get an adjustment, at least. In this case, give it more flexibility and put some faith in the master plan. It couldn't be approved over 10,000 without hearings officer approval and on appeal to you. Your hands very much on the throttle because of the master plan and I urge you to retain the flexibility. Last point, on page 15, the street grid issue that Barry mentioned right in the middle, d-2 is the key language. The issue simply put, the neighbors understandably raised and we have raised, John would like to codify at this stage the historical grid, which has been vacated in different ways. Our view is again the master plan is just that. It's a planning exercise before which no development can occur and which all those issues can and will be debated. I will tell you I've advised Chuck and other CNF representatives at the end of the day you should assume that full historical grid, by that I mean the numbered alphabetical 200-foot grid, will be required as part of a master plan at least to the extent

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of pedestrian bicycle and other nonvehicular movements. Because I just personally believe that's where we'll go. Quite possibly for vehicular as well. What this language does in d-2 is set the street plan that provides internal and external connectivity that is equal to or better than the existing grid in the surrounding area sets as a mandatory baseline that historical grid. As we read it for access for autos as well. I'll leave with you this thought. I understand the default of the historical grid. Certainly for ped and bike and other connections. Perhaps for autos -- autos as well. But would I urge you to instead at least retain the flexibility to let some of those streets become, as we did with the good hill headquarters, when we vacated the street, with the -- we did it with the church over here, a block south of weidler as well. Substituted a street for a 50-foot pedestrian bicycle corridor with no vehicle access. Leave that flexibility if you could, don't said the existing auto grid as the minimum baseline, or it's -- you may end up there, but it should be ultimately the city's decision, not ours. With that thought, I would urge you to consider the simple word changes in d-2, page 15, where it says where matches and surrounding grid pattern is not practical or appropriate, a street plan that provides connectivity, put a period behind connectivity. And strike, that is equal or better to the existing grid. You may very well get there as may the pdot, opdr, but if you leave it as it is, we have no choice but inherit that full grid. It a little plea for flexibility. With the master plan process, we are giving up tremendous opportunities. We no longer have as we have under the ig zoning today, the ability to development under a building permit only. It has disappeared with cnf support for this master plan. That is a substantial concession and you well know the master planning process in Portland is not taken lightly by anybody. And I can assure you this master plan will not stop at the hearings officer. It will be before you. It just is obvious to me. And it should be, frankly. It's of great important. For those two reasons i'd urge to you make those changes.

Katz: Okay.

Pfeiffer: Thanks.

Hales: At some point i'd like to get jean harrison up and talk about that issue. Frankly, steve, your -- you're losing me on that point. I'm inclined to go the other way. And make the grid pattern requirement stronger. Because I can't site an example, although you cited some, including the placing in the river district, where we broke the grid, where -- I can understand why you want to get rid of the words equal to or better than. I can cite places where we broke the grid, but I can't tell you a place where it's equal to or better than a good old grid, plain and simple, in other words, it ain't broke, we don't need to fix it and if you want urban zoning, you ought to plan on an urban street pattern. And to me that's the deal. Anywhere in the city. Not just for you in this property owner, but anywhere in the city. Did you want urban zone example, plan on a street grid. If you want suburban zoning, go to the suburbs. And I just am getting more strident about the subject of the grid over time because the few times we've messed around with it it's turned out to be a half-baked piece of work, including the ones we built under the development agreement in the river district. I'm not proud of those.

Pfeiffer: One thing. We're not antigrid and we believe the grid will be required. It's the exact replication of the historical grid which was there 100 years ago devoid of the new uses you're going to see in this area. Where we've granted street vacations, as this council has done for the church, and goodwill, those are two examples where we substituted the street with a vacation, and there are many others, and you imposed a pedestrian easement over that vacated street to maintain it as through grid for connectivity and outer direction travel. But you got rid of the cars. And all we're saying is, you may find that and if this language remains where it is, we'd have to follow this

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master plan with a vacation requirement to get rid of the auto, on some of those pedestrian ways. That's the only point --

Katz: Folks. It's church time.

John Czarnecici, St. Patrick's Church: I'll be brief. I'm John Czarnecici, northwest Xavier Street. I'm an architect, and I'm here representing St. Patrick's Church. The church supports the issue in front of us, and wishes to remember to be included in the process developing the master plan.

Katz: Okay. John, did you want to except on -- I don't think the issue of the discussion of parks and the policy, I think that's a very valid one and we can include it. If you want to comment on the retail space, prohibition or to allow a little bit of flexibility during the master plan and the issue of the grid, then we'll move on.

Czarnecici: I quite frankly am a bit confused about this, because CNF was discussing compromise. I think we've compromised here too as well. We will envision a lot of this area, just being a nice mixture of housing and retail sale. Yet CNF has said they need most of this property for their office uses. They have also said that they need surety to be able to build those office uses. If they're going to put in 10,000 -- if they're going to put in or want to put in stuff that is a nonoffice use, more than 10,000 square feet, it suggests to me that they may have in mind of selling some of this stuff right off the top of the bat and if it's zoned all the way up to 40,000 square feet, we've lost it. No one in the neighborhood wants a 40,000-square-foot retail regional attractor in this neighborhood. If you allow for 40,000 square feet, I think you increase the chance that CNF will be selling off some of this property, and that we will end up with a very large regional attractor of some sort.

Katz: I guess the language was except -- except as approved by the master plan, which still would allow this conversation to go on at the time of approval of the master plan. I don't think there's anybody here that would support a 40,000-foot retail.

Czarnecici: You know, as for the specific language, I've just been handed this copy today.

Katz: Fair enough.

Czarnecici: I can't address that.

Katz: Fair enough. And the grid issue?

Czarnecici: The grid issue is very important. I don't think we need the flexibility, and I have to disagree. I think a lot of the pedestrian and/or pedestrian bike paths do not -- where the grid is broken not work very well. I think a classic example of that is the Good Samaritan, where there's supposed to be a public thoroughway there, and it's a pedestrian walkway, yet most of the people in the neighborhood don't allow -- don't know that they can use that as a public park and a public walkway. So it's -- it's kind of vacant for --

Katz: That's true.

Czarnecici: And, you know --

Katz: Okay. Thank you. Anybody else want to testify? All right. Gentlemen, thank you. Staff, come on up. Council, I need you all here to -- why don't you add a couple of words, Jean, then we'll have staff comment on that and then we need council direction and then we need to put this one to bed.

Jean Harrison, Office of Transportation: Jean Harrison, Portland office of transportation. I did participate in some meetings about this issue, and we had suggested that the adjacent grid seems to be easily met, the site's flat, there's no constraints, except at one location, and that's where Thurman provides the northern boundary. Ask we were at least some of us concerned that connection might not be feasible, which is why we put a little bit of wiggle room in it. But the language we originally suggested was at least as strong as what's there today and perhaps stronger. We've

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tweaked the words back and forth trying to come up with a compromise. But we certainly support matching the surrounding grid, we wanted those -- and we want them to be multimodal connections, not just pedestrian bikeways. In walking around with the neighbors during the northwest walks, we talked about some of this area, and people said, we could put a pedestrian bicycle connection through here, and then have a park on one side. I said, that's a great idea, how safe would you feel walking on that at night? If you have a public street, you've got a higher level of visibility and safety. That's why we support the surrounding grid being matched. We would also like to leave open the opportunity to have additional connections for pedestrians and bicycles where that's an appropriate treatment, where there will be eyes on that pathway.

Francesconi:

Hales: That's the issue. It's a real simple test. Go out on a dark, wet night and walk down one of those pedestrianways where there's into street. And then walk down a real street. It's the -- the -- pull the mace out of the purse test. It's fundamentally a bad idea. I'd recommend we get rid of this phrase, where practical and appropriate. First of all, I don't know what the heck that means, and second, it doesn't say who's supposed to determine that. At least in the first instance. In the master plan process, you know, some flexibility may be will make some sense. Again, folks, did you want urban zoning, and I want you to have it, you ought to expect to have an urban street grid. We have a street vacation process already if somebody wants to demonstrate getting rid of the street is in the public interest, once in a blue moon we approve that.

Katz: We have a couple of issues to run through. One is the issue of expectations raised by cnf in terms of their master plan and who -- which ones goes first and how do they relate. The other one, you'll put parks in a policy statement --

Francesconi: We need to talk more about that.

Katz: I just want to identify. We need a little conversation on the retail space, and then getting to closure on the grid. Okay. Barry, let's start from the top.

Manning: Okay. Question, the first question I had from cnf, would -- is there a possibility their master plan could be voided as a part of the amendments that debbie's team takes through as part after northwest area plan, we did have language in there at one point in time that would allow some of that. That language as chuck pointed out was discuss and has been subsequently removed. Our understanding is that if a master plan is submitted under the current code, that that's the code they would operate under, and if it's approved, it would still operate as an approved master plan. The code could be changed as part of the northwest area plan process if they have -- if cnf has not completed and submitted a complete master plan application. The requirement for a master plan could go away, or perhaps cnf will be working concurrently with the northwest area plan folks working on standards, guidelines and other development regulations that could be codified in a plan district that would make the need for a master plan go away.

Hales: What's the duration of a master plan?

Manning: They're valid for ten years.

Katz: Does everybody feel comfortable with that?

Hales: With which? Which version?

Katz: The planning version. Will the version he just shared with you.

Hales: The way you've got it set up is if they have applied for and received a master plan --

Manning: Their master plan would be valid for the ten years under the current code that they've applied under. Which would be this if we adopt it.

Hales: What's the difference between that and what steve suggested?

Francesconi: It's the same.

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Kelley: I think it's the same. I think there was a concern by cnf about an earlier version

Hales: All right. The version you've got is okay.

Kelley: We fixed it.

Francesconi: That's the way it should be.

Katz: Retail space. No, i'm sorry.

Manning: Can they use their existing building was -- for office space. The answer to that is the intent of this code is they should be able to utilize the existing office space either for their own use or to sublet it to other users. The only requirement that's would trigger a master plan in this with existing development is a change in square footage, so if they developed new space, that would trigger the need for master plan. If they want to develop new space. Or if they had a change from one use category to another. So if they're using their space as office space currently, they could sublease it out to another office user. That's not an issue. If they wanted to change a portion of their office space to retail space, for instance, that would not be allowed and they would have to go through a master plan to make that kind of a change.

Hales: I don't any it came up in testimony, but my staff suggested one problem here, and that is if they were to decide to sell a piece of their property and to someone who wanted to develop housing, it was greater than 5,000 square feet, they'd have to go through the master plan process, right?

Manning: At this point, yes.

Hales: Would I suggest, although they haven't suggested that they're going to do this, that we have language that exempts housing. I don't think anybody objects to housing. We have questions about retail and office, but no one objects to more housing on this site. The property owner may not be interested at this time or any other time in housing on this site, but one door i'd suggest we kick open is, you don't to do a master plan to build housing. Everybody agrees that would be fine.

Kelley: Except remember you're right in theory, the property that's -- this applies to is very narrow. It's really those parcels in the core of their campus. It's conceivable someone would propose housing, but --

Hales: Fine. Why make them jump through a hoop that no one wants them to bother with?

Katz: How do you feel about that?

Hales: I don't think it's going to happen, but --

Katz: I think it's fine. All right.

Manning: Other issues, i'm sorry, I lost that page. We talk the about the retail limitation in the area.

Katz: You'll put the language on green spaces and parks in a poll -- in the -- in a policy statement. Is that what you wanted to come back --

Francesconi: Well, yeah. Here's the problem. This reminds me of the west end. We're talking about rezoning the west end, and potentially driving up the cost of housing that we then have to buy. Here we're talking about changing the zoning to drive up the cost of housing, then we have to park. Let me be a little clearer than I was before. I asked zari to talk to cnf whether there was any interest in purchasing the park. The answer was no. I didn't want to be that clear before, but now i'm being very clear. So before I can vote for a zone change through a specific process that we've created, I think I need to know whether it's -- they even have enough land to do what they want to do for a park. I think the answer is yes, but i'm not a hundred percent sure, and they may not be a hundred percent sure. But I need to have some conversations with gil kelley sitting down with them and making another attempt at the ability to purchase some park land. Now, that assumes we

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have public money to get an option on it. What I want is the ability to try to purchase land at current prices before we change a zone that increases the prices. That means I have to come up with some money in order to have that happen. And I don't know that we can in parks. I don't know that there is the money to be able to do this. So it assumes two things. I do have the money, does parks have the money to even do this, and then second of all, can we. But I need to know the answer before i'm going to vote for this zone change.

Katz: Go ahead.

Kelley: Just a couple of points on the open space issue. First of all, commissioner Hales is exactly right. We can't zone and create the park legally. We probably can incorporate standards for open space within the development that would serve users of the site. But that's a different matter than trying to get a neighborhood park. That's a different standard. We're not going to get a ball field through zoning. Here's the dilemma I think in the approach you've outlined, commissioner Francesconi. That is that I -- as a personal observation, I don't think cnf right now knows whether they have enough land to dispose of. I feel pretty confident that through the master planning process they will come to understand they have a whole lot of land to -- that they can probably accomplish in my view easily accomplish their objectives for the amount of development and parking and quality of campus that they want on a subset of the property they control now, and could be in a position to dispose of it. Whether their intent would be to dispose of it to the city to acquire parks or another private entity for development remains an open question. So there's on the one hand I don't know if they know they have it until they go through the process on the other hand, you're correct also in that we are conferring additional value on that property now through the rezoning. So the price of acquisition may increase. If the council desires, i'm willing to have a conversation with them about what's possibilities are. I don't imagine we'll close any kind of agreement ordeal.

Katz: Well, and I would -- and i'll be very honest, I would be very reluctant making financial commitments for this and ignore everything else in the other entire universe of the city just because we're dealing with a zone change and a master plan.

Hales: I disagree with that, mayor. There have only been a couple of cases -- hear me out -- where we've created a new residential district, okay. We're doing it in the river district, we're hoping to do it in north macadam, and we might do it here if what we're doing on this one site gets expanded through the planning process to the rest of the district. When you create a new residential district, you gotta create parks. And so there aren't very many places in the city where we're taking formerly uninhabited land, in terms of residents, and making them residential. And in those cases you've gotta create the park. By some means or another.

Katz: Let me just tell you, this council has spent money on projects when we didn't have money and we had a -- to sacrifice a lot of other plans because of that. And I don't want to have this debate here now. This is a planning and a zoning issue. But if the council wants gil to sit down with cnf and have a conversation, that's perfectly fine. But we're not going to start budgeting here at this particular time. All right. Let's move on to the retail space.

Kelley: This is one -- we were conferring when john bradley was giving his response to you, and I didn't -- don't think I caught it all. I think it's clear that the range of discussion has been narrowed to whether or not this is an absolute prohibition or whether it's a standard that could be adjusted through the master plan. I think that's the choice that's in front of you. But we sort of are all accepting 10,000 feet as the standard, the only question is whether that could be varied in the master plan. It's just a choice for the council.

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Katz: How did you get to that point as opposed to leaving it slightly flexible, but not allowing an amount to be adopted -- much higher than that to be adopted today, but allow that through a master plan?

Kelley: This came up in the last 24 hours. It was an issue at one point in the planning commission just where outside of the plaster plan concept they were talking about what should the absolute number be. And they felt 40 in the pearl and ten in this district. What Steve Pfeifer has said, but here we have a plaster plan which already requires a review and it would have to be part of that. The circumstance is different than what the planning commission talked about. This came up as Barry was going through doing a triple check on the findings that were required for adoption, so we haven't had a whole lot of discussion. Frankly I think Barry did some quick checking around and felt there was enough resistance to the notion of adjusting it on the part of the neighborhood that we felt in the interest of trying to get this thing put to bed today we wouldn't raise that issue. It's clearly a choice you can make.

Hales: I think we ought to go the other way. Have tough criteria for adjusting it, but to say 10,000, that's it, and whenever -- we could have a scenario, six months or a -- or a year from now, everybody agrees the 12,000-foot grocery would be way cool. It's prohibited, the -- acres and eights of planning. Sorry. You're dead. And -- I don't want to do it.

Francesconi: I think we should give them more flexibility too.

Katz: So it would be except as approved by a master plan.

Hales: Yeah.

Sten: I agree.

Katz: All right. Grid.

Manning: The only thing we'd like to add, we do need to add with a maximum cap of 60,000, because there is a metro requirement.

Katz: I don't think we're going to go that -- we're not going to --

Manning: Street grid, you've heard Jean Harrison's comments on that. Planning has fended to concur with them. We've changed the language a couple times to build in some flexibility, but we're still hold can out the grid as the benchmark to which all connectivity and development block patterns ought to be held in comparison. We think it works pretty well. There may be some instances where a shift here or there in where street location is might make some sense, hence that's why we included the practical and appropriate and gave an alternate approach for that kind of occurrence, if somebody wanted to move a street one way or another a little bit.

Hales: Maybe I'm grouchy about the language. I have no idea what that means. I have no idea who's determining practicality or appropriateness. Is it the city engineer? Is it the reviewer looking at the master plan proposal? Is it the planning director? Tell me. Who is going to figure -- is it Jean? Who is going to figure out what's practical and appropriate? Is it the proper owner if it is that what we mean? Let's be clear. My personal belief you've heard, which is the grid is as good as it gets. Nobody is going to meet the second standard by my measurements because there's nothing that is equal to or are better than the grid. So I think we're wasting everybody's time to have this language in here. I'm an extremist on this view, so you are going to have to moderate that, but let's figure out who gets to exercise discretion and give some criteria that are clear letter than program and appropriate.

Katz: Can you respond to that?

Harrison: This is Jean Harrison again. I think the language we had before was either feasible or practicable, which have legal meanings and mean only when it's physically not possible. That was why we wanted that little bit of wiggle so a connection to Thurman wouldn't be required by the

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master plan, but we'd have to say no, but odot is not going to let us do it. So we wanted -- we had originally had tighter language, and this was flexibility that cnf wanted.

Hales: I think it's a false hope for them, because we're never going to go that far. Steve and chuck, you understand to understand I don't think either the council or pdot is going to say, oh, sure what we did in the river district is fine. It was a failure. We ought to admit it and move on. You ought to count on a grid unless odot tells us we can't have one.

Kelley: I think cnf may -- had one picture in their head and planning staff had another. We were thinking about maybe sliding a street one way or another, still requiring it to go true, but to give some adjustment for -- but it's --

Katz: The rest of the council?

Francesconi: What do you recommend on this subject? Do you want the flexibility or not? P does dot doesn't. Charlie doesn't. What do you want?

Katz: I think it ought to be -- I agree with commissioner Hales on this issue.

Kelley: It's hard to know what exact flexibility we'd need. I'm a fan of the street grid, so i'll put my bias out there. I'm not sure that cnf has made a case, specific case to us in these discussions. Where they pointed out exactly where they would need that.

Katz: Commissioner Sten? Okay. So barry?

Manning: I want to make sure I understand what you're recommending, that we drop provision two, which is where you can't do it, just say, provide multimodal street connection to match the surrounding grid pattern, period?

Hales: Go back to the language she suggested.

Katz: There may be some --.

Katz: Go back to what you had.

Harrison: It was either feasible or practicable.

Manning: We had practicable in there. It includes a cost consideration, and that's why we chose the --

Hales: And feasible.

Manning: Okay. And appropriate.

Hales: No.

Katz: We don't want to give you too much flexibility.

Hales: If you can, you must. That's the standard.

Katz: All right.

Manning: And drop the second provision.

Hales: Please.

Kelley: Just on the issue that we mentioned at the beginning, which design review staff raised, we'd just like the permission to come back on second reading, I think the concern there was whether the design review commission would have sufficient guidance in reviewing the master plan. In other words, do the approval criteria here tie sufficiently back to the items that were in the purpose statement that talk about pedestrian friendly. So we think they do, but it may be worth it just look --

Katz: We're going to have to -- you really want to do that? We're going to have to delay another week. Because we've had this discussion today on these items with the parties, will we be able to vote on this next week even though they will be preparing formal amendment language?

Hudson: I think would you have to carry it over.

Katz: Yeah. All right. Okay. Gil. Go ahead. We'll have to carry this over. All right. Barry. Do you have answers to all the questions that were raised?

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Manning: I think we do, other than the park issue.

Francesconi: I'd like to be clear on the park thing. I'd like to get involved personally in this. With Gil Kelley and Zari I'd like to meet with CNF and Steve Pfeifer prior to the time -- you don't have to meet with me, but I would like to meet with you personally.

Katz: I have to tell you, I am bringing this back and we're going to vote on it not that week, but the following week. Or we're never going to see it again.

Francesconi: That's fine. I can adjust my schedule.

Katz: Okay. Thank you.

Kelley: We're bringing this back next week?

Katz: You're bringing it back next week. And then we will have -- unless there are further -- every time you put an amendment on the table we'll keep bringing it back. I know we need to get this out of the way. Okay. Thank you. [gavel pounded] item 965. Okay. Go ahead.

Item 965.

Ellis McCoy, Parking Operations Manager, Office of Transportation: Good afternoon. My name is Ellis McCoy. I'm the parking operations manager in the office of transportation. On a personal note, I'd first like to say it's a pleasure to be able to peek before the council today. I've worn a couple hats in my tenure with the office of transportation and I believe this is my first opportunity. And it's such an interesting subject. So I appreciate the opportunity.

Hales: We're glad you're here.

McCoy: Thank you. I would like also to introduce Mr. Keith Ehrensing, a program coordinator in the parking operations. She is largely responsible for introducing a central pay station technology to the city. Keith and I are here today to ask for your endorsement of transportation's recommendation on pay station technology and to ask that you approve an ordinance authorizing an alternative competitive contracting process. We have prepared a brief presentation which I hope will inform you, and Keith and I will share the presentation responsibilities. Keith will actually be first up and begin the presentation, as soon as we can get the system booted up here.

Hales: Just in case we needed to talk about parking, Ellis is here.

Ehrensing: Good afternoon. Some of this may be a little repetitive for those of you familiar with this technology, but bear with me and I'll try not to be too pedantic. What is a central pay station? We have a tick which you're going to be coming up here shortly, of a pay station installed during our on-street testing last year. The pay station is an alternative to a standard parking meter. It resembles a kiosk. A meter controls just one parking space, a pay station is generally used to control up to 14 spaces or 100 or more off-street spaces. One machine is typically located centrally along the block. I believe have you here before you a picture of one of the machines we used during the test last year. Where is the technology used? The machine pictured in this slide is on a street in Barcelona. The pay stations are common in Europe, Asia and Australia. In North America, cities of similar size to Portland that use this technology are Toronto, New York, Houston, Berkeley and Calgary, and there are others on the way. So out of these systems -- how do they work? Pay stations operate in a pay by space or pay and display mode. This is a picture after pay station installed on Fourth during our test last year. And specially it's a pay by space machine. It requires the parker to select a numbered space, they pay at the machine and then go about their business. The pay and display mode requires the parking to pay -- parker to pay at the machine and then they return to the vehicle to display a receipt on their dash. Some pay stations as in this picture provide a dashboard copy and a small pocket receipt the customer can take with them. Portland did an on-street demonstration in mid-July of last year, Commissioner Hales introduced our citizens to pay stations kicking off our demonstration project that continued through February of this year. During

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that time, transportation identified objectives for the pay station technology to meet in that evaluation process. We wanted to increase customer service by using a more reliable coin recognition system. We wanted to provide for new technology that accepts u.s. Dollar coins, credit cards and smart cards. We wanted to improve the aesthetic appearance of blocks and sidewalk environments and we also wanted to enhance the security of the parking control system. What did the tests tell us? Well, transportation found pay station technology is acceptable in the city of Portland. Public survey results during the testing provided consistent and positive results to pay stations and the perspective use of the new technology. Research and other discuss that we've talked to establish that credit deb and it smart card transactions are practical, citizens want them and want to use them. The two-way wireless communication has benefits such as increasing service by using preventive maintenance that fixes a unit before it breaks down. And to do things like reconciling card transactions overnight. Local distributor support is important in establishing preinstallation standards for the units, for training city staff and supplying parts and technical support to meet our 24-hour service response requirement. Central pay station technology can work in Portland. Pay stations meet the performance objectives identified on -- for Portland's on-veto demonstration and the various needs expressed in those objectives can be satisfied with pay stations. Thank you.

McCoy: Good afternoon again. Transportation's recommendations to implement pay stations considered several important issues. One thing i'd first like to mention is that there are single space system served us well for a lot of years. Our bureau of maintenance has done a great job of keeping the units in service. Our analysis and recommendation is more about where we're going in the future and how we get there as opposed to the functionality of the current equipment. Having said that, there are some -- a few issues with a lot of the equipment we currently have.

Katz: Do you still need the power point?

McCoy: Yeah.

Katz: Okay. Go ahead.

McCoy: Our single space meet verse less flexibility, programming capability for us to go forward in the future. They are dependent on coins and also constrained by coin transactions. We have a very expensive collection practices as a result of those transactions. And they are frequently out of service due to jamming issues. As a result of that jamming in -- and our inability to have information on those, we quite often don't know about those jams until customers tell us. One of the other issues is information. We need better parking information such that we can -- may learn to better serve our customers. Our current system doesn't provide for daily transaction information. Our current system also requires a lot of coined handling by the contractor and staff and that brings up security issues. We believe that reducing our dependence on coin transactions increases our overall security. Our customers have told us that finding enough change to plug meters is often difficult and the challenge for them in -- and our store owners have toed us they don't like providing change for metered customers. The city needs to provide customers with other payment options. There are many benefits to pay station technology. Extensive programming capability allows the city more flexibility when considering the need for extending meter hours, rates. Pay stations are known to be very secure and theft resistant. Use of cards and -- in other cities have used -- shown an increase in the use of those systems as well as a reduction in coin handling costs. With wireless communication, the pay stations can be programmed remotely, the pay stations notify you when they are out of order, when they need service can, and when coin collections need to occur. This functionality allows the city to manage its system proactively instead of reacting to occurrences after customers notify us. Other cities have experienced increased efficiency with this

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technology and that functionality. Other benefits that technology include a more aesthetic environment, by locating a central pay station, as opposed to stringing eight to ten meters, you provide for more space for pedestrians and you provide the opportunity for business operators and owners to provide street furniture. Greater utilization of increasingly valuable pedestrian space is the result. Customer service. The benefits that we have mentioned before, the ability to use that credit or debit card you already carry with you. The ability to create a cash card that can be used for parking and other purposes around the city. For instance, create a card that can be used for transit, parking, in the on-street and off-street environment, and could be used as retail -- for retail environment as well. The technology also provides better coin recognition systems, which will help eliminate the calls we receive from the public complaining about meter jams and customers losing their money. Customers have told us that they value having a receipt that reminding them when the time on the heater will expire. Experience -- on the meet letter expire. Beneficial uses for parking receipts are advertising, validating parking and coupons. Experience in other cities has also shown an increase in parking ticket payments to the city when payments can be made at a pay station. Pay and display mode is particularly suited for that method. In summary, there are three basic benefits to adopt this type of technology. One is enhance customer service. The second is the ability to proactively manage your parking system, and the third is to -- flexibility to respond to the need for service changes in the future.

Katz: Okay. Can we have the lights?

McCoy: Actually, that sounded like a wrap-up but it actually wasn't.

Katz: Okay. Sorry.

McCoy: The broader vision per pay station technology is that it can be a tool for the downtown community. It can become an information station as well as a parking payment station. These information kiosks can provide way finding information, can provide business advertising and even vend event tickets. Information kiosks that are developed by partnering with downtown stakeholders are being developed in other countries around the world. There are trade-offs with this technology. Principle of which is the pay -- mode of operation, pay and display versus pay by space. Transportation has yet to decide what mode of transportation best suits Portland. We have begun talks with stakeholder groups in downtown, lloyd district and northwest, all stakeholder groups have expressed their support for the technology. I believe the council does have a letter from app expressing their support. In those talks, transportation has expressed its interest in the benefits of pay and display mode of operation, however, transportation will be continuing outreach and discussions on the mode of operation with stakeholders and parking customers. A recommendation that concludes -- that includes input from all stakeholders will be brought to council with the request for contract approval. The technology has proved to be reliable and a strong performer in other cities and we have ever reason to expect the same result negligence Portland. One of the keys to reliable performance is having an effective partnership with the vendor of the technology. We will be seeking a partnership that will provide support throughout the phase-in period, the five-year period, we anticipate a contract to be in place by november of this year. With the first phase deployed in the northwest and on southwest broadway. We are asking the council today to approve an alternative competitive contracting process that would provide for criteria other than simply low bid, to purchase services. We believe criteria such as contractor experience, contractor financial stability, and the ability of the contractor to partner with the city in technology and support is critical to the success of the implementation of this technology. Now that is the end of the presentation.

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Katz: Okay. You mentioned something about not implementing it until you've talked further with customers, stakeholders. What -- what does that --

McCoy: That's correct. We have to make a decision on the mode of operation, whether to use pay and display or pay by space. We were -- we're not going to make a recommendation if we finish outreach with the stakeholder groups and customers. We're going to do focus work, surveys --

Katz: Why don't you do that before you come to us with this? Yes? No?

McCoy: We did some -- a little bit of that in the beginning. In order to facilitate the process of getting the pay stations online in the northwest, by the spring, we need to come to you now.

Katz: And you have discussed that with northwest?

McCoy: Yes, we have.

Katz: Okay.

McCoy: We've certainly had preliminary discussions with the broad range of stakeholders we have, and they all endorse the technology. It's just the issue of the mode of operation that's in question.

Katz: Questions? Questions?

Francesconi: Just what kind of -- how are we going to inform the public? Maybe you covered this and I wasn't listening. What's the outreach plan to the public?

McCoy: Well, we're actually in the process of working with Davis Hibbitts to put together focus groups that will begin in two weeks. We've gone through a process of selecting participants in that group. Once we have input from that process and the downtown stakeholders will be participating in that, we're going to develop some surveys that downtown retailers have agreed to help us disseminate and substitute. -- execute. That process will help us determine what mode of operation that we would like to choose. Or recommend to the council. After that, once we get through the rfp process, there will be a broader education process to the general public to inform them of this technology, how it's used, and where it would be phased in.

Francesconi: Okay. Thank you.

Katz: Give me the subtle differences between the pay by space or pay and display.

McCoy: The differences, under the pay and display you have to walk an additional distance back to your car to display the ticket on the dash. And you would take a receipt with you after you've condition that to your destination, which would let you know when the time on the meter was going to expire. The pay by space environment, you go up to the meter, you indicate the number of the space you're at, because it requires markings on the curb, and put in your funds and walk away. Have you less walking distance under a pay by space environment.

Hales: Maybe we can get app to cover this. Can you explain validation, the possibilities for how it might work with validating on-street parking?

McCoy: Well, typical validation programs would be constructed with the use of mag stripe smart card type technology. We would work with downtown retail outlets to supply them with those cards that they could then give to their customers who provide a ticket, which is evidence of use of the on-street parking system. That type of system would replace the type of system that validation program we have in the on-street garages, where it's very -- you have to write a lot of things down. It's an intensive sort of system.

Hales: Now they have to route all that back to the parking provider, and --

McCoy: That's correct. The current system at the have -- they have to write everybody transaction down and submit that information back to the provider. Under this more simplified system, the smart cards would be issued and paid for and distributed.

Hales: Okay.

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Katz: Further questions? Thank you. Public testimony?

*******:** Rick williams.

Rick Williams, Lloyd District Transportation Management Association, Melvin Mark

Companies: My name is rick williams. I'm here today representing the lloyd district tma and melvin mark companies. My address is 825 northeast Multnomah. I think you saw everything there is to see. Ellis went over a lot of the points I was going to cover. I want to hit a couple highlights. The most important point ellis made was we're talking about the future. One thing i've learned at the tma, lifestyles are changing. I like in -- liken this to what we did with the passport program, the transit pass that fits people's lifestyles. People don't carry a lot of change around, people want to be able to leverage opportunities in their life, and this type of technology allows you to do that. Smart card technology, credit card technology would allow us, I know in the lloyd district, as this would phase in, would allow us to make a more universal transportation card that people would cows another only on the transit system, they could come back downtown and shop, use that in these meters as well as using off-street smart park garages, go to the blazer game, all of this can be incorporated into a single technology. It's something that today's meters don't allow us to do. We think it's just really a wave of the future. I've seen it in european cities and i've been to some of the cities in the united states, vail, aspen, that have these. They're wonderful technologies. Finally, they're aesthetically pleasing and I think the leveraging opportunities when we advance the idea of metering districts that are currently not metered, when we advance that idea into those districts, this type of technology is an opportunity, whereas a regular meter, you can't validate on a regular meter, you can't create promotions around regular meters. You can take this technology into a new district and say, we can create programs for your customers that one, allow us to give them benefit for come nothing the district, and like we do in the smart park garages, the validation program represents a real draw to downtown. This type of technology would do that. So in summary, the tma, melvin mark, we're excited about the idea. We compliment ellis and his staff for taking the time to bring us up to speed and let us get hands-on with this equipment and answer all our questions. So we would recommend that you endorse this as well.

Katz: Thank you. Questions?

Francesconi: Leveraging opportunities. You're trying to sound like a lawyer: This is good:

Williams: Thanks.

Katz: I'm not sure. [laughter] all right. Anybody else want to testify? Come on up. I forgot to ask staff a question with regard to cost. There are three chairs there, why did you pick --

Jim McEchron, Labor Local 483: I don't need a microphone. You know that.

Katz: Why did you pick the chair that's further away from everything?

McEchron: Because I have a better look at you. -- I have a better look at you.

Katz: All right.

McEchron: My name is jim, I live at 4641 northeast fourth in Portland, Oregon. I'm sitting here as a representative of labor local 483, municipal employees and as a citizen of the city. I have some concerns about this proposal. I have concerns about the move to the electronic pay stations. And I wanted to share those with you now. This is kind of in light of the recent history of problems in the water bureau implementing the water billing system. And i'd suggest that proceeding with caution when embracing new cutting edge technology maybe a more prudent course than rushing ahead. I've got four things i'd like to share with you. Currently the meter of choice in the city is the emm. There's also an additional meter, the eagle 2000 that is used. The eagle 2000 will take the smart card technology. Machines are not currently equipped that way, but there is cape -- they're capable of doing that. Some of the things that were said in the -- I want to

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respond to a couple things in the newspaper today. The city has recently purchased enough parts to last for at least five years for the emms. One of the things that seems to be in this article is indicating that the emms are not -- it's not capable of getting parts for the current meters. That was one of the statements that was made. That doesn't appear to be the case. The system -- this system is paid for. It's in place, and with proper maintenance it should be functioning for at least the next 15 years. That's the opinion of the people out at the bureau, the people I represent, the people who are working on those meters now. Item number 2 is, there is information within the bureau based on performance testing that was conducted on the competing brands of electronic pay stations that indicates that it's up to a 25-year payback on installing these pay stations. Installation of the pay station involves a number of things other than just the initial cost of the pay station. The figure that was reported in the paper was \$5300 per pay station. I don't know whether that's accurate or not, or whether that's the cheapest pay station or the most expensive pay station. The pay -- or the pay station with all the bells and whistles. As I understand it, that \$5300 will not buy a pay station with the card reader function, which we've heard a lot of people talk about today. Now, the installation of some of these devices, one of the things the newspaper article points out about it is that you would know when someone left the parking spot. They pulled away from the parking spot, that would trip the -- something in the street that would send a signal to the meter to let the meter know that space was now vacant. Obviously if that has to be installed, whenever you're talking a lot of installation costs here, when these meters go in, you're going to have to cut the street to install sensors in the street, in the pavement so the -- so you can -- you'll know that parking space has been vacated. I also had a conversation this morning with phil pesa, parking manager in florida. And I got that clue out of the newspaper article, they said st. Petersburg, florida, was the place where they had a disaster installing electronic pay stations. So I called and I asked who's the guy in charge of your parking meters there. And they said, well, you probably want to talk to phil. What's it about? I said, I wanted to know who was responsible there for the installation of these meters. I heard there was a lot of problems with them. And she said, that guy is gone. I said, where is he? They said, we fired him. But hi -- they installed 225 solar-powered electronic pay station machines, one particular manufacturer's machines, in st. Petersburg floor. When I talked to phil, he tells me, i'm the guy that replaced the fellow they got rid of. And he says, they brought me in to clean up the problem. I said, why did they bring you in? He said, I came down from new york a year and a half ago when I took this job, he says, we had the same problem with the same meters in new york. We installed 100 of them in brooklyn, didn't work out very well, he says, people really wanted them because they thought the old meters looked ugly. There were a lot of european that's lived in the brooklyn neighborhoods we put the meters in, they seemed to be comfortable with that technology, so we tried them out there. He said, it didn't work. I said what sort of problems did you run into? He said all sorts of problems. One thing that happens is that you put your money in the meter, i'm sorry if i'm going on, he talked to me for about 30 minutes.

Katz: We didn't put the time on for you, so we're being very lenient. Go ahead.

McEchron: He said there were a lot of technical problems. A lot of problems with the meters themselves trying to maintain them, the -- one particular meter he talked about extensively, and i'm not certain if it applies to all the others, but it's a lot of proprietary parts, the only source for parts, the only source for anything to repair the meter is to go back to the company. So it's one of the reasons why they wanted rid of them in st. Petersburg, because they could see their costs in maintaining the meters just going through the roof. They started out with 225 machines. He says they've got them all out. He says he recommends them in surface lots, that's what they've done

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with them. That's what they did in brooklyn, they moved them into surface parking lots. But he said he did not recommend them for use on the street. And they had a very negative experience. I just wanted to let you know that there is some reasons to be cautious. I think in this decision, and I know that you folks deliberate extensively on things and I know we don't want to see another situation like that one. So that's what i've got to share.

Katz: Thank you. Questions?

Francesconi: Is there a personnel issue here as well, number of employees?

McEchron: I haven't heard of one. But that of course is obviously one of my concerns. That we may be looking at changing the technology around and moving away from a group of people who have been working on the machines and on the equipment that you have now and have had for, I don't know, what, 80 years.

Hales: Personally.

McEchron: Not them personally, no. Is that what you mean? As far as I know, was anybody being threatened with a layoff or anything else. My concern really is that there's some caution showing about this stuff. I think sometimes we're very eager in Portland to jump out there, you know, on the edge and embrace something that looks like a good idea, and then find out afterwards that it wasn't.

Francesconi: Thank you.

Katz: Thank you. Anybody else before we bring the staff up? Come on up. I'm going to ask the staff to respond to the issues of the supply and all the repair -- okay.

Todd (last name?): Hi, mayor, eye name is todd, i'm a recent of vancouver up north. I come to your city to shop and entertain myself and go to all the civic activities you have. I have used these meters in houston, berkeley, california, and I use them when you had the demonstration out a couple months ago. After an initial getting used to the technology, I found them very usable, user friendly, and convenient. And i'd like to see more of them, you know, it clears up the space as a pedestrian, and I would love to see it on the street. That's all.

Katz: Thank you. Anybody else? Okay. Come on up.

Hales: One thing I want to respond to. I think jim's cautionary notes are appropriate. We ought to do this with our eyes open. What's being requested today is a request for proposals. We're not making the decision to purchase these meters, these kiosks, we're making a decision to -- request proposal from a particular supplier and see when we get. So this will come back to the council for an actual implementation decision.

McCoy: Ellis mccoey.

Katz: We know what we have in front of us. Would you respond to the issues we're -- that were raised?

McCoy: The issue that was raised regarding st. Petersburg is a misrepresentation of the issue. It's a pretty famous case with regard to implementation. And I think all cities looking into that have extensive information on it. The issue was not the ability of the hardware or the software. It performed well, the issue was the city didn't plan well and they didn't implement the system very well. They were recommended by the vendor that actually -- to put in a pay and display operation. They put in a pay by space, they didn't mark the spaces very well, they didn't do the signage very well. They had a ten-tiered rate structure that they put in. It was very confusing to the public. And there's a number of articles that I have that address that issue. But it was an issue of not planning well and not working with the vendor. And we've learned from that particular exercise, that's why we're structuring the rfp in the way we're doing that.

Katz: Do you want to add anything?

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Ehrensing: The only thing I would add is that there are concerns that have been raised about the performance of the equipment. One of the things we've put in the rfp is a five-year warranty. So for the first five years of this, anything that goes wrong with these machines is the responsibility of the company. In addition, we're talking about performance standards being developed for those machines, so we assess them each phase of the installation along the way, so if we're adding more machines or adding more technology to this -- to the machines, whatever that may be, we're developing a standard for it as well. So we're doing our best to protect the city, understanding that those things are concerns. I guess I would also add that there are tens of thousands of these across the different places around the world, so it's not like somebody just invented in this -- this in their garage and this is the first time we've ever seen one.

Katz: Further questions? Thank you. Thank you, gentlemen. Okay.

Francesconi: I wish I had it in my garage, let me tell you.

Katz: Council discussion? Roll call.

Francesconi: We need to move ahead with this. I think we're proceeding in a cautious way. But we need to move with the technology that allows us to quote leverage opportunities, closed quote. I also think though that we need to explain this to the public in a way, a very appropriate way. If we don't, we're going to be in trouble. And that's enough. Aye.

Hales: As it happens, we began our day and our -- are nearing the end of it in terms of council deliberation with a couple presentations on pdot. One on a long-standing neighborhood planning issue and the other on this. It's fitting, I think, because to me it's a pleasure to work with these folks. This is a thoughtful and innovative bunch of people, and this is another example of that. So my commendations alic, to you, keith, and will, and the rests of your staff who have work order this. It's a cutting-edge idea for us, and we are in a position of leadership as we should be, but we'll do it cautiously and carefully, and make a wise decision that will make this a lot more convenient for everybody else as well as bet tore administer for us. I think there's real hope in this and I just appreciate the good work that's been done here. Thank you. Aye.

Sten: We certainly need to be careful putting them in, but I think it's the right way to go. Aye.

Katz: All little bit of caution and before you start installing them in the northwest or here in the southwest, come back and give us some report or indication of the performance measurements that you expect out of the machines. Aye. [gavel pounded] all right. We've got about four minutes, so hang loose. I don't want to lose you. 3:45.

Hales: See, we're ahead of schedule as well as under budget.

At 3:40 p.m., Council recessed.

At 3:45 p.m., Council reconvened.

Katz: Please call the roll. [roll call]

Item 966.

Katz: Okay. Item 966.

Katz: Gary, come on up. I think as you know, I have -- I think as you know, I have told the chief there is a final report. I don't know if he had seen it or not, but at least he had a couple of hours since yesterday afternoon till 3:45 today, and I have also asked him after you finish and after the citizens provide their report to ask the chief to come and otherwise it just doesn't get to closure on any -- on these items, and the community probably wants to know. So where is it and what's happening? And if nothing is, at least the council will know that, or the chief will tell us that that's something that he either decided is not a good idea or is planning to do it and maybe give it a time line. Is that all right?

Gary Blackmer, City Auditor: Sure. That's fine.

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Katz: Go ahead.

Blackmer: I'm not going to spend a lot of time, because I want to turn this over to the piiac members, as the elected official. I thought it would be good and appropriate to turn it over to bob, who is the quarterly monitoring chair and to mike hess.

Katz: Let me just say as somebody who has been involved in this, this is your last attempt, and it's pretty tough report. So come on forward.

Mike Hess, former Police Internal Investigations Auditing Committee (PIIAC) Examiner, currently Independent Police Review (IPR): Thank you, mayor and commissioners. Mike hess, formerly piiac examiner, now ipr, independent police review. I just had a couple comments that there are a couple last-minute things that I wanted to mention in this report. First of all, the statistics, the last two pages of statistics I wanted to make that clear that those statistics are provided to us from internal affairs, and these are internal statistics that they use and we -- those did not originate from us. The other statement I wanted to make was that, yes, the chief received this about three weeks ago, and there haven't been any changes since then.

Katz: Okay.

Hess: The -- the last thing is there -- since we wrote this report, one of the cases that was sent back to the chief for deliberation -- back to the chief for deliberation, that has come back from the chief.

And it says in here it hadn't come back yet. And he did agree with the city council on that and changed the finding. So there was one minor statistical error where it should have been a 24 and it was a 23 on the number of courtesy cases or something, but i'll fix that. That's all that I have as far as amendments right now.

Katz: Okay.

Hess: I'd like to turn it over to mr. Euland, our chair.

Bob Ueland, Chair, PIIAC Monitoring Subcommittee: Thank you. Bob ueland. Good afternoon mayor and commissioners. As you know, this is the final quarterly monitoring report of the city of Portland's police internal investigations auditing commit. -- committee. In -- it involves the first six months of this calendar year. During this time we held four meetings and heard ten appeals. Of course during appeals the members of the committee are listening and looking at -- to -- at both performance and policy issues in arriving at their decisions, and the cases are listed in your report. To summarize them, we heard ten cases, and we made the following decisions. We affirmed eight of the findings and recommended changes of findings in two of those cases. During the same period of time, the monitoring subcommittee, which is composed of denise stone, shirley carl, rick alexander and myself, we were randomly monitoring closed cases in addition to those that were appealed. And we looked at those case that's involved use of force, disparate treatment, and complaints with sustained findings and case that's went to the bureau's review level committee. During that period of january through april, we audited 22 of the 56 iad cases that were closed. And a summary of the findings that were in those closed categories is down below, and in those -- among those cases were two sustained cases which we read, and sustained complaints are initiated both internally from police bureau members and externally from citizens. Sustained allegations here included courtesy, use of force, performance and conduct issues. The average completion time of audited cases excluding declined cases was 15 months. Which is up from the average completion time of audited cases in the previous two quarters, which was 14 months. So -- again, that's a policy issue. The policy of the bureau is --

Katz: Let me interrupt. I'm not sure that average is probably the right way to review it. But we can talk about it later.

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Ueland: New issues we found in this, our final report. First, the first issue is telephone interviews. We have felt that aide investigators doing interviews over the phone sometimes fall short of high interview standards which are set by the bureau, and which are normally complied with. But it's simply because they're conducted over the phone. Some of the times the interviews interrupt complainants and witnesses while they're at work, they go ahead and try to conduct the interview anyway, and obviously I don't think they're probably not at their best. And also there's some confusion, the complainants don't understand that the telephone interview is it, that it was a formal recorded interview, and that's -- nobody's going to call them again. That issue comes up several times also. So we're going to recommend that the citizens be given the option of a face-to-face interview or telephone interview, and that they be advised that the interviews are tape recorded to preserve the accuracy of their statements, and the officer's. Next, we've noted a higher quality of interviews in which written questions were prepared by the investigator prior to the interview. And the institute of police technology and management recommends this practice in its internal affairs courses. So we recommend that the interview questions -- that interview questioning be prepared by investigators whenever it's practical, and that the question lists be made part of the iad file.

Crisis intervention training. We continue to see allegations involving escalation of use of force and communication problems with persons who appear to be mentally ill or emotionally distraught. We recommend that all Portland police officers receive ongoing crisis response and communication skills training to diffuse difficult situations involving persons with mental or emotional disabilities.

The early warning system. We've noted a relatively small number of officers receive a disproportionate number of citizen complaints. Efforts by the monitoring subcommittee to receive a briefing about the early warning system during the past two years have not been successful. We recommend that the police bureau provide a detailed briefing to the council and the city auditor with specific examples on the effectiveness of the early warn system in identifying and improving the performance of officers who receive an excessive number of complaints. The briefing should include information on who in the bureau is responsible for identifying officers for the early warning system, and conveying the information to the appropriate supervisors.

Business cards. Although we did note one case in which all the involved officers gave the complainant their business cards, we continue to see complaints about officers reluctance to provide their names and dpsst team numbers to citizens. We recommend that all officers be provided standardized bureau-issued business cards with the officer's name, rank and dpsst number and that officers be instructed to provide citizens with their business card whenever it's safe and practical to do so. This would occur -- curb many complaints and would demonstrate the willingness of police officers to promote one of the tenants of community policing.

The distraction technique. We've noted that the term "distraction technique" is frequently used by officers and supervisors to describe striking a suspect to gain compliance. The training division has informed piiac that the distraction technique or distract principle is not an approved technique and that officers are taught to strike a person only in response to a physical threat. However, there's a clearly documented pattern involving the use of this technique by Portland police officers for at least the past five years. The term is immediately identified and understood by officers, sergeants, command staff, is routinely used in police report and interviews. It is a practice that is strongly been questioned by at least two precinct commanders. The distraction technique was first brought up as a concern in the first quarter of the 1996 piiac monitoring report. And a copy of that is -- monitoring report. A copy is printed here.

Some examples. In a may 1996 memo to piiac, a senior risk specialist stated she was investigating a tort claim for distraction employees -- blows were used by an officer. Commander foxworth

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wrote a letter of finding in which he stated the following with regard to the distraction principle. I've raised this issue before in other iad recommendations.

Katz: This is a quote.

Ueland: It's a quote from commander foxworth. In this case, officer -- the officer punched the complainant twice in the torso while yelling for the complainant to show me your hand. This may not necessarily be the best tactic available to officers to gain compliance. And this -- we added the -- we put in the italics, under our community training this practice is allowable. An iad case 99193 commander larry finley wrote the following. This is a quote. Distraction blow was delivered to make the complainant comply. On the next page, commander finley continued, it should be noted there was a distraction blow delivered by one of the officers. The officer who delivered the blow named it as such. Going on to iad case number 98 --

Katz: Let me just clarify. The principle you're getting to is that at least one commander and two commanders responded that this was not necessarily appropriate.

Ueland: Not necessarily appropriate and they used the terms which we have been told that this is not taught, that it's not appropriate, and yet as we're seeing, we find people from the top on down are reporting in their case summaries and in their findings and they use this term constantly. So -- and we'll come to the recommendation at the end, which is -- which we'll make. But, yes, they're saying they don't even think it's such a good one, because in a case of commander finleys, it didn't work. It made him more upset. In the case in 1998, number 222, the iad investigator, in asking about an alleged blow to the complainant's head or jaw asked the officer, did one of you hit the complainant in the back of the head or jaw? No distraction? The officer applied -- replied, no, it wasn't need. They're using this term, it's obviously a technique that's being used, yet we're told that it's not being taught and it's not appropriate. Again, in 1998, case 170, complainant alleged the officer struck him in the jaw with his fist and choked him while telling him to spit out what the officer believed to be a controlled substance in his mouth. In another letter of finding, commander foxworth questioned the appropriateness of this technique and again, a quote -- I recommend that the training division study the cases in which the distraction principle has been applied and develop guidelines for the use of the principle. The guidelines should be in close alignment with our current use of force continuum, specifically addressing when it is appropriate to strike someone in the head, which has the potential to result in serious physical injury. Following the review of these guidelines, they should be incorporated in the bureau's defensive tactics training. I'll come to a recommendation, that the practice of teaching and using force for the purpose of distraction be thoroughly examined and found to be unjustifiable and inappropriate use of force that the bureau should order the decision continuation of the practice. Or obviously if they think it's appropriate, they should do it, but they should -- but the citizens should be aware of the fact that it seems to me that in a sense members of the bureau get in one free punch. We talking you can about use of force, you're not supposed to strike people. But the distraction technique is essentially allowing an officer one free punch, or two, whatever it takes to get the person to comply, and they're not at the level yet where the person is physically fighting them. So those are issues that need to be looked at and thought about. And the chief is here to respond. Photographic evidence and use of force incidents. One of the serious drawbacks when we're looking at evaluating excessive use of force allegations, and i'm sure iad also, is the absence of any real time photographic evidence of a use of force. The jail booking photographs come in handy at times. It's our understanding that it current - - it's current policy to issue a polaroid camera to all officers. So whether or not there's a visible sign of injury, it would be in everyone's best interest of officers were to take a photograph of the subject in incidents involving use of force and attach the photograph to the use of force report.

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They are required to make a report if use of force -- if there is use of force, so again, this would be handy if there's striking that takes place, or if -- again, if no striking takes place, but the complainant says there was striking. Now, we have a comment about written responses of the chief to our piac recommendations. It was specified in city code 3.21.100 that the chief, after reviewing a report, provided by the committee, shall respond properly in writing, but in no event more than 60 days after receipt of the committee report. Although the chief responded in person to the city council three months ago regarding the recommendations of the third and fourth quarter's 2000 monitoring report, we've not received a written response, nor have we received a written response to the council's recommended change of findings on iad case number 98-054, and mike has brought you up to date on that. We have received it. So on the next page, the unresolved issues, we've gone through them already as I made these various recommendations. The unresolved issues go back to our previous report, and again, we'd like to see -- we'd like to have those answers in writing. You the council need to see those and read them and see whether or not you think they're adequate responses to these issues that we raised in that report. And we summarize for you again the third and fourth -- the first -- these recommendations. Page 11, and on page 12, again, the summary of the recommendations from the third and fourth quarters report, which we've not received a written reply to. Now the fun part of this, I think. The accomplishments of the piac monitoring committee, subcommittee through the years. And we go back to 1983, 1985, mike hess has been our archivist and has -- along with robert wells has gone through these report and brought out some things, some of these things are really surprising. Looking at 1983-85, at the top of page 13, there was the addition of a complaint category to include disparate treatment based on race. Interesting, where we were and how far we've come. We've come so far. Use of internal investigation in -- information as a management tool for identifying how complaint officers. Establishing criteria for inquiries and declinations. And there are others there. Let's go on to 1986, 1987, they began retention of tape recordings of intake telephone calls and keeping of statistics regarding all declination s. I guess I should point out that we feel that this was a result of these report that's were brought to you, the council, and that the chief had to respond to, and in many cases, obviously, they have been positive responses and at the have implemented changes. 1988-1992, we couldn't find any of the records, but going back starting in 1993 and 1994, we requested and they began sending detailed letters to explain findings. More detailed than they had been. Not just simple, too bad, so sad. We ask that they conduct a very view of high-risk stop procedures, and that was done and actually they've changed the policy a couple times since then. We -- the requirement that investigators that are -- investigation that's are diverted to the precincts or other units be track and returned to iad. And requiring that commanding officers make recommendations on findings and that they also provide the rationale for the recommended findings if they're requested. We wanted -- we wanted a documentation of reasons for missing taped interviews in iad files. Once in a while there's still -- there aren't very many, but there was no requirement of -- up to that time that there be one, or any explanation if there wasn't. They revised the one-year rotation policy for iid. That used to be the name of iad, so they could develop more experience in handling the complaints. Requiring a review of officers with high numbers of complaints. And here we go back to the early warning system again. It is working, and how effectively, that type of thing. Providing a written letter to complainants to acknowledge that their complaints have been received and which detective was assigned to the case. To '95 and '96, while -- one important thing we did in '94, the last one was to change the describing of specific behaviors as -- from being 12-34, that type of thing, those use -- we ask that be changed, and it has been. '95 and '96, we asked that they develop a tracking system for iad declinations, so this office here would know what's being

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declined and what the reasons were. That precinct supervisors not investigate serious allegations such as excessive use of force, that that be an iad investigation. And here, big thing, we managed to talk them -- the chief, obviously, and he had to come to you folks for the money -- to provide a fifth iad investigator position. Look how far we've come. Now we're up to ten. Obtaining case management computer software was a recommendation and they've been working on it, I don't know if they have it yet, but they did agree to doll it and it got put into the budget. One of the other things we thought was important to notify the Portland police bureau officers of their right to appeal to piiac. And we've had a couple of appeals to piiac through the years that i've been on the committee. By Portland police -- by sworn officers. And then develop a mechanism by which supervisors may conduct a debriefing when there's a nonsustained finding but the situation possibly could have been handled better. From '97 to 2000, we were able to make complaint brochures available in various languages. Again, on their dollar, the police bureau spent the money and they went out and found the translator and they got the job done. So now they're at least six different languages printed for -- on the complaint forms. The number of iad investigators has increased. We asked for and the chief did come through with a general order directing officers to make every attempt to assist persons whose vehicles were towed to reach -- and they are stranded so they could reach a safe location. It's kind of a -- one of those things where the person whose vehicle was towed was left in -- out in a bad spot and the officers were not directed to do anything about that, there was -- there were risk management liability issues, about providing a taxi service. So -- but now that's been changed and every attempt is made to assist these persons who get their vehicle towed. We've asked -- they provided additional communication training officers and we're asking for more. Provided ongoing refresher courses and diversity -- in diversity. We're asking for more. Right now the chief is reviewing the general order on courtesy with respect to the use of profanity, and we've asked for a written reply on how that is going. One of the important things that we heard a lot of complaints about but which would not necessarily come in as cases was the fee schedule for people who wanted to get public records about the incident in which they were involved. And that -- the price of getting those has now gone down from \$50 to \$5. And I think that -- the bureau deserves a lot of praise for looking at that and taking action to get that price down to where people who want to come in are able to do it, and get their copies. And then we come to the statistics, and mike has talked to you about those and where they come from. So that's not the end of the book. We've got a brand-new ordinance on the table, and I notices going to go great from here on out. I think all of us enjoyed doing it during these past years. So any questions of council?

Katz: A comment. It would be nice to have other bureaus have the same process.

Ueland: I agree. Why doesn't 9-1-1 have a complaint process out there? Of course the commissioner isn't here today, but, yeah, I think it scares -- I always mention this to bureau people, why don't you have a complaint -- citizens complaint process? And i'm sure they'd go, oh, no: Don't -- let's not get that started: But yes.

Katz: That was a sidebar. I really appreciate you doing your history, because a lot of people have come before us saying that you're ineffective and nothing happens. And yet when you look historically about all the changes that you really were responsible for, you deserve a lot of credit and a lot of credit and thanks for your service.

Ueland: People get hung up on performance issues, especially when the complainant comes before you, and we are also looking at policy issues and trying to get changes made there which I think has been an important function. And will continue to be, the policy issues are important to be looked at. In addition too the performance issues.

Katz: But even more important, those are what changes performance.

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Ueland: Yeah.

Katz: If you begin to change the foundation.

Ueland: If the policy isn't working and the performance is coming out badly, obviously changes need to be made, and performance will change.

Katz: Further questions?

Hess: I wanted to add, since it's our last chance to say this, I wanted to thank publicly I know all of you want to thank them too, but i've been working with these people for the last two years, the citizen advisors, mr. Ford, our chair, denise stone our advise chair, bob, our chair of the monitoring subcommittee, and all of the advisors, several of them are here today and these are some of the most dedicated people i've ever worked with and I wanted to thank them, since it's my last chance to do that as piiac.

Katz: Yes. And the council's last chance. So on behalf of the council, I want to extend my appreciation to all of you. Especially those of you who were here for a very long time. Thank you.

Francesconi: I just have one question, bob. Why did you say in your testimony on the mental health side that -- I think you said, i'm not quoting you exactly -- you saw an increasing number, I thought, and therefore the need for training was even more serious. Why did you say that? What evidence, what have you been seeing?

Ueland: In monitoring cases, we read cases where people are -- where our -- are encountering members, and the situation escalates into something more than just a discussion and compliance by that person who's been accosted, and it appears in reading the case that down the line these people, they are emotionally unstable or they're acting out, they've got a problem. And whether or not an officer would be able to do that without having to resort to force, that's a training issue, they are required to take people under their control, but again, you have to talk about the policy and how does it work in actual application. Is there a way with more training for individual officers to talk their way into compliance rather than use force to gain compliance.

Francesconi: Maybe one question for mike and a question later for gary. Are any members from the current piiac going over? We have high talented people. Bob is at the top, and -- in my opinion, which may offend others, but it not that you're not good, but i've been very impressed with you, basketball. Having bob on the new group may have some sense.

Hess: Today is our -- at 5:00 p.m., I think it's almost there, is our deadline for applications for the new citizen review committee. And four people from our current piiac have applied. One has already been selected by one of the commissioners, mr. Sten, we are doing the screening process tonight. We'll be in there for about four hours screening 45 applications. The results that we're getting are tremendous. We're getting d.a.s from other counties, men who used to be the state -- the federal attorney for the state of Oregon for 28 years, we have a psychiatrist who was in forensic medicine. But I can't guarantee that people that are on the committee now will be appointed, because the -- it's so competitive for the nine positions that we have. And we're trying toe do it in an honest straightforward way tonight, grading these, mr. Blackmer has a system that he is going to propose tonight. I don't know how -- but I know there's at least one who's been nominated already, and --

Katz: That doesn't mean -- let me -- does a nomination by us mean an acceptance?

Hess: Not necessarily. We could find somebody that's so much more qualified possibly, and then we would come to you, mr. Blackmer would come to you and show you this and see if you would want to change your mind. I can't believe the -- we had great quality before, and now we're getting great quality to continue.

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Katz: Okay.

Hess: So that's where we're at.

Francesconi: My recommendation of bob euland is a shameless attempt to get two on the committee.

Katz: It is a shameless attempt. Absolutely shameless. And we'll not be discussing it any further. And we'll leave it to the group that's going to make that selection.

Hess: Thank you very much.

Katz: I'm on your side, gary, on this one. I understand somebody else at the last minute put in an application which is just a top-notch candidate, so I hope that's considered as well.

Francesconi: Oh, you're doing it too:

Katz: I didn't mention names. All right. Chief. Why did you give this to us? [handout distributed to Council by Ueland] Just information?

Hales: While he's in the neighborhood, he saved 34 cents.

Katz: All right. We have two new members who have not been in front of us in this position, so why don't you identify yourselves.

Darrel Schenck: Your honor, i'm darrel schenck, captain newly appointed to the internal affairs division.

Assistant Chief of Investigation, Andrew Kirkland: And I'm Assistant Chief of Investigation, Andrew Kirkland.

Mark Kroeker: I'm very happy to have them here with me as new chain of command that runs right to the internal affairs division, which captain schenck and his new assignment handles. So i'm mark kroeker, chief of police of the city of Portland.

Katz: Excuse me. Is anybody interested what happened to captain brent smith?

Hales: I guess now you're going to tell us.

Katz: Jada mae is interested.

Kroeker: There were 17 command changes. Captain smith now commands the north precinct of the Portland police bureau.

Katz: I thought you all might want to know that.

Kroeker: I have received the monitoring report and I received it yesterday. It actually came to the police bureau several weeks ago, but as captain shank had just arrived and went off on leave in the transition, there it sat, so I wasn't able to actually review it until yesterday. Dr. Hess is correct in saying it was in our custody and it would have again good for me to see it, and it's regretful because I would have had some time to have some discussion with it and add some perspective to it before today. Nevertheless, as this month progresses then and our new chain of command is in place, we will have our response to this the last report by the end of this month, and it will be directed to them and to the members of the city council as we normally do. And so we will be on track with that. Had we had a little bit of time to provide some perspective, we would have been able to respond, for example -- and I won't go into every one of these, but we would have had a little time to discuss the statistical perspective and relevance of it. For example, there's an indicator in here and recorded in one of the news stories that during this first period of what is covered here, no sustained -- complaints were sustained. Well, it's true that of those that are reported here, no complaints of those were sustained, however, during this time many other reporting coming through the process were in fact sustained, and the process that goes back beyond the 1st of this year. So that's why this indication of no complaints being sustained. It gives the false impression that the bureau's not sustaining of the any of the complaints made by our people, and that's just not so. We would have also been able to provide perspective having to do with business cards, where

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we do have a general order that requires officers to present a business card to any person who requests of it -- of them ask the cards are being distributed to police officers. We would have also had the opportunity to discuss the training plans that are currently underway. These are laid out in reaction not only to the suggestions, recommendation that's have been made by piiac, but also in the after-action visit of incidents that have occurred in the pored police bureau, including the mejia poot shooting, where in my letter to you, mayor, I laid out very specific things having to do with the training implications and the things that we're doing. And I fully intoned continue on with those -- intend to continue on with those chartered courses I laid out to you, and there we will be looking at a training that will encompass I believe in a short amount of time that we have, naturally we can't take police officers out of their cars for six months at a time, but in our in-service training we will have a course of training which will include a discussion on communication as bob talked about that, that concept of being able to talk with people and gain compliance in an interpersonal way. And also we will be training in the process of serving our people, customer service, customer relations, making sure our customer skills are strong, and then finally, a component having to do with communication and care of the special people in our community who need some special communications, special care having to do with the mental incapacity of some kind, and the other things that make them in that position, in need of special training. So we will be doing this. Our crisis training does continue and the crisis intervention team training continues on schedule and we now have an unprecedented number of cit members in the Portland police bureau and we continue to train our own people, and that training goes at a time now when -- with the closing of the crisis center, it's becoming more and more important for our officers to really have this dissemination of training inside the police bureau. We would have also been able to talk about the statistical analysis, the tracking of cases, the putting into statistical reality the things that are going on, and I would have had the opportunity to explain that we have contracted with john campbell and associates, and his associates a contract which is asking them to look qualitatively and quantitatively at the whole internal affairs database, looking at the case that's we have, making sure our tracking system is the kind of mechanism that will in fact properly track every single case, that we'll be able to extract from that statistically valid implications that we can hold as a managerial accountability issue, and also a process of quality checking and going back to the source of the complaints to ascertain whether or not the quality of the investigation and the outcome of it was in fact satisfactory to the person who complained. This work is ongoing right now. Then also we would have been able to talk about the distraction principle and unfortunately this is a set of words that has some hot buttons attached to it. And I would like to point out just quickly here to you that from day one, the consent of distraction in -- the concept of distraction in police officers' work is taught. The idea of distracting in order to move forward in a -- and accomplish something is a principle that is out there. And continues to be as a device for being able to move along. For example, in high-risk entries and in certain situations sometimes a flash-bang grenade or even the breakage of a window can distract long enough to provide another entry. Other things by which we can distract a person momentarily and thereby maintain control or obtain control is something that is a principle, not a specific technique. And a year ago, less than a year ago i, in response to one of these where we went through a disciplinary process, issued a project to our operations support branch in the training division which was then there at the time, asking for this distraction technique in, quotes, to be examined and reviewed and with an eye to have -- making sure we have a good clear understanding of what it means and what it does not mean. And I can tell you really what it boils down to here, and -- not so much the training, although we will continue to do that in - - and our report will indicate we will continue to review the training as I have a memo from the

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training division in response to that project, but here we have more importantly an implication for all of us and from me as chief for supervision and accountability in making sure that people know that every use of force must be documented, and that if a distracting device or measure is used, that it be documented and that it be defended very clearly by the employee who used it. We do not wish to put officers in a contained box of options that limits their ability to do what they need to do to obtain control. We do have a continuum of force and a protocol that's very clear, but these are guidelines. And it's very important for us to make sure that officers know that in these guidelines, they have a certain amount of discretion so that they can do what is necessary. And I would caution that we should be very careful with the term like a free punch. This term gives the implication that police officers are looking for an opportunity at a cheap shot. And this is not so. And I do not wish to use this language myself and I would hope that others in the governmental process would not use it. Because it implies that police officers are looking for an opportunity to hurt someone. The officers are looking for an opportunity to obtain control over a person that he need to obtain control of. If you were to take this in a video as sometimes is the case and you would freeze this frame right at the moment where there's into other place to go and the person is implied to have had a gun under their arms and they're locked up in a fetal position, and some type of a distraction is used, we don't specify which one, the officer has to document it later, and then the hand does come out, the control is obtained and the person is arrested, and the documentation is there and injuries are recorded. That's -- that is appropriate. I'm not saying that everything is perfect, and it's not a perfect world. And we'd have -- we have some discussion. I for one would like to really look at how often this is used. How often the term is coming up. Because the piii report refers to an increasing use of it, i'm not sure that statement is empirically based and it would -- I would like to look at this from a standpoint of statistical validity to make sure that we are talking about something that is not anecdotal, but something that is truly an emerging trend. And if it is, we need to control it and make sure the officers know that what their limitations r. What their prerogatives are and what the outer limitations and requirements and policies are under their good supervision. Finally -- and I will not go through each one of these, but simply to say that we will have a report. If you have specific questions, we will answer those and specifically about the tracking system and how we intend to merge the study with the iacp tracking system that is there. Our problem seems to be at present our input. I -- captain shank is prepared to answer any question you would have about that. But I will cover in my report, which will be here at the end of this month, each one of these implications as we have done in the past in the course of doing business with the response to piii. But the final item I would bring up quickly has to do with the comment that was in the report where it says, we have not seen implementation of chief kroeker's -- to make public documents recording police bureau general orders more accessible to the public by making them available on the internet and public libraries. If I were to have had the opportunity to discuss this, would it have been with great pleasure that I would be able to point out that we do have a new manual of policy and procedures. This is actually a faux manual, just a little cover on the outside, but it is this size, it is going to the printer this week, and will be made available by the 1st of september. I set upon this project when I first got here and I realized that the manual of rules and procedures is a little bit -- you probably need a forklift to carry it around the organization, and -- or in public libraries it makes it difficult to have there. And -- or to put on the web. But by the end of this month, this manual policy and procedures is available for anyone to own if they want to, the price will be very nominal to actually purchase one. It will be at the libraries, it will be on the web, it will be accessible and it is designed according to my direction to be the same size as the Oregon vehicle code, which is actually what this book is, and the Oregon revised statutes, which then fits

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into the law and the policy it just is symbolic in its size, it's portable, it is the kind of thing that takes the big book that seems to stay in the station and puts it out there and available to anyone who wants to look, police officer or public, anyone who has questions about our policies and so this is coming on, and I take considerable amount of pride in this project. Where this has taken us and the specific need for putting the policy of the organization in the hands of the people who actually need it. So i'm very pleased with that. With that, I would reiterate that we are responding. We will have a report. It is a transition report, a final one. We have pledged with city auditor blackmer that we will work in this transition with the smooth movement of every project and process that has brought us to this point in transition to the new one so that we can in fact move forward on our objectives and police accountability for the city of Portland. Thank you very much.

Katz: Thank you. I have just a question. Gary and michael and the chief, are you -- you don't capture -- it doesn't appear from attachment e that you capture the iad review of officers' behavior and complaints that's initiated by the bureau. Yes? No? No what? Come on up. Your numbers here are sustained, you have zero -- whoever --

Hess: That report came from -- i'm sorry. Thank you, chief. That report came straight from iad, and that's where it says zero sustained.

Katz: I know that.

Hess: We were talking about that, darryl and I earlier today, and we can't figure it out. The cases we looked at had some sustained, and "the Oregonian" article said there were no sustained. But that's -- does that answer your question?

Katz: Let me just say that I hope that we begin to capture the sustained -- the sustained complaints that I know the chief and I signed as well as terminations. So the public understands that there are a lot of sustained complaints --

Hess: I think now with captain shank, we will be doing more things of that nature. Because it's a problem for us too. And he has pledged to me that he will work with mr. Blackmer on that. I think we do need some work on that.

Katz: Yes. And I don't know if you --

Hess: The public needs to know there are officers who do perform in a dishonorable way and are sustained in -- and do lose their jobs or whatever. And we're not picking that up.

Katz: That's what I thought.

Darrel Schenck: I'm darrel schenck. The complaints were in the statistics that points out that there were zero sustained complaints, that is in reference to the 2001 complaints that we are currently investigating, and -- which are about eight months into this year at this time. And of those, we have closed many of those complaints, but many of them are still open. And of those that are open, there are numerous ones that will be sustained whether the cases are finally completed. We have been sustaining complaints each month. We do sustain complaints. In fact, we've had this year 33 sustained complaints from 2,000 cases, and from 1999 cases, 76 sustained complaints. The zero just refers to those cases that were -- we received since january 1st. And outside of the ones that we've closed this year, the ones that are still open are still being reviewed and looked at and we will eventually certainly see some sustained complaints as a result of those complaints.

Katz: Questions? Thanks. Thank you for the clarification.

Francesconi: Chief, I have a couple questions. One is, first of all, your point that it would have been good if you had a report so we could respond to both is very valid. It's nobody's fault, apparently, but --

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Kroeker: Well, it's ours, and i'll take the responsibility. It's our process and I should have been able to have it --

Francesconi: Even two weeks i'm not sure is enough time, given all the other things you have to do. My highest priority given not just the poot incident, but what you referred to, the crisis in the mental health arena and the downsizing from state institutions without adequate local support, is in the mental health area. So in your next report, if not now, maybe in the next report, we need more details on the number of officers being trained, the type of training, we need more specifics on what's happening in that regard. And I guess I want to be clear with you that that's personally my highest priority in the short-term. Is there anything more you want to say about it now?

Kroeker: No, not necessarily now. We will address it in the report. There's lots of information we can add there.

Francesconi: Okay. The second area in terms of the second priority for me personally is just one, is this issue of tracking. And you've referred to it already. It's referred to both on the early warning system kind of what's happening, it's referred to in the attachment a here. The number four. So if you could give us as well as number 5 from attachment "b," that question of -- and you talked very eloquently about it, the importance of tracking and the early warning system and what's happening.

I'm really glad you brought john campbell delong, whatever it is, into this. I think that will be helpful. We need those statistics, so the question, though, the only other area I want to ask you about now, and I don't want to wait for this next report, and that is on this -- first of all, I probably should have responded to bob on the free punch thing. Because I agree with you, that's not an appropriate term, because it makes it sound like you can take a free punch on every incident, and you are using it as a control mechanism. So I think it's -- you're pointing that use of that term is inappropriate out is correct. And I don't think it should have been used. Having said that, it's not clear to me as to is there a general -- it appears there's not a general orders on this as a control mechanism. And either there has to be -- it's either got to be in writing that it's an approved technique for control or it shouldn't be used. Is that fair?

Kroeker: Well, we, in our training, have a definition of distraction. But it is a very kind of area -- a description of what distraction is. Rather than to say in our continuum of force here is where distraction sits in. If distraction were something that you could put on your equipment bet, like a piece of equipment of tear gas or an impact weapon or something like that, then we could put 90 there somehow and say you can use it here. But it fits in anywhere. If you can distract a person by saying, hey, and it's all over, it's --

Francesconi: The problem i'm having is that you're putting all kinds of distraction into the category. I'm not interested in distraction that doesn't involve -- neither are the piiac advisors. It's when you use force on the person for the purpose of distraction. I'm not interested in those other distractions. I'm interested in when you're using force. That -- you have to be clear I think on with your own officers and with us, and with the public. I think as to -- that's what i'm asking for. And there has to be some clear guidance. Do you want to respond?

Kroeker: I will review that and look at it. We'll address it in the report back and we'll get with our training division and explore what are the things that, you know, are appropriately left in guidelines, those that should be actually written. It clear when a police officer uses force -- police officer uses force, he or she must justify it and has to write it down and define it, describe it. And so that is clear. Exactly how to phrase that, i'm trying to think it through, but I will take what you say and take it back --

Francesconi: Where I need some help, and I think the officers need help and the public needs help, is when is it justified? And it needs --

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Kroeker: I understand your implication.

Francesconi: Thank you.

Kroeker: Thank you.

Katz: Any further questions? Okay. Thank you.

Kroeker: Thank you.

Katz: Let's open it up for public testimony.

Dan Handleman, Portland Copwatch: Good afternoon, council. I'm dan handleman, i'm with Portland cop watch. I'm going to hand in testimony. Pass it around. Overall, we once again want to compliment the ppiac advisors on this monitoring report. In addition to some important new recommendations, they've also pointed out the lack of responsiveness to the bureau to some previous requests made by council as ppiac. However, for each item that's commendable, there are also items of concern which were not highlighted in enough detail in the proposal. Some of them are also -- also weren't even discussed in the report at all. For example, they pointed out that the timeliness had gone from 14 months to 15 months on average. I know mayor Katz you said you didn't think that was a good way to measure it. The point is chief kroeker made appointments of five new sergeants to iad while your work group was working on chaining ppiac. And the time line that's not shortened, it's gotten longer.

Katz: Rolling average would be much better than just an average. So you can see -- i'll give you back your time, so you can see whether at the time the chief added additional investigators, whether that number has gone down.

Handelman: Well, statistically speaking, if there were shorter afterward, the average would have to drop. I don't think it's worked. The early warning system, it seems like either the citizen advisors are being blocked from the data or the data doesn't exist, and i'm -- I think that everybody's been discussing that. The p -- I also want to point out the ppa, the police association and internal affairs insisted there was no reason for the review board to audit the early warning system because they said the system was fine. So the work group voted down a motion to include that as part of the scope of the board's powers. And I think the information in this report shows that the auditor and the city council are not the only ones who should look at the system, about the citizen review board should look at that too. Chief kroeker's responses to city council, his verbal responses were vague and inadequate last time and I think again this time. A lot of -- the fact that he did not respond in writing last time is a violation of both the old city code and the new ipr code and I don't know how you're going to hold the chief accountable, but when he finally responded in dora mccray's case, he was 119 days after your decision, which is 59 days late and again, we would hope there would be some accountability for that. In a racial profiling case you're -- you passed on to the chief with a majority vote to find a sustained finding, he refused to accept that changed finding. That was in the report but glossed over. This showed that the chief has not committed to end racial profiling perhaps and it also renews our concerns about the final disposition of cases because the ipr ordinance has vague wording in it about who has final say. Also just in terms of some of the specific requests that the advisors made, I don't think they were specific enough. In some cases they didn't specify what kind of diversity training should be offered to the police. It would be good if they have a specific idea in mind. To reduce the disproportionate number of complaints from african-americans. It would be good for them to take the review board itself to take items from other cities and experts about whether the distraction technique should be accepted as a practice. Commissioner Francesconi, hitting people in the head as a distraction should not be an acceptable practice anywhere. They also say the business cards should be given out but they didn't specify it should half every time the police interact with citizen, only with practical or when

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somebody asks for it. It should be an automatic thing when a police officer approaches a citizen for them to hand the business cards out. It would also be good if the cit training were being used to deescalate every situation, not just ones where someone is mentally disturbed. My -- the final piece is about the unfounded findings where many of the cases obviously are the word of the civilian versus the officer and there are -- the use of insufficient evidence findings is about one-third here in Portland as it is in other place in the country. I think that needs to be looked at.

Katz: Thank you, dan.

Diane Lane: I'm diane lane. We did discuss the iad six, but we'd like to discuss it a little bit further. On page 5 of this report, piii notes that from january to april, they reviewed 22 cases that included ten allegations that had been sustained while iad's statistics and -- and this is from the third and fourth quarter 2000 monitoring report, and the current attachment e, say that only seven allegations have been sustained from january 2000 through june 2001. That's quote a discrepancy, and we wonder how that's even possible. The iad statistical report makes note there are different numbers of cases and allegations somewhere statistics tracking each should be printed so the numbers can add up. Also, by including cases which were resolved administratively or were service complaints, the report makes it appear as though iad has been doing more work than they have. And it's skew -- it skews the disposition ratio of the fully investigated or declined allegations. These administrative cases which do not involve investigations should be separated to another category. This would also make it easier to compare statistics with other review boards and other -- in other cities. Another confusing aspect has to do with which statistics are being presented. Iad compares data from january to june 2000 with the same months in 2001 without explicitly labeling the time period for each year. Since there are references to cases resolved late last year, it would also be helpful to include statistics for the entire year of 2000. So far this year iad has declined to investigate 47% of allegations as compared to 39% last year. If police accountability is important to the city, these rates are far too high. And finally, the table on page 5 shows that one use of force allegation was declined, even though iad procedures are supposed to ensure that no use of force cases be declined. Iad statistics should include numerical data showing how many officers have received discipline of various types. For instance, seven-day suspensions, ten letters of reprimand, one termination, et cetera. Since the public is currently unaware whether discipline happens at all, such a chart would be helpful in promoting accountability to the community. San jose printed these statistics in their regular reports, san francisco prints the specific discipline imposed in each case. Sometimes I think the piii might do very well to refer back to their own reports when offering advice to the police. For example, they should have noted in the recommendation to photograph all people who have been subjected to the use of force that in 1998, the second and third quarter monitoring report noted that such photos were often absent from iad files on excessive force cases. Many of piii's recommendations seem incomplete. For instance, although the advisors note that citizens who are interviewed over the phone often expect to be called in for a further inquiry, which really happens -- rarely happens, their recommendation stops at giving complainants a choice of phone or face-to-face recorded interviews.

Katz: Thank you. I just want to say I do -- though I rarely agree with you on a lot of specific issues, I think you're right on target on the capturing of the data. I am not satisfied with the layout of the internal affairs division statistics. They don't make any sense, and I real did I do think the public, though not including the names of officers, but certainly you would be very surprised to learn in some cases the length of discipline -- the days off and length of discipline or the number of cases. And I think the public ought to know that. And then the ones we terminated and have to bring back again, that would be also an interesting information. Okay.

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Jada Mae: My name is jada mae, i'm going for jada mae for usa, because I never know where i'm be. I'll be on the way to york, pennsylvania, where you know that sort of thing happened. 30 years ago, chief of police became the mayor, and was hauled off to jail on the charges of murder. When I went back there a year ago, I was digging around and 25 -- a 25-year back because our church bought brought that has been taxed for a quarter of a million dollars. So I went back to dig out all the facts. And it made the whole town very, very nervous, because I was digging around 25 years past. And I was treated very badly. And I couldn't even go inside the rescue mission. So I lived outside in the cold for a month while I dug out these informations. And so i'm on the way back again, because there's -- it's going to be a church state thing, because many properties are being confiscated by the state if the church is too poor to have an attorney or somebody who does that. So I have been a street observer for over 30 years. I took a vow of poverty for 33 years, and it will be over this year sow that means I might have different circumstances. But I had to find out in my life what it's like to be poor. And so I took the vow of poverty, have been living on socialistic and social security wages and running in office at the same time to give other people who are poor an example that you can still run for office. Probably never get caught, but can still run for office when you're a poor person. And there is a war on the poor. And I have observed and kept many crimes from happening on the street by police officers against the native american people. I'm an elder of the sioux and I have seen a lot of things that shouldn't happen, including about this time last year I observed on the max that three police officers of which one was a woman, a blonde lady with -- a pale-face blonde, she was so mean to these two hispanic people, and they pulled them off the max and when I turned around and looked at her, she was screaming at these hispanic people. So I said, I cannot let this happen, so I rolled right off. And I informed the three police officers that I was going to observe how they handled this arrest. And they said, get off this platform. I said, I have just as much right to be on this platform as you do. And this man -- there was two men. One looked like the victim of this murder that happened at the mental hospital. He looked just like him. And so I brought out the fact that I have observed these thing happening to the native people, and I was not going to allow to it happen in front of me. And I -- the old-timers in the police department know that I will not allow them to commit these things when i'm there. If they want to do it behind my back, I don't let cops and robbers get away with anything because i'm right in their face if I see somebody's abusing somebody. And so when I explain, I said, how come you're always beating up on the indians? And this woman said, these aren't indians. They're hispanics. I said who do you think the hispanics are? They're the mayan or the yaki or the aztec indians with the polluted bud of the spanish raiders and invaders. And then they wrote me a ticket and said this if -- if they saw me on this line, they were going to arrest me. And I said, okay, i'll take the ticket. But i'm -- you know, I gave them a piece of my mind. And then they said, I had to leave. I said, never am I going to turn my back on you, because I do not trust you with my life.

Katz: Thank you, jada.

Jada Mae: Anyway.

Katz: Your time is up.

Jada Mae: This happened before one of my nephews was murdered when you were first -- first got into office and I let you know about what happened over at detox. And it still happens.

Katz: Thank you.

Kristian Williams, Portland Copwatch: My name is kristian williams, a member of Portland cop watch. I want to start by acknowledging the hard work the piiac advisors have put into this project.

It's a shame so many of their recommendations haven't had more effect on actual police action. This is inherent weakness of an auditing model. Of the 60 accomplishments the report lists, 53

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deal with iad procedure, that is they deal with the way investigations are done. Now that the way -- not the way actual cops deal with actual people on the street. And of course it also remains in the power of the police to ignore the recommendations of piiac or the new ipr all together if they choose to. Which I think we have every indication to think they will. It's incredible to me the chief has not bothered to respond in writing to the previous piiac report when it's clearly required by the city code. So I don't give a lot of weight to his prom toys respond to the new one within 30 days. And I think it's totally unacceptable. It send as message to the members of the bureau that the oversight process is not taken seriously. I send as message to the public that the police chief decides how policing will be done, and not the city council or the law, and least much all not the review board. And if you're paying attention, it should send a message to you that chief kroeker isn't serious about police accountability. We have a serious problem. In discussing the so-called distraction technique, we heard the chief of police advocate striking a person who is as he described in the fetal position so an officer can gain control, and I think we should think about that.

Katz: I will -- let me just say that I will take a portion of the blame and not remind the chief that the reports are due. And so I made app personal note that he will have these in a timely fashion. Thank you. All right. Anybody else? All right. Then we -- we'll need to vote on the report.

Hales: Well, a number of things have been delivered, but I want to thank the citizen advisors and staff of piiac as well, particularly my appointee who is here, robert wells, who has condition amazing service, huge amount of time and effort and expertise, so robert, thank you on behalf of the community for your vigilant work as a citizen. This has been a process of improvement by competent, dedicated citizen oversight. We're going to -- we have what we hope is a better system ahead of us, but any system relies on people to make it function, and these people have done good work for this community. And I appreciate it. Aye.

Sten: A couple quick thoughts. Chief, I need more information on the distraction piece. I think I understand what you're saying, but I think it's inconsistent in terms of the way it gets read. -- real pause and whatever we call it, it needs to be looked at. I want to say out loud to one of cop watch's concerns, it was my understanding and if the language is vague i'll take a look, that the council's decisions are not overturned, cannot be overturned by the chief of police under the new system. If i'm wrong, somebody document to me and I will introduce an amendment at council for -- to make that clear. But I think it is clear that the chief cannot overturn us under the new system. So with that i'll look forward to -- I think it's an excellent report and I think not everything has been implemented and I think we need to do a better on, but these reports have made a big difference and I think the police bureau is working to respond to them. So let me put -- finish by thank all the advisors. I wouldn't say it's been thankless work, but it's certainly been work I think that the value of which whatever one might think of the old system, I don't think the people on the different sides of what the new system should be have given you adequate credit for all of the good work you've done. You've worked tirelessly and I believe it's made a significant difference and helped both the police and the citizens so -- and it's also did I recommend that denise stone be appointed. We each make one recommendation to the new body, a formal recommendation, not an informal lobby, my - - it's up to blackmer to decide who goes on the board, but I -- personally appointed denise to the last board and have been very empress -- impressed with her work and kid indication. I think -- I hope you'll give her serious consideration. To those of you I only get one recommendation, I will not be recommending for that reason. I thank you very much for your lard work and it really has made a big difference. Aye.

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Katz: Again, my great appreciation to all of you. After we changed the code in the early '90s and many of you came on board, we did become one of the models for the country as much criticism as we all have received with regard to how we do our business, it's still one of the best in the u.s., and that credit is yours for making it happen. Your last report pretty tough. And I like the history, so that we have a record of what was accomplished during the auditing report -- the auditing period for internal affairs investigation. So I thank you. I'm looking forward to the new group. And beginning to bring us reports from gary and from the independent investigation. Aye. Okay, everybody, we stand adjourned until 2 o'clock tomorrow, where we're doing title 33.

At 5:06 p.m., Council recessed.

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August 2, 2001 2:00 PM

Katz: Good afternoon, everybody. The council will come to order. Karla, please call the roll. All right, why don't you read the number.

Item 967.

Hales: The level of -- the level of importance of what we're doing, versus the level of glamour -- [laughter] -- this is some of the least glamorous work that our staff gets to do, which is trying to tune up a very big, complex, sometimes clumsy code, and yet how it actually works out there in the community and how many complaints we get about regulations that don't make sense in the real world, this is very important. So I want to thank douglas and kermit, the other staff that have worked on this, because it is important. So thank you.

Katz: Okay. Go.

*****: Ready?

Katz: Ready.

Douglas Hardy, Office of Planning and Development Review: My name is douglas hardy with the office of planning and development review. What is code maintenance --

Katz: That's a good question -- what is code maintenance 2001.

Hardy: It basically -- it's a document that contains 60 amendments to the Portland zoning code that basically seek clarifying, simplify, implementation of the code, both for the public and for city staff. What code maintenance 2001 is not intended to do is create any new policy. Instead all of the amendments must be consistent with the original legislative intent of the particular regulation that we're looking at. And thirdly, the source of the -- or amendments included in code maintenance 2001 is the database that's been maintained by the bureau of planning. And this database includes requests that have been received from a variety of sources. Some from city staff, from the development community, as well as some from some neighborhood activists. How were these included in code maintenance 2001 selected?

Hales: There you go. Okay.

*****: Do you have it?

Hales: Now we do.

Hardy: Okay. We basically -- an advisory team of players from o.p.d.r. And bureau of planning that collaborated in identifying sort of the priority issues that we would include in code maintenance. And there were basically four criteria considered in selecting or prioritizing those amendments. The first is that the amendment is required to be consistent with the goals of blueprint 2000. And in brief, those goals call for providing a predictable seamless deliver of development review services. Secondly, the amendment must improve the clarity and use of a zoning code without modifying, again, the intent behind the particular regulation. Thirdly, the amendment must address ongoing problems with administering the code. Some of the amendments in this category may result in minor policy modification, however we felt that the extent that the amendment modifies the policy would be minimal, yet it would have great benefits to the daily use of the code. And lastly, that the amendment was required to be consistent with goals and policies of the comprehensive plan. In terms of public outreach that we conducted as part of the code maintenance 2001, we have met with a variety of interested organizations throughout the process. As you see here, some of them included the citywide land use forum, the institutional coalition, columbia corridor association, port of Portland, the blueprint stakeholders, and b.o.m.a. We also included and filled out the code maintenance 2001 and o.p.d.r.'s newsletter called "the plan examiner" that is sent out to the development community. We held an open house a couple months

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ago, basically to invite the public into an informal setting to take a look at the document and ask questions of o.p.d.r. Staff.

Katz: How many people showed up?

Hardy: Well, unfortunately, we were going to have two open houses. We scheduled the first, and we had one person come to that open house, so -- [laughter]

Hardy: Thank you for asking.

Hales: See what I meant about glamorous?

Hardy: And we also did provide copies of both o.p.d.r.'s report to all the neighborhood coalition offices and any of the public that requested that document. The types of amendments that are included in code maintenance 2001 basically fall into three categories. The first are what we call technical. These address basically typographical errors, or very straightforward, and they also ensure that the code is consistent, the zoning code is consistent with any other city codes, so there's not a conflict between codes. The second category would be clarification amendments. These, as it implies, clarifies existing text. Again, to facilitate the daily use and understanding of the zoning code by the public and staff that implement the code. And the third category of amendments would be those that we loosely term minor policy. And these address ongoing problems with administering the code. We thought it was important to include these, because of their importance in the frequency that they arise on a daily basis, particularly when building permits are being issued. Just to give you a few quick examples of some of the technical amendments -- one of them is, for example, requiring that central recycling areas for residential development of five or more units instead of for three or more units as is now required so as to consistent with the b.e.s. Solid waste and recycling program. Our code requires that for three units, where is b.p.s. Requires it for five more units. An example is correcting one of the tables in the code that parking is not required in one of the commercial zones. And it's clear in other parts of the code that it was not updated in this particular table.

*****: Cross out the co 1 zone and put in city of Portland, but it would cross the boundary.

*****: Maybe next code maintenance will.

Hales: Yeah.

Hardy: Another example, is replacing outdated reference to the bureau of planning and bureau of buildings, and replacing that with o.p.d.r.

Francesconi: Commissioner Hales, you're rival commissioner Saltzman for staying on message, I have to tell you.

Hales: What do you mean? How about you and the parks budget? [laughter]

Katz: The problem is -- the problem is everybody has a different message.

Hales: Well, yes. I'm sorry, go ahead, we're being silly.

*****: That's quite all right.

Hales: Don't mind us, but keep on your with your presentation.

Hardy: Oh, okay. I'll try to make it more exciting, maybe.

Katz: We're helping you.

Hardy: There are 29 amendments in this next category of clarifying existing text, and this is the -- examples include clarifying the term highest street classification as it implies to implementing the full ground-floor window requirement and the commercial -- in the commercial and employment zones. Another example, clarifying when a nonconforming use may expand within an existing building. And thirdly, clarifying how to identify the longest street-facing wall of the dwelling unit when there are two or more facades I know that that sounds like a tongue twister, but that is in the

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zoning code and believe it or not it's not clear. The last category of amendments are those that we again term the minor policy amendments. There are 15 items in this category.

Hales: Did I give up my law firm for this? [laughter] excuse me. Keep going.

Hardy: It makes it very difficult. The two -- the two are that included in the minor policy category are basically how you define site. And the compliance period for when the nonconforming upgrades must be done. Another example is duration of temporary public utility staging areas. Right now the code is one year, and it's prohibitive to extend that. As we know the c.s.o. Or some of the tri-met max projects certainly took more than one year. So the code amendment allows that to go up to three years. The two items in the packet that resulted in the most public input and discussion at the planning commission hearing were defining site and nonconforming upgrades. And basically currently when an applicant submits for a building permit, improvements that have a value of more than \$25,000, the applicant is required to spend up to 10% of that value toward upgrading the site in terms of particular standards. So parking lots providing bicycle parking, pedestrian improvement, those types of things. And those are required to be done on the entire site. However, the way we do define site in the code is basically contiguous ownership, and so it has been a consistent problem with sites that have individual ground leases. These ground leases, the uses within the ground leases tend to be unrelated to one another, and any of the required development, like parking or landscaping, is strictly contained within that particular ground lease, and so what happens at the time the building permit is the applicant comes in with a tenant improvement, or some improvement within one ground lease, and the development services center says you better upgrade other ground leases on that particular site. And that can cause obviously some real problems, particularly when that tenant doesn't have control over the other ground leases on the site. So we have proposed basically to address this by allowing the applicant to define the site as the area where the required nonconforming upgrades -- excuse me -- that the area required of nonconforming upgrades may be limited to within the boundaries of that particular ground lease where that improvement is going on. To qualify for this allowance, the applicant would be required, at the time of the building permit, to provide a written legal description of that ground lease and graphically identify the ground lease on the site plan. The -- basically the applicant would also be required to demonstrate that all development required for the use, like parking or landscaping, would have to be identified within the boundaries of that particular ground lease, as well as any development that would be used exclusively by that use. So again, something like parking. The second amendment somewhat related is the compliance period for when you have to do those nonconforming upgrades. Currently under the existing system the compliance review is required as part of every building permit application that is submitted. And the upgrades, again, are required if the improvement are more than \$25,000. Because there's no way currently for staff to know whether a site is compliant when the permit is first submitted, must submit a conforming review. And also for sites that have frequent permits, like tenant improvements within an existing building. It's not always clear to either the contractor who's bringing in the permit or city review staff what upgrades were completed since the last permit was submitted. And the result is basically, it increases staff time significantly in the development services center and results in a significant delay on the part of the applicant for the building permit. Also, the -- even after the compliance review is done by staff, any required upgrades are limited to 10% of whatever the value of the permit is, and for most permits capping the upgrade at 10% results in only minimal improvements to the site. So what we are proposing basically is that it provides the applicant a second means of meeting the nonconforming upgrade requirement. They can continue to do the way it is today, or alternatively, the applicant may opt to bring the site fully into conformance

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within those standards within a given time frame, and that time frame would go anywhere from 2-5 years depending on the size of the site. So, for example, in sites under 200,000 square feet, which represent over 90% of the sites citywide, the applicant would have up to two years to bring the site fully into compliance with the development standards. To qualify for this particular allowance, the applicant would be required to complete, prior to issuance of the first building permit, a nonconforming development assessment report that would identify exactly what needs to be upgraded and time frame that it would be upgraded. The owner would also be required to execute a covenant with the city that again identifies what needs to be upgraded, when it would be upgraded. And basically the stick to this would be if the applicant has not brought the site fully into conformance by the end of that 2-5-year period. No further permits would be issued on that site until those upgrades were completed. We found that the amendment not only streamlines and expedites the building permit process for the applicant, but it did also again significantly reduce overall staff time on part of development services staff by basing reducing the number of compliance reviews reduced to two within that particular compliance period. I think most importantly the -- this new option will bring sites closer or into conformance within a far shorter period than is the case today. In terms of planning commission review of the proposal, o.p.d.r. Had first proposed approximately 70 amendments to the planning commission. At its public hearing about a month and a half ago the planning commission voted 8-0 to forward approximately 60 of those amendments to city council, and those 60 are in the report that you have before you today. The remainder of the items that the planning commission held back will be further considered at a planning commission hearing on august 14th, and the planning commission will also consider two new amendments that were requested as part of public testimony at their hearing. And it is examined that the remaining items that planning commission hears on august 14th would be brought before city council sometime in september, at least the ones that they recommend. And with that, that concludes staff presentation.

Katz: Wonderful.

*******:** Any questions?

Katz: Okay. Questions?

Hales: We need a copy of the amendment.

Katz: Yes. Why don't you spell it out quickly.

Hales: In fact, i'll move the amendment, and then if we've got testimony we can --

Katz: Okay.

Hales: I'll move the amendment, which fixes a glitch that we inadvertently made the cascade station district exempt from city sign regulations, and that was no one's intent, so the language was -- he is here to explain further. It makes it clear that they -- that they are not subject to it. And I guess what beyond kermit, and might need you to explain, is there still are some places that are exempt, or they're exempted from portions of the regulations. So tell me what the language means.

Kermit Robinson, Office of Planning and Development Review: Kermit robinson of o.p.d.r. Title 32, the sign code, is now the combination of all the sign regulations, both permitting, enforcement, construction, electrical standards, as well as the land use standards. What this amendment -- what the existing language does is totally exempt cascade station from all the sign code and the intent was just to exempt it from the land use provisions. Land use provisions regulating height and size and setbacks, and that's being -- those standards are being created through a master plan for signs, and those would be the controlling things. And what this amendment does is pull cascade station back into the permitting part of title 32, so that we can

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issue sign permits and review them according to the new sign master plan. If we don't do this amendment, we can't exempt them from the state building code and electrical codes. They'd have to get two permits instead of one sign permit, and that's not exactly what we want to do either. So this actually makes it easier for them to get their signs that -- as it was intended.

Hales: They're still subject to the size restrictions of the code?

Robinson: Well, the size restrictions would be imposed by the cascade station sign master program.

Hales: Okay. And that's yet to be developed?

Robinson: That's in the process of being developed. Developed by planning bureau and p.d.c.

Katz: Let me ask a silly question. Why are we treating them any differently than we would any other development project?

Robinson: Umm, this -- my understanding of this was when the revisions came through, umm, about six months ago on cascade station, umm, there wasn't certainty on how they wanted the signs to look in that that area. And we have other planned districts where there were specific sign standards, but they weren't ready to go into the code.

Katz: We'll have an opportunity to review those signs?

Robinson: The agreement? I'm not sure the process for the agreement. That's what --

Hales: I'm not either. Susan, do you know? Sorry.

Robinson: Sorry about that.

Katz: This comes back next -- for a second reading.

Hales: Why don't we address that then.

Robinson: Okay.

Katz: Yeah.

Hales: Because I think I have the same bias, which you do mayor, which i'm not sure why they're not subject to the base sign code regulations in this district, but --

Katz: They could still, even with the base sign regulations, they can still deal with what they want the signs to look like if there's a uniformity issue that they want to develop, but the -- the other elements should be the same. So come back next week on that.

Hales: Okay.

Katz: All right. Do you want to move the amendment or --

Hales: So i'll go ahead and move the amendment, but we'll vote on it next week.

Katz: Okay. So I hear a second, i'll move the amendment. The amendment is before us.

Francesconi: Second.

Katz: Okay, thank you. The amendment is before us, not adopted, but for consideration next week. All right. Any public testimony in? Come on, brave soul.

Francesconi: Were you the one that showed up at the public hearing? [laughter]

Mary Gibson, Port of Portland, Institutional Coalition , and BOMA: No, I don't think so. I was at the planning commission hearing on this riveting set of issues. My name is mary gibson, and I represent the port of Portland. Our address is 121 northwest everett, 97209. And today i'm also here on behalf of the constitutional facilities coalition and b.o.m.a. Both robin white and thomasina gabriel apologize for not being here. They wanted to be here to support the set of amendments having to do with the nonconforming use provisions, because we all three support b.o.m.a. And institutions that worked along with staff on the second program option for bringing nonconforming development into conformance with the code. We think this is a good solution, and we are encouraging you to adopt it. It addresses major concerns we have been struggling with for years over nonconforming compliance, particularly on large sites. And this is important to large

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institutions, commercial and industrial businesses, who are constantly upgrading their buildings and sites. This gives us another alternative for compliance which ensures full compliance within a specified period of time, which we think is better for the city and for the institutions, et cetera, because it ensures that we do make -- achieve compliance in a set period of time versus incrementally doing small bits of compliance under the other option in the code. For the port, this allows this the option of approaching nonconforming upgrades in a better manner which allows the city and port to come to an agreement about how needed improvements can be scheduled, budgeted, and completed. Thomasina asked me to note the institutional facilities proposition proposes two minor amendments to option 2 for fine-tuning of implementation, and she's sent those over in a letter to you today. If you don't have it, I have a copy of it for the record. I think it was coming by courier. And we want to particularly acknowledge the city staff, susan fellman, and doug hardy, for working very hard on these complex issues that finally resolved some longstanding problems that have been existent in the code.

Katz: All right.

Hales: I'm sorry, i've seen, but I don't think I have --

Katz: I have the letter, but it's -- --

Hales: Douglas, are you prepared to comment on this? So those are amendments to the language that we now have in front of us?

Hardy: That's my understanding.

Hales: So they're not just saying, yes, to the language in front of us, they are making further changes to the language in front of us? Okay.

Hardy: You know, I really can't speak to this, because just received the letter an hour ago, and --

Hales: All right. I got a suggestion there, and that is let me move those amendments to too, and we'll take that vote next week after the staff has a chance to determine --

Hardy: I can comment.

Katz: Come on up.

Hardy: These are similar comments that were at the time of the planning commission hearing. Planning commission also considered the items and selected not to incorporate them into the draft that you see today.

Hales: Then what's the issue here?

Hardy: Well, the first item here is -- they are proposing to amendment it to say prior to issuing an occupancy permit, the applicant must submit the covenant basically saying that they will bring the site up to conformance within the agreed-upon period.

Hales: Okay. As opposed to a building permit?

*******:** Umm, let's see.

Hales: What's the difference? What's the difference that they're suggesting?

Hardy: We're basically saying that prior to issuance of the building permit, that they have to execute that covenant. And we had indicated previously that there are some places, in fact in the code today, where we tie things to occupancy permits, and to be honest with you it has not been successful. Once the building permit is issued, it's certainly very difficult for o.p.d.r. To -- land use review at least -- to track what has been done and what has not been done.

Hales: Right, okay.

Hardy: And her second point about adding something in that indicates that at the end of your compliance period you have to apply for a nonconforming development assessment that basically allows land use review to determine that, yes, in fact you have brought the site within conformance. Again, we state that has to be done by the end of your compliance period, 2-5 years.

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Hales: I didn't follow. What's the difference between their timetable and --

Hardy: What thomasina gabriel is recommending, is to put in a line that basically says unless it's identified through a master plan or impact mitigation plan, if that modifies that timetable. And that goes without saying anyway. That basically this is another -- if you will, another development standard in the code, and like all development standards in the code they can be modified through a process or through --

Hales: You don't think that language is -- you don't quarrel with the policy she's suggesting, you think that's already covered by the process already allows you to modify those requirements?

Hardy: Right. To follow her reasoning, we should basically put the same wording, basically, after all development standards in the code.

Hales: So in one case you say their proposal is not necessary. In the other case you simply disagree.

Hardy: Right.

Hales: All right. And the planning commission did too?

Hardy: Right.

Hales: All right. Well, then I --

Katz: You tried.

Hales: Right. We appreciate you delivering that message, but I don't think the planning commission acted correctly. If we don't get things at the building permit stage, we basically don't get it.

Gibson: That wasn't the port's proposal. I was just --

Hales: Understood. Messengers are not shy.

Katz: All right, thank you. Any other questions? Anybody else want to testify? Then we'll take the package as amended until we figure out what that amendment is on the cascade station and move it to second and we'll come back next week. Now, we have a quorum next week?

Hales: I won't be here.

Katz: I won't be here either.

Hales: Need to figure that out.

Moore: Not in the afternoon. Jim is also gone. Commissioner Francesconi is also gone.

Katz: We'll have to continue this in the morning. Commissioner Hales, will you try to figure this out before --

Hales: What I will do, is I will get jillian to check in with you folks and communicate a meeting on monday to communicate what the status is.

Katz: Thank you, everybody. There's no further business before the council. We stand adjourned.

At 2:33 p.m., Council adjourned.