



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **2ND DAY OF JULY, 2003** AT 9:30 A.M.

THOSE PRESENT WERE: Commissioners Francesconi, Presiding, Commissioners Leonard, Saltzman and Sten, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Ben Walters, Senior Deputy City Attorney; and there was no Sergeant at Arms.

Motion to elect Commissioner Francesconi as President of the Council moved by Commissioner Leonard and gavelled down after no objections.

On a Y-4 roll call, the Consent Agenda was adopted.

<b>COMMUNICATIONS</b>		<b>Disposition:</b>
<b>733</b>	Request of Annalisa Bandalera to address Council regarding Portland Peace Encampment (Communication)	<b>PLACED ON FILE</b>
<b>734</b>	Request of Joe Rastatter to address Council regarding jobs at PGE Park and in Major League Baseball (Communication)	<b>PLACED ON FILE</b>
<b>735</b>	Request of John E. Voracek to address Council regarding the Iraqi war (Communication)	<b>PLACED ON FILE</b>
<b>736</b>	Request of Jada Mae Langloss to address Council regarding an adoption program for Dignity Village orphans (Communication)	<b>PLACED ON FILE</b>
<b>737</b>	Request of Mark Anthony Jackson to pray with Council (Communication)	<b>PLACED ON FILE</b>
<b>TIME CERTAINS</b>		

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<p><b>738</b>    <b>TIME CERTAIN: 9:30 AM</b> - Direct the Bureau of Water Works to support implementation of the Revised Columbia South Shore Well Field Wellhead Protection Program by actively working to educate affected property owners and to provide technical assistance to affected businesses during the five-year program phase-in (Previous Agenda 659; introduced by Commissioner Saltzman)</p> <p>(Y-4)</p>	<p align="center"><b>36156</b></p>
<p><b>*739</b>    Create authority to designate wellhead protection areas, authorize the City to control the possession and use of hazardous materials within wellhead protection areas and adopt initial rules (Previous Agenda 660; introduced by Commissioner Saltzman; amend Code Section 33.257.070 and add Chapter 21.35)</p> <p><b>Motion to accept amendment of substitute language in Exhibit B, pages 2 and 3:</b> Moved by Commissioner Saltzman and seconded by Commissioner Leonard and gavelled down by Commissioner Francesconi after no objections.</p> <p>(Y-4)</p>	<p align="center"><b>177668</b> AS AMENDED</p>
<p><b>*740</b>    Authorize an Intergovernmental Agreement with the City of Gresham for Columbia South Shore Groundwater Protection Program inspection and enforcement services in the cities of Gresham and Fairview (Previous Agenda 661; introduced by Commissioner Saltzman)</p> <p>(Y-4)</p>	<p align="center"><b>177669</b></p>
<p><b>*741</b>    Contract with the Columbia Slough Watershed Council for a period of 5 years to provide community education and outreach services to residential and agricultural property owners in support of the Columbia South Shore Groundwater Protection Program without advertising for bids (Previous Agenda 662; introduced by Commissioner Saltzman)</p> <p>(Y-4)</p>	<p align="center"><b>177670</b></p>
<p align="center"><b>CONSENT AGENDA – NO DISCUSSION</b></p>	
<p><b>742</b>    Accept bid of Nutter Corporation for Street Improvements of NE Clark Road and NE Alderwood for \$1,000,000 (Purchasing Report – Bid No. 102208)</p> <p>(Y-4)</p>	<p align="center"><b>ACCEPTED PREPARE CONTRACT</b></p>
<p align="center"><b>Mayor Vera Katz</b></p>	
<p><b>743</b>    Approve reappointment of Jeff Bachrach to the Housing Authority of Portland Board of Commissioners for a term to expire July 1, 2007 (Resolution)</p> <p>(Y-4)</p>	<p align="center"><b>36155</b></p>
<p><b>*744</b>    Create three new Nonrepresented classifications for the Bureau of Purchases and establish compensation rates for these classifications (Ordinance)</p> <p>(Y-4)</p>	<p align="center"><b>177644</b></p>

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<p><b>*745</b> Amend contract with The Pathfinder Group to provide professional services for the municipal marketing income program (Ordinance; amend Contract No. 34412)  (Y-4)</p>	<p align="center"><b>177645</b></p>
<p><b>*746</b> Authorize acquisition of vehicles for use by City bureaus (Ordinance)  (Y-4)</p>	<p align="center"><b>177646</b></p>
<p><b>747</b> Extend deadline for Single Family New Construction Limited Tax Abatement applications for Blair Exall submitted prior to January 1, 2003 to receive final approval until December 31, 2003 (Second Reading Agenda 685)  (Y-4)</p>	<p align="center"><b>177647</b></p>
<p><b>748</b> Extend deadline for Single Family New Construction Limited Tax Abatement applications for Mark and Marilyn Bonebrake submitted prior to January 1, 2003 to receive final approval until December 31, 2003 (Second Reading Agenda 686 )  (Y-4)</p>	<p align="center"><b>177648</b></p>
<p><b>749</b> Extend deadline for Single Family New Construction Limited Tax Abatement applications for GLC Homes submitted prior to January 1, 2003 to receive final approval until December 31, 2003 (Second Reading Agenda 687 )  (Y-4)</p>	<p align="center"><b>177649</b></p>
<p><b>750</b> Extend deadline for Single Family New Construction Limited Tax Abatement applications for Host Development submitted prior to January 1, 2003 to receive final approval until December 31, 2003 (Second Reading Agenda 688)  (Y-4)</p>	<p align="center"><b>177650</b></p>
<p><b>751</b> Extend deadline for Single Family New Construction Limited Tax Abatement applications for R. Scott Johnson submitted prior to January 1, 2003 to receive final approval until December 31, 2003 (Second Reading Agenda 689)  (Y-4)</p>	<p align="center"><b>177651</b></p>
<p><b>752</b> Extend deadline for Single Family New Construction Limited Tax Abatement applications for Damir Karin submitted prior to January 1, 2003 to receive final approval until December 31, 2003 (Second Reading Agenda 690)  (Y-4)</p>	<p align="center"><b>177652</b></p>
<p><b>753</b> Extend deadline for Single Family New Construction Limited Tax Abatement applications for Hilarie Miller submitted prior to January 1, 2003 to receive final approval until December 31, 2003 (Second Reading Agenda 691)  (Y-4)</p>	<p align="center"><b>177653</b></p>
<p><b>754</b> Extend deadline for Single Family New Construction Limited Tax Abatement applications for Carl Nelson submitted prior to January 1, 2003 to receive final approval until December 31, 2003 (Second Reading Agenda 692)  (Y-4)</p>	<p align="center"><b>177654</b></p>

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<p><b>755</b> Extend deadline for Single Family New Construction Limited Tax Abatement applications for Pine River Properties submitted prior to January 1, 2003 to receive final approval until December 31, 2003 (Second Reading Agenda 693)</p> <p>(Y-4)</p>	<p align="center"><b>177655</b></p>
<p><b>756</b> Extend deadline for Single Family New Construction Limited Tax Abatement applications for PMP LLC submitted prior to January 1, 2003 to receive final approval until December 31, 2003 (Second Reading Agenda 694)</p> <p>(Y-4)</p>	<p align="center"><b>177656</b></p>
<p><b>757</b> Extend deadline for Single Family New Construction Limited Tax Abatement applications for Rosemont Investment submitted prior to January 1, 2003 to receive final approval until December 31, 2003 (Second Reading Agenda 695)</p> <p>(Y-4)</p>	<p align="center"><b>177657</b></p>
<p><b>758</b> Extend deadline for Single Family New Construction Limited Tax Abatement applications for Ante Skoro submitted prior to January 1, 2003 to receive final approval until December 31, 2003 (Second Reading Agenda 696)</p> <p>(Y-4)</p>	<p align="center"><b>177658</b></p>
<p><b>759</b> Extend deadline for Single Family New Construction Limited Tax Abatement applications for John Skoro submitted prior to January 1, 2003 to receive final approval until December 31, 2003 (Second Reading Agenda 697)</p> <p>(Y-4)</p>	<p align="center"><b>177659</b></p>
<p align="center"><b>Commissioner Jim Francesconi</b></p>	
<p><b>*760</b> Amend contract with Shiels Obletz Johnson, Inc. for project management services in connection with the Portland Transit Mall Project (Ordinance; amend Contract No. 34662)</p> <p>(Y-4)</p>	<p align="center"><b>177660</b></p>
<p><b>*761</b> Amend agreement with GRI Geotechnical &amp; Environmental Consultants for additional environmental site evaluation services (Ordinance; amend Contract No. 34454)</p> <p>(Y-4)</p>	<p align="center"><b>177661</b></p>
<p align="center"><b>Commissioner Dan Saltzman</b></p>	
<p><b>*762</b> Allow the City to invest in needed programs for the Portland Children's Investment Fund in 2003 (Ordinance; waive Code Chapter 5.68)</p> <p>(Y-4)</p>	<p align="center"><b>177662</b></p>
<p><b>*763</b> Authorize grant application for revegetation activities to the National Fish and Wildlife Foundation for up to \$50,000 (Ordinance)</p> <p>(Y-4)</p>	<p align="center"><b>177663</b></p>

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<p><b>*764</b> Authorize an Intergovernmental Agreement with the Oregon Department of Environmental Quality for participation and oversight in evaluation and control of potential upland sources of contamination to the City stormwater outfall system (Ordinance)  (Y-4)</p>	<p align="center"><b>177664</b></p>
<p><b>765</b> Amend contract with Montgomery Watson Harza to extend term through July 31, 2003 and increase the contract amount by \$5,000 for the Powell Butte Master Plan (Second Reading Agenda 711; amend Contract No. 29987)  (Y-4)</p>	<p align="center"><b>177665</b></p>
<p align="center"><b>Commissioner Erik Sten</b></p>	
<p><b>*766</b> Authorize application to the U.S. Environmental Protection Agency on behalf of Metro for a Smart Growth grant in the amount of \$150,000 (Ordinance)  (Y-4)</p>	<p align="center"><b>177666</b></p>
<p><b>*767</b> Authorize agreement with Portland Community Land Trust for \$310,000 to provide homebuyers financial assistance of properties through Multnomah County Affordable Housing Development Program and provide for payment (Ordinance)  (Y-4)</p>	<p align="center"><b>177667</b></p>
<p align="center"><b>REGULAR AGENDA</b></p>	
<p align="center"><b>Mayor Vera Katz</b></p>	
<p><b>*768</b> Accept a \$105,000 grant from the U.S. Department of Justice, Office of Community Oriented Policing Services, Value Based Initiative Project (Ordinance)  (Y-4)</p>	<p align="center"><b>177671</b></p>
<p><b>769</b> Amend contract with Ater Wynne LLP for ongoing legal advice and assistance (Second Reading Agenda 678; amend Contract No. 34544)  (Y-3; N-1, Francesconi)</p>	<p align="center"><b>177672</b></p>
<p align="center"><b>Commissioner Jim Francesconi</b></p>	
<p><b>770</b> Declare the intent to initiate local improvement district formation proceedings to construct street improvements in the Lents III/SE 104th and Ramona Local Improvement District (Previous Agenda 729; C-9999)  (Y-4)</p>	<p align="center"><b>36157</b></p>

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<b>City Auditor Gary Blackmer</b>	
<b>*771</b> Modify selection and appointment process for the Citizen Review Committee (Ordinance; amend Code Sections 3.21.080 and 3.21.090)	<b>CONTINUED TO JULY 9, 2003 AT 9:30 AM</b>
<b>772</b> Assess property for sidewalk repair by the Bureau of Maintenance (Second Reading Agenda 730; Y1048)  (Y-4)	<b>177673</b>

At 10:44 a.m., Council adjourned.

GARY BLACKMER  
Auditor of the City of Portland

By Karla Moore-Love  
Clerk of the Council

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**WEDNESDAY, 2:00 PM, JULY 2, 2003**

**DUE TO LACK OF AN AGENDA  
THERE WAS NO MEETING**

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## Closed Caption Transcript of Portland City Council Meeting

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

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

**JULY 2, 2003**      **9:30 AM**

[ roll call ]

**Leonard:** Every six months we rotate the council president's position. It is commissioner Francesconi's tenure beginning now. If there's no objections, i'm going to turn the chair of the meeting over to commissioner Francesconi.

**Francesconi:** Does anybody want to object? You can object in the audience too. My first act as the new president temporarily by assignment is to congratulate commissioner Leonard for his first term as president of council. We should say the mayor is on vacation and she rarely takes vacation. She's always here working. Ok. Communications, please.

**Francesconi:** Welcome again.

**Item 733.**

**Annalisa Bandalera:** Thank you. Good morning. My name is Annalisa Bandalera, i'm from the Portland peace encampment. You've seen me come up here for the past two months or so. To address the issues of the Portland peace encampment and amicable solutions to our being on the sidewalk. Unfortunately, that hasn't happened. What has happened is last week Crossroads organized a direct action to bring sleeping bags into the city hall to illustrate the problem of homelessness in Portland. And what came down the street when the word came down the street, i'm not sure if you're familiar with that term, that's how word gets around the street, it comes down, we got word homeless squats were being busted all over Portland, and that the heat got turned up. I don't know if this was a direct order from the council, but, you know, that didn't seem like a very amicable or nice solution to a group that is getting funding from the city to address homeless issues, to then turn around and start antagonizing the people who are being affected. Not only were they affected, but the Portland peace encampment got raided as well at 8:00 a.m. On Friday morning, in which they swept everything except for some signs. But they took peace rocks that people had painted on, they took signs which we are allowed to have, even with the current bill of rights. It's a little modified by Patriot Act one and two, but we can still have signs. But the police took the signs as well. My message today is, I think what the city is doing in the homeless situation is applying band-aids, and band-aids get wet, they break, they slip off. We need to look at some sort of systemic change in order to address these issues. But apparently as everyone is busy with other business this morning, there's not an agreement there. So thanks. I am out in the streets because I believe that change is possible. I am disconcerted with the way people are being treated in Portland, but also with the way people are being treated globally. And i've brought this message to you each week, you know. There are human rights violations occurring. We'll address the human rights violations at a local level, specifically the anticamping ordinance and obstruction as nuisance ordinance because that is what is being cited when our property is taken, even though no one has been arrested or fines under those ordinances. Reading those ordinances, which are no longer available from the city auditor website, interestingly enough, that these are in violation of people's human rights. And that you need to look at the language in your law and rewrite the law. I'll close it again with, you have opportunities to be just. Use them.

**Francesconi:** Thank you. Next?



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**Item 734.**

**Joe Rastatter:** Good morning, city commissioners. My name is joe. I'm on the council of st. Francis of assisi church. And a steering committee member with jobs with justice. I sometimes get paid for my work as a community organizer, but the bulk of my income comes from the commissions I sell peanuts and beer as a vendor, I run up and down the stand in ballparks and arenas. I want to speak about justice in the workplace of ballparks. In our culture, professional sports mean a lot to people, so how we operate our teams and their facilities has strong tangible and symbolic value. Pro sports is also descriptive of the growing disparity of the rich and everyone else in our society, and government's complicity. For example, when city council decided to give paul allen the rights to operate memorial coliseum and more recently p.f.e. The right to remodel and run civic center p.g.e. Park, in both cases union contracts were broken and workers suffered a decline in wages. I followed the p.f.e. City partnership deal closely and was glad to see there was concern for neighborhood concerns issues of noise, transportation, and parking, but there was not in my opinion equal concerns for workers' rights issues. Mayor Katz and commissioner Sten should be commended for leading the vote to attach a fair wage ordinance to the end of the deal, but unfortunately you need to know, it's largely being unenforced and is ineffective. Although workers two years ago overwhelmingly chose the \$9.50 wage standard to p.f.e.'s option, many of the jobs have been replaced by volunteers, by subcontractors paying less, and the newest concessionaire, a billion dollar a year pays its workers well below the standard. My question is -- request is twofold. Someone take the lead in finding out how effective the fair wage ordinance has been at p.g.e. Park, what went wrong, and how we can fix it, and number 2, if major league baseball is coming to down, with the need for city subsidies, we need to create the political will to do the workers' rights piece correct this time. The building trades have the organized power to get living wages during the construction phase, but the real justice work is needed to provide a decent standard for the permanent jobs, and just to cut it simply, why can't we create starbucks quality jobs 12 to 15 bucks per hour in subsidized facilities rather than the mcdonald's poverty wages, which are commonplace. So a fair wage standard is also a living wage, would be a certain goal, and I also urge us to create language that would allow fair access to unionization. I realize my appeal at this point is largely a moral one, but I feel secure in my work with jobs of justice and also my faith tradition with roman catholic church that unions are a good thing and the best antipoverty program is a union contract. I look ford to working with you on this in the future. Thanks.

**Francesconi:** Thank you.

**Item 735.**

**John E. Voracek:** My name is john voracek, I just got back from a three-month tour from israel this. Was an email written by me on may 23 to mayor Katz and the city council regarding what I was understanding was going on in Portland. This is a shortened version of the email. Mayor Katz, as a nine-year resident of Portland, Oregon, now on a three-month annual vacation in israel, i'd like to tell you how disgusted I am with how you and the city handled the riots and demonstration in the downtown area that occurred during the short war our country had with iraq in march and part of april of this year. Although I was in israel at the time, I was pretty well kept informed by vietnam veteran friends in Portland. One friend of mine did see some of the news coverage and commented, john, didn't know your city was controlled by anarchists. You and the city council especially erik Sten ought to be very proud of yourselves. From what I was told, you and the city not only let a few radicals practically shut down the city, but in many ways supported the anarchists in their support of the iraqi government that american soldiers were fighting. From what I heard, the gangsters took over the city streets and freeways and were waving banners that supported the killers of american soldiers fighting the war in iraq. I have lived in Portland long enough to know how far

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left wing -- off left wing scales this city is, but to actually give support and protection to the -- not only took over part of the city from the police, but vocally gave support to the killers of american soldiers, I feel as a vietnam veteran, borders on treason. Also I understand erik Sten wanted to -- the fire department to take the american flags off the fire trucks because that might offend the anarchists supporting the killers of american soldiers. Well, mayor Katz and the Portland city council, that assure -- is something you should be proud of. Do stand up and take a bow facing the arlington national cemetery during this memorial day weekend. The next time this country is at war, mayor Katz and erik Sten, why not show your true colors and join the anarchists on the streets in support of the killers of american soldiers. The next time you and your left wing radical friends go to new york city to show some of the phoney support for the victims of 9-11, try to remember that the terrorist that's committed these act are basically the same fundamental lists terrorists that our -- ours, not yours, american soldiers are fighting in iraq. If you think the statement is not true, I suggest you start reading other papers besides "the new york times" and watch other t.v. News coverage besides arab-supported and financed cnn and bbc. Do you think this is not true? I suggest you run 4 mayor the next closest city politically to moscow, and that's berkeley, california. I would think you and erik Sten would be right at home there you and -- and you and the city council should hang your heads in shame. You're an embarrassment to the city, the state and the country and especially to the veterans now living in that terrorist-supporting city. I feel some legal minds should check into your actions during the country's war in iraq and consider the possibilities of putting the mayor's office and city council on trial for treason. Shalom, I hope you get to read this on memorial day. Amen. Here's a copy of the email. And your responses, and you guys can do whatever you want with it.

**Francesconi:** Sir, you have a right to come but you need to know one thing. It was commissioner Sten that put the flags back on the fire trucks.

**Leonard:** I can tell you I was one that wasn't pleased by the decision to remove them as a former firefighter, and commissioner Sten intervned and countermanded an order in the fire bureau and ordered the flags put back on.

**Francesconi:** Next.

#### **Item 736.**

**Jada Mae Langloss:** In response to the last person that gave his ideas of traitor, I don't think erik's a traitor, I certainly do not think vera Katz is a traitor. I am one quarter indian and I can say that I was disappointed that the people from the middle east, the christians, the israelis, the islamic people, seem to worship the great god war, and that's the god they believe in. I don't believe that because I followed the native american idea that this earth is our home. And this earth is our paradise. The native americans always thought of that as this is our god. Our god is parent earth. And anybody who makes war against parent earth is making war against their own home. If they have justification to do this, well, I hope someday they'll become enlightened. I am very proud of vera Katz for making this happen, that we don't persecute the arabs and the indians in this town. The indians have always been persecuted, and they are to this day persecuted because they honor the earth. They are natural to the earth. Those people who believe in making war for god are not natural to this earth. I was going to talk about the adoption system out there. District plan -- dignity village is a group of very passionate people. Sometimes their passions get big. At least they try to tell the truth from their own point of view. Of which a lot of people do not tell the truth, because they're afraid of the consequences. I have had to suffer the consequences all the time of telling the truth. If you tell the truth, you gotta learn how to run in any direction that you can before you get hit in the back. So I appreciate this council. I certainly hope that you'll give me some good advice on how I can be a good spoiler candidate. Similar to the spoiler candidate that I voted for in the last election. It was not a demo-publican, it was a green candidate. And I think the demo-

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publican should start thinking greener. Arcologies, that does not use oil. That doesn't need 10 cars in front of every townhouse. We need to change the american dream, and that is to build in harmony with our earth, to be a friend of our earth. Arcology is the way to go for our youth, and by the way, mr. Francesconi, with too much good looking here, all my sons are bald by the time they're 25, and I heard -- you are the only one on the council that tells the truth, that tells the truth. But you have a little habit that freaks me out, and that is, when you point your trigger finger at me, that's why I left home when I was 14. My dad used to do the same thing to me. Dismiss me, five minute only Francesconi. [laughter]

**Leonard:** It's not an easy job being president council.

**Francesconi:** I think I can handle this.

**Item 737.**

**Mark Anthony Jackson:** We thank you this morning, god for this city, we thank you for our mayor, in her absence and these council members, we praise you for just the blessing and prosperity that you have for the state of Oregon, for our city of Portland. We thank you for the powers of darkness and deceit, abound in this city. God, we thank you for wisdom and righteous judgment, being part in our council members as they confront the issues that are challenging our city. We pray you give them wisdom and understanding how to bring resolve and direction and leadership to our city. We thank you the power, we will be a city of truth, of justice and righteousness, oh, god in jesus's name, amen. Have a great day.

**Francesconi:** Ok. I think we're ready for time certain.

**Moore:** Do you want to do the consent agenda?

**Francesconi:** Oh. Yes, thanks. Please. Does anybody want to pull anything off either on the council or the audience? Ok.

**Francesconi:** Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye.

**Francesconi:** Ok. Now we're ready for the time certain. Maybe you could read all of the wellfields at once.

**Item 738, 739, 740, 741.**

**Francesconi:** Thank you. Commissioner Saltzman.

**Saltzman:** Thank you. Mr. President, members of the council, this package of items from the water bureau will substantially improve the existing columbia south shore wellfield protection program. This new set of regulations will significantly reduce the risk of contamination of the city's back-up water supply. This work has been underway for more than three years and has concluded critical participation by both city staff and businesses in the affected area through the columbia corridor association's participation. The protection program is also being implemented by our neighboring jurisdictions, the cities of gresham and fairview. I've introduced an amended version of one of the exhibits in the enacting ordinance and i'll explain that after the presentation. Now i'd like to turn it over to -- introduce rosemary menard to introduce the item ask brief the council on the process and the key element that's bring us here today.

**Rosemary Menard, Resource Protection Director, Portland Water Bureau:** Thank you, commissioner Saltzman. My name is rosemary menard, i'm the resource protection director for the Portland water bureau. Before council today is a program that represents a key milestone in protecting the second largest source of water in drinking water in Oregon. For the first time since columbia south shore wellfield became available for use in the early 1980's, the entire area that influences the supply is protected by consistent program. And that is big milestone. The clerk noted the four items before you today. There's a resolution directing the water bureau to engage in education and outreach and technical assistance during the implementation of the program, and to continue the collaborative process with the affected interests to evaluate the program and develop any needed recommendations over time. For change over time. The second thing is an ordinance

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that actually adopts the groundwater protection program by adding a new chapter to the city code, to title 21, the water code, to govern the groundwater protection program, establishing a program area of boundaries, and adopting the columbia south shore wellhead protection reference manual, which provides details of required regulations for the affected businesses. Third is an ordinance authorizing the city to sign an intergovernmental agreement with the city of gresham. During the budget process you all gave us a rate increase to fund this program, this is a rate funded program, not a fee-based program, and the reason for that is that the beneficiaries of this program are all the people who drink the water from the Portland water system, and so we felt that it was appropriate to help fund the other jurisdictions to do the implementation and enforcement for this program through water rates that are spread across the retail as well as the wholesale customers. So it's equity, the beneficiaries are paying for the program implementation at about \$200,000 a year. This intergovernmental agreement will allow us to support the city of gresham in their share of the program. And then finally is an ordinance authorizing contract with the columbia slough watershed council to create a public-private partnership for community and outreach and education to the residential and agricultural businesses in the columbia southshore watershed protection area. This is a way to bring to the community things like this are going to be signs out there that note where the groundwater protection zone is, so people can know that they're sitting over the top of a really important resource for this region. There are two other components of the program implementation plan. One is an interagency agreement with the Portland bureau of fire and rescue, which we've already signed, to do inspection and enforcement services in the area. And we have here today a couple of representatives of the fire bureau, one of whom will speak later on. The second one is a contract with the columbia corridor association that's sort of the partner to the columbia slough watershed contract that helps to support the outreach and education and technical assistance to businesses in the affected area in the three jurisdictions. And that contract is being finalized now and will be before council for action in a few weeks. Before asking patty mccoey and dorothy and steve to make a few comments as part of this presentation, I want to publicly acknowledge some of our partners whose efforts helped us create this comprehensive program and thank them for their support and participation. First I want to acknowledge the contribution of the -- this is a great name. It must have been bureaucrats -- the columbia south shore wellhead protection coordinating committee. I can't even hardly say that name, it's so complicated. The water bureau convened this group in 2001 to help evaluate the existing program and make general recommendations for changes. They worked with us through all the ground water modeling and the risk modeling work that was done and became familiar with groundwater protection programs operating elsewhere in the country and gave us some broad recommendations which then we worked with affected interests to corey -- to craft into this program. Second i'd like to acknowledge the columbia corridor association, led by patty mccoey and board chair stark ackerman. This group is demonstrated real leadership in working with the bureau, the water bureau, to develop this program. The c.c.a. Created the creation and funding after business industry work that worked with us to define an implementable program that could be extended to all the businesses in the program area. This is -- this program will actually be the first program to go and work with existing businesses, most of the businesses in the area who have not needed a building permit during the time of the current program have been basically grandfathered in, and this program will actually go and work with nonconforming businesses and over a period of time bring them into compliance. The c.c.a. Consistently supported a strategy that was both environmentally responsible and protective of the business community's bottom line, and the proposed program is quite a bit better for their efforts. The business industry group involved numerous individuals representing businesses and local interests in the columbia south shore area, but the group was led by three people. Steve mason, manager of safety, health, and environmental affairs for the machine structures in Portland, dorothy

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sperry, and jeff dresser with the bridge water group. These three individuals brought to the process a strong commitment to environmental protection and an equally strong dedication to maintaining economic viability of the businesses they represented. They helped staff from the three cities understand what regulatory requirements for handling chemical businesses already had to meet, and to identify regulatory approaches that were compatible with what businesses were already doing. Three specific examples include the groundwater protection program is going to use state farm reporting as the main information collection mechanism. Most businesses handling chemicals already are required to report to the state fire marshal, and us using the state's form saves businesses time, money, and reduces opportunities for confusion. Local fire inspectors who are already routinely visiting businesses in the columbia south shore area are going to do plan review inspection and enforcement, and there's quite a bit of overlap between fire code hazardous materials, management requirements and the chemical management requirements of the ground water protection approach. -- program. So this approach takes advantage of and builds on the current fire inspection program in a way that's cost effective for everyone. And finally, implementation is going to be phased in over five years to allow businesses adequate time to become familiar with what the program requirements are, and to plan for and finance the projects that they're going to have to build or take, or the actions they're going to have to take to bring their facilities into compliance. Development of this program is very much a collaborative process involving the business industry group as well as staffs of three jurisdictions. We're fortunate to have solid partners in the other cities and excellent staff from several Portland bureaus involved. In particular, i'd like to recognize carrie pack, the storm water program manager. She couldn't be here today but sent a letter for the record in support of the program. Bob cochran, the public works director for the city of fairview, george godson, hazardous materials special in Portland, and jeff layton, ground work protection program engineer and mod letter for the water bureau. Each of these individuals made a substantial contribution to the program before the council today. Finally i'd like to acknowledge commissioner eric Sten for his help 2 1/2 years ago in bringing the jurisdictions together to commit to a single program. That would allow us to protect the entire ear that's influenced -- influencing this water supply. And to thank commissioner Saltzman and his staff for their efforts to finalize the program, the proposal you have before you today. Thank you.

**Francesconi:** Do you want to take questions now, or later?

**Saltzman:** We're going to have columbia corridor association make some remarks.

**Patty McCoy, Columbia Corridor Association:** I'm patty mccoy, and i'm here today representing the columbia corridor association. As a member of the wellfield business and industry subgroup. I'm here to comment on the proposed wellfield protection ordinance. The program before you as you've heard, took over three years to craft, in consultation and collaboration with the city's of -- cities of Portland, fairview and gresham. Estimates are up to 44% of the 4600-plus columbia corridor businesses are within this new wellfield boundary. And that is, I will emphasize, just an estimate. C.c.a. Fully supports the need for a sound, wellfield protection program. We applaud the water bureau and in particular the efforts of resource protection director rosemary menard, for ensuring that the business community as well as the other diverse interests that you've heard about today, were incorporated into the lengthy development of this program. C.c.a. Gave this project our complete support and we have heavily invested our limited, human and financial resources to assist in the program's development and to engender broad business participation and support for the program. We believe the ordinance we helped craft is environmentally sound and protective of water resources, and that it is economically embraceable for businesses that will have to comply. This economic acceptability is important in these hard economic times and is all the more important because this ordinance regulates existing, noncomplying business these are not regulated today under either the wellfield or the storm water regulations in the city of Portland. Up until very

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recently, c.c.a. was in for us, a most unique situation. That is, fully supportive of the ordinance as crafted, no conditions, no caveats. The ordinance had garnered the hard won consensus and support of the Columbia South Shore Well Field, Well Head Protection Coordinating Committee. And I'd like to note that's the first time I've said that correctly. Its business and industry subgroup, the water bureau, the cities of Gresham and Fairview and C.C.A., not to mention the city bureau approves that resulted from one of the city's first-ever regulatory impact analysis that was mandated by the new regulatory improvement program you've heard so much about. This project was truly shaping up to be a perfect model for the creation of complex and business impacting regulation. Sadly, it lost that opportunity when last minute new requirements bearing no semblance of stakeholder consensus, were inserted that resulted in a substantively different approach in a key section of the ordinance. We were greatly disappointed when several weeks ago that scenario came before all of our eyes. No different from the many others that were described by Sam Adams, Gary Blackmer, and Innovation Partnerships in their regulatory reform assessments. That being that code or mission conflicts between city bureaus can often disability protective processes, contribute to a negative image that Portland is not business friendly, and -- an image I know we are all unsatisfied with, and can drag down or fail to help restore our troubled economy. Despite these recent events, we strongly believe that this regulation should not be subjected to further delays. We have greatly appreciated the efforts of Commissioner Dan Saltzman and Edward Campbell on his staff, to help us resolve the differences that were recently raised, and we do support the compromise in the amended language before you today. And we urge that you adopt this important piece of regulation. Further, we ask that you each give your support today on the record as supporting the addition of Wellfield Protection Program projects toll the list of projects not contributing to the threshold for upgrades to nonconforming uses found in -- found in Title 33. We've had conversations with Commissioner Saltzman, and we agree with him and with the planning bureau that it is not appropriate for nonexisting businesses and properties that invest money in improving the quality of the wellfields to be penalized by having that investment trigger additional upgrade investments. This is not the venue today to handle this. The imminent regulatory review, phase two, due for a hearing on July 8 before the planning commission, we agree will be the right venue. However, we would like to urge council today to support the inclusion of these wellfield projects in the Title 33 exceptions as one of what will be the R.I.P. Phase two code amendments. Finally, as we all move forward to begin the important business outreach and technical assistance activities to implement this important program, C.C.A. urges the council to take the time to understand the breakdown that's occurred in the end of this process. It is in everyone's interest to ensure that evolving regulatory reform efforts rely on modified and proven processes so that diligent community advisory efforts will not be undermined in the final hours. I think everyone -- thank everyone for their time this morning and urge your adoption of this ordinance.

**Dorothy (?), Port of Portland:** Good morning commissioners. My name is Dorothy, representing the port of Portland. I'd like to thank you for this opportunity to testify -- to give testimony on behalf of the port of Portland for the adoption of the wellfield protection program. The port of Portland is committed to the protection of our water resources. For more than three years, the port participated on the wellfield protection coordinating committee that was tasked with developing the recommendations for the wellhead protection program. This was a committee of diverse interests that included representatives from the city -- cities of Portland, Gresham, and Fairview, local water management agencies, utilities, the Columbia Corridor Association, and the Columbia Slough Watershed Council and local citizens. In addition, the port voluntarily participated in the business and industry technical subgroup of the wellfield protection coordinating committee. The subgroup commit add great amount of time to produce the manual and the implementation program. The program includes protection measures for storm water and ground water, inspections, enforcement,

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technical assistance and public outreach. The process was long and arduous. But the result is a program that is both protective of water resources and doable for the business community. One key aspect of the program is that it brings existing businesses that may not be currently regulated into conformance with wellfield protection requirements. And this benefits everyone. The port has fully endorsed the wellfield program and commends the effort the water bureau put forth to make sure the business community interests were included in the development process. Unfortunately, after we had believed the program was completed and ready to be adopted as endorsed by the stakeholder coordinating committee, concerns arose that ultimately brothers last-minute changes in the program that are reflected in the ordinance being brought forward today. Although we believe - - although we have been very supportive throughout the development of this program and believe this type of collaborative effort can break -- bring great benefits to all stakeholders, we're disappointed that the process broke down in the final stages. Despite our frustration, which we believe is shared by all involved, we support adoption of the ordinance today and we are committed to work with the city during the evaluation period that's required by the ordinance. We only ask that you use this experience to benefit the regulatory reform process so we can all be encouraged to participate in future program development efforts. Again, I thank you for this opportunity, and I urge you to adopt the ordinance. Thank you.

**Steve Mason, Boeing:** Good morning. I am Steve Mason, the manager of safety, health, and environmental affairs for Boeing's Gresham facility. I'd like to thank you for opportunity for testimony here today. As you can tell, Boeing is not located within boundaries of the city of Portland, but we have been a partner with the city and with the cities of Fairview and Gresham for the last two-plus years while we work together in a collaborative manner to bring forward this program. Boeing's participation was key in that we help bring together a diverse group of business and industry representatives who all invested heavily in the product that is embodied in the wellfield reference manual. We did this in good faith with protection of the resources as our goal. We were invited to participate in the process by Rosemary Menard, and I'd like to personally thank her for her vision and leadership in bringing us together and having the courage to forge a collaborative relationship. This was a tough job, as you've heard everybody mention. But did it produce a comprehensive model. It brought forward multiple perspectives from multiple audiences. It turned over every stone and incorporated every good idea. Wherever that idea came from. It lays out the requirements in a fashion that business can easily understand and understand what the expectations are in a schedule that is doable. It addressed large businesses and small businesses. Existing and those to be developed. East or west. It includes those innovative features like the technical assistance program, which we hope to be a part of as well. Unfortunately, at the end in the late stages of the coordination, there were revisions made to the program. We are disappointed in the timing of those revisions, having come after the acceptance by the stakeholders. We're afraid businesses may not be encouraged to move forward with implementation and to adopt the necessary protection. Or they may face uncertainty and delay in the process of trying to do so. I would like to thank Commissioner Saltzman for his efforts to at least put forward a time limit to this process and we hold -- hope that when the time, the interim period is concluded, the program that was built by the many will prove indeed to be the long lasting solution. As for us, we'll probably hesitate to get so committed and make such investment again unless we have confidence that the agreed-to product is the one that would move forward. We'd like to suggest this process and issue at the end is reflective of the larger city concerns with regulatory reform. And hope you'll continue your action to resolve those. That said, we do support the council's decision. Hopefully to adopt the program as one that's important to move forward with protection of this resource. Thank you for your time.

**Francesconi:** Is there a sign-up sheet? Go ahead.

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**George Godson, Portland Fire Bureau:** My name is George, I'm a hazardous material inspector with the Portland fire bureau. I'm here today just to endorse the wellfield protection program. And to commend the water bureau and the other agencies involved in initiating this program and coordinating the different governing agencies together to create this protection program. I know from doing my inspections that there are businesses out there that need to be educated, and we have a resource out there that needs to be protected. The fire bureau has been working with the water bureau and other agencies and we're excited about participating in the program. We have the rapport already established, so we're not heaping a whole other inspection or bunch of other regulations on them, we can actually work with them much better that way, familiar with the process, and can basically touch these bases on a two-year cycle, and include them in their normal fire inspection, and be as least as obtrusive as possible. My main reason here is to endorse it, but also to ask -- answer any questions you might have about the fire bureau's role in this, how the inspections will be conducted, or any other questions you might have.

**Francesconi:** Thank you for coming.

**Scott Edwards, Deputy Chief Fire Marshall:** I'm deputy chief fire marshal Scott Edwards and I would also like to ask that you endorse this program. George has worked very hard on this, and it's an excellent program, I believe it will intertwine with the inspection program we have now very nicely, and as he said, will not be an additional burden upon the businesses in this particular area. And will be a real benefit to this city and to the citizens of this city.

**Leonard:** I think George, weren't you the one that discovered the hazardous material site?

**Godson:** Yes. I hope we don't find anything out there in the south shore like that.

**Leonard:** I just want you to know from my perspective, I'm biased, I appreciated that excellent work.

**Godson:** Thank you.

**Leonard:** You really prevented a disaster from happening in the city. It's good to know you're going to be on this too.

**Godson:** Thank you very much.

**Edwards:** I second that.

**Francesconi:** Does anybody else want to testify? Does any council member have any questions?

**Saltzman:** I'd like to explain the amendment. The amendment I've introduced attempts to address some of the concerns from businesses, the city attorney, the bureau of environmental services, about how storm water regulations will be administered for businesses in the area that are currently in a nonconforming status. And which must make storm water changes as part of a coming into compliance with the groundwater protection program. The process described in the amendment will require the water bureau and the bureau of environmental services to work with the businesses in the area over the next 18 months to conduct an inventory in the area that will determine the number of affected properties and what types of actions will be required on specific sites to ensure the safety of both groundwater and surface water. It's presumed the actions required by the program will prove to be effective for protecting surface water, and so these regulations will take effect for nonconforming uses on January 1, 2005. If information is produced during this 18-month inventory, the -- that contradicts this presumption, the city agencies and businesses will have an opportunity to present this information and any alternative approaches to city council in the form of a report that is required prior to January 1, 2005. So I know this compromise will not satisfy all the stakeholders, but I have addressed I think the most significant issues raised in the conversations with the business community and the city staff, so going forward I will ensure that good faith participation of the city's utilities in the inventory and reporting process and will work to improve the communication and interaction among all the parties. We've had a good process in developing this program. There were some bumps in the road towards the end as the Columbia corridor



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association alluded to, which I do believe can be lessons learned for the entire city, and how we do business with our business community and our public and the regulatory arena. So we'll take those lessons to heart. And I think we can still work further to improve our relationship with key stakeholders in this issue and many other issues. That in essence is what my amendments are about.

**Francesconi:** And I think you distributed those in writing. Is there a second from the council?

**Leonard:** Second.

**Francesconi:** If there's no objection -- actually, does anybody want to testify on these amendments? Ok. [gavel pounded] we're going to adopt the amendments. Ok. I guess 738 looks like it passes to second. But we vote on --

**Moore:** We can vote on it. It's a resolution.

**Francesconi:** Ok. I'm sorry.

**Saltzman:** Everything else is emergency.

**Francesconi:** We're going to vote on all of them right now. Go ahead.

**Moore:** 738 roll call.

**Francesconi:** My only maybe three brief comments, protecting the columbia south shore wellfield from chemical contamination with more regulations, a better education practice, and technical assistance is really essential to all of our citizens. Nothing is more important than cleaner drinking water. And we all know that. That's the common ingredient that brought us all together. Secondly, the process, although there were bumps, in the end, it worked because commissioner Saltzman and ed and his staff helped intervene, so it worked. So i'm a little -- the statement from boeing that you're not sure you're going to participate in the future, it worked. The process worked. So you are to be commended, commissioner Saltzman, and eddie and rosemary and others for bringing us here.

This was a complicated process, but nothing is more important than this. My last statement about title 33 and the exemptions to include wellfield projects, it does make sense to me that they be included. We'll have to see if there's another side to this story, but it does -- if there is I haven't heard it, but it does make sense and i'll look forward to how that proceeds. So this is a long, important process, and commissioner Sten also brings credit for bringing jurisdictions together. If we can't unite around clean drinking water, heaven help us. Aye.

**Leonard:** Aye.

**Saltzman:** I do want to take this opportunity, i'll comment on this one and not the others. I want to thank the water bureau, rosemary menard in particular for her leadership on this effort, the fire bureau, environmental services bureau, and the columbia corridor association for really taking this task to heart and embracing the idea we need to protect our wellfield, and it's a precious resource that many of the members sit on top of the wellfield and they worked very responsibly to come up with this program. And I want to thank them for the many years they invested in this. I also do believe that we need to take a look at exempting wellfield improvements under title 33, and I believe the appropriate time will be before us soon. But above all, as rosemary said, this is the second largest drinking water -- supply of drinking water in the state of Oregon, and we have to act in all, and I want to thank commissioner Sten for bringing the jurisdictions together in the first place to approach this on a unified basis. Groundwater basically doesn't know political boundaries, so we needed to really act with fairview and gresham to make this truly protective of this vitally important drinking water resource that's always by its presence is a backup provides us a tremendous sense of security in all respects about our drinking water in the city of Portland. Aye.

**Sten:** This is a great piece of work. It's taken a while because it's difficult, and actually I think the wellfields are becoming more important not less important over time in terms of how often they're going to in all likelihood be used. And there's also a pretty strong history of pollution out in this area, so it's not -- this is not a theoretical issue this, is water we drink, and it's an area that's been

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polluted. So this is a good cooperative step, and I think it's extraordinarily easier to start something than finish something, so i'd like to thank commissioner Saltzman for doing that, and particularly like to acknowledge and publicly give a compliment to rosemary menard, who's been relentless on this and has worked very hard to get this done. It's an important legacy, so thank you, rosemary. Aye.

**Francesconi:** It passes. [gavel pounded] 739.

**Item 739.**

**Francesconi:** Aye. **Leonard:** Aye.

**Saltzman:** One person I forgot to thank was eddie campbell in my office. Aye.

**Sten:** Aye.

**Francesconi:** Passes. [gavel pounded] 740.

**Item 740.**

**Francesconi:** Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye. [gavel pounded]

**Francesconi:** That passes. 741.

**Item 741.**

**Francesconi:** Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye.

**Francesconi:** Thanks, everybody. I think we're on to the regular agenda now. 768.

**Item 768.**

**Francesconi:** Welcome, after last night.

**Lynnae Berg, Portland Police Bureau:** Good morning, commissioners. I'm lynnae berg with the Portland police bureau and i'm here today, please, to talk about the value-based initiative and our second award of the grant through this program. In the year 2002 Portland was awarded a grant called the value-based initiative through the department of justice. There were really two purposes of this grant. One was to provide instructor development training for all our officers within the Portland police bureau who instruct officers and civilians within our organization. And the purpose of this development course was to develop skills in the instructors to deliver value-based instruction in all of the training that we do. And what that means is that the instructors learn skills in how to write lesson plans and deliver the training in a way that makes a connection in the students' minds about how they apply that training in the community, and how they do it in a way that's respectful, professional, and congruent with our bureau values. The second purpose of the value-based initiative was to create dialogue circles out in the community, and the brochure you have in front of you describes what that process is about. Briefly, the dialogue circles are an opportunity for small group of people in the community representing diverse faiths, ethnicities and law enforcement to meet and learn about each others' assumptions, commonalities, and differences regarding values. The outcomes from this -- the dialogue circles is for individuals who participate that they're able to gain a better understanding of their own assumptions and commonalities regarding the various cultures that make up our cities. Community members will also learn about faiths, different than their own, and about what it's like to be a police officer during this time in our nation's history. Members of the Portland police bureau and participating federal agencies will learn more about what community members think and feel about how individual citizens may be impacted by current events. Such insight allows law enforcement to provide more compassionate and helpful service to the communities in which we work. The dialogue circles from this first grant in 2002 are scheduled to be implemented in the third week of september, and they'll be located throughout the city of Portland, geographically. We have a number of members of the steering committee who are on the back of the panel, back of the pamphlet who are doing recruiting out amongst communities of interest, in particular faith-based organizations. The grant that you'll -- we're looking at today is a follow-on grant that allows us to create dialogue circles within the high schools throughout Portland, so that police officers and high school students can have a dialogue about differences,

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develop greater understanding about each others' roles and issues that each other face within our community.

**Francesconi:** Thank you. Are there any questions? I guess I have one question. Is it working? Is it starting to work, this past year?

**Berg:** The instructor -- we've been giving those courses since january, and we've trained about 45 instructors in the police bureau. People have been very excited about that training, many of them have said it's the best training they've ever received. Some of them very tenured officers, so we feel very good about that. In terms of the dialogue circles, the steering committee has been meeting for a year and a half, it's a very committed group of individuals. As a matter of fact, a number of the steering committee members actually went through the training of guides, dialogue circles have guides instead of what you would consider traditional facilitators, and they are very committed to the process, so they went through the training and are eager to participate in september. So we're hopeful. We're excited about the prospect.

**Francesconi:** Thank you. Any other questions? Anybody want to testify on this? Roll call. That first sense in your dialogue circle, it's an opportunity for a small group of people representing diverse faiths, ethnicities, and law enforcement to meet and learn about each others' assumptions, common a little, and differences regarding values. I actually can't think of a more important task here, not only our nation's history, but here locally. And for the sake of community policing, than this kind of discussion. And I think we'll all find that what we have in common is much greater than what separates us. So thank you for doing this. Aye.

**Leonard:** I too, it's the first time i've heard about this, but this is the same kind of emphasis i've been trying to bring to the bureaus that i've been assigned, so this is really the kind of thing I think is really important. As I tell people particularly at the bureau of buildings, it really matters how you treat people. It makes a difference. And so this is the kind of thing I really like to be involved in, and I appreciate the presentation. Aye.

**Saltzman:** This sounds like a really good thing. I just hope we'll also get a chance to have a briefing about the final report. I notice it mentioned the final report will be discussed with chief of police, special agent, I hope you'll include the city council as well. I'm sure the mayor would like that as well. Aye.

**Sten:** Good job. Aye.

**Francesconi:** Thanks. 769.

**Item 769.**

**Francesconi:** This is second reading. Go ahead, roll call. Could you find commissioner leonard? We're going to need him.

**Francesconi:** We figured that out. Ok. We're at roll call for 769.

**Francesconi:** No. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye.

**Francesconi:** Ok. 769 passes. 770.

**Item 770.**

**Francesconi:** This was held over from last week, but we didn't have a discussion. Go ahead.

**Andrew Aebi, Local Improvement District Administrator:** Commissioner Francesconi, thank you for holding that item over from last week. I'm on the mend. Good morning, commissioners. I'm andrew aebi, local improvement district administrator. This resolution before you today would initiate local improvement district formation proceedings for the third major phase of street paving in lents. This l.i.d. would be known as the lents iii southeast 104th and ramona local improvement district and would improve nearly a mile of streets in the area bounded by southeast ellis street, southeast martin, se102nd avenue, and 105th avenue. The purpose of the resolution of intent is to present the signed petition to city council and to initiate l.i.d. proceedings. It provides early notification to council under the revised l.i.d. process that went into effect in january and allows us

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to begin the formal notification process to property owners. The vote by council to actually form the l.i.d. would be at the l.i.d. formation hearing later this month. This resolution is the result of a successful petition effort in this area, directed by city code, I have reviewed this petition and have determined it to be valid. This petition had originally been scheduled to be brought before council last year prior to the shilo versus Multnomah county tax ruling, which jeopardized p.d.c.'s ability to fund this project. And also prior to new storm water quality regulations which precluded our ability to build sumps to dispose of storm water in this area when the streets were built. The finding in the storm water issues have since been resolved so this petition is being brought before you today. Cost to property owners have not changed, and remain guaranteed at 62 cents per square foot. This is much lower than in other parts of the city where no funding is available to defray the costs of street improvements. In addition, the Portland development commission is continuing to offer a grant and deferral program which may pay all or part of assessments for those properties who are eligible. This again is something that we unfortunately are not able to offer in other parts of the city of Portland that are not in an urban renewal area. This project would improve nearly a mile of streets and would eliminate 5% of the backlog of dirt and gravel streets in outer southeast Portland, and this project would be made possible by funding from the Portland development commission. The design of the project has been modified to accommodate the new storm water regulations and would be the first l.i.d. to be formed to incorporate this new green streets design. For the most part the streets would look the same as in other parts of the city that is the same as other conventional streets, except the curb would be intermittent. Storm water would drain through these curb interruptions and would be filtered naturally through the grassy swale adjacent to the street as it makes its way down to the soakage trench underneath. The slope of the swale would be gradual and gentle and would cover the soakage trench. In addition, street trees would be planted in the swales, and i'll have a picture of that diagram in a moment for you. The petition before you today reflects petition support of 67% of the property owners as measured by assessment methodology. This is higher than the support levels we had for lents I and lents ii l.i.d.'s combined, adding in government properties and waived support brings us to total support of 72%. We recently held a meeting to review the changed design with property owners and we also met with property owners in their front yards to discuss the project with them. We surveyed owners of all of the 106 properties in the proposed local improvement district to ask them to consider several design alternatives and to indicate their preference. 85% of the responses supported the design alternative before you today, which include 26 and 28-foot-wide streets with parking on both sides. Only four property owners returned surveys indicating a preference that their street not be paved. I'd like to give you a brief overview of the proposed project. Karla, can we switch to the presentation? This is a picture of the streets on the lents ii l.i.d. before we improved the street. This is a picture of what the street looked like after construction was complete. We would have as I mentioned earlier, we would have an intermittent curb here and the storm water would drain off the street below where the planning strip is shown here. This is a typical section that may be a little difficult to see, but you can see there's parking on both sides of the street. We have in most cases street trees on both sides of the street. On some streets we have street trees on one side of the street, but underneath the street tree is a combination soak trench and swale, and that's where the storm water drained to. And then on the backside of the swale you have sidewalks installed. This is a map of the lents urban renewal district, and it gives you kind of a general sense where these l.i.d.'s are. The lents one and lents two l.i.d.'s were in the northern parts of the lents urban renewal district. They involved different street segments. What's different about lents three is it is one contiguous l.i.d. where all the streets are together and it would improve the entire neighborhood. You can see lents iii is towards the south part of the district, but just north of foster road. Then finally here's a map of the lents iii l.i.d. You can see the boundary there, the properties in favor of the l.i.d. are shaded in

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green. There's -- we also have waiver properties in blue and then finally in gray there you can see the two government properties in the l.i.d. so we received 71 valid petitions in favor of this l.i.d., and they're attached to the resolution before you. So by city code it is now city council's decision whether to initiate l.i.d. formation proceedings or to instead suspend or terminate the process. The resolution before you directs me to initiate l.i.d. formation proceedings and gives authority to schedule an l.i.d. formation hearing and to notify property owners. If this resolution of intent is approved, this hearing would be scheduled for July 30 at 11:00 a.m. Thank you.

**Francesconi:** Thank you. Any questions from the council? Does anybody want to testify? I think this one passes.

**Moore:** It's a resolution.

**Francesconi:** I'm sorry. I'm going to learn this. You'd think I'd know this by now. Roll call. This is important. It really is a way to improve the neighborhood. And the unpaved streets in Lents is -- and throughout southeast is a significant livability problem. The second is it's doing it at a lower cost, and three, it's done in a way that really enhances the environment. We would like to do a lot more green streets. We're going to do one in Lents through some federal dollars we just got approved. But it also points out a major problem, which is, we can't pave our streets unless you're in a tax increment district, because it's the p.d.c. tool that's allowing this to happen. So during the last budget, when I was bordering on being obnoxious in terms of the capital fund for pdot, that's the reason, because if we hadn't -- this is the reason. Because if we had more capital dollars, we wouldn't have to make the whole city a tax increment district in order to pave streets. And so that's what we're trying to do. But it's a good thing for Lents that they can see something happening in their neighborhoods, the streets are paved, then it allows bigger things to happen for the neighborhood. So it's been a good thing all the way around. And thank you for your work to help make this happen. Aye.

**Leonard:** In addition to being good for the environment and the reasons only commissioner Francesconi gave, it's also a public safety issue. When you have unpaved streets, the access to the houses on those streets slows for emergency response vehicles. So this is an excellent project for that reason. Lents is the -- in my estimation, one of the areas of the city that is most challenged economically. And anything that we do there to improve that community I think will reap benefits to the city in the long run as we stimulate other kinds of investments there. Some have mused out loud if we have a baseball team there should be a stadium in Lents as well to further spur that community on. But this is -- I love being able to support projects like this. Aye.

**Saltzman:** This really is great. The before and after pictures are truly remarkable. There's too many streets in Lents, and too many other areas of the city that still look like the before picture, and it is unfortunate that we can only make progress in urban renewal areas right now, but -- and as dramatic as the before and after pictures are, I'm excited about the green street aspect too, that you're really taking storm water management to heart and dealing with it in a way that doesn't require us to build an associated expensive infrastructure for storm water, but to allow it to flow naturally into the ground is great. Good work. Aye.

**Sten:** I agree. Aye.

**Francesconi:** Thank you. It passes. 771.

**Item 771.**

**Richard Rosenthal:** Richard Rosenthal, director of the independent police review division. The auditor is at a meeting with the school superintendents on the school auditing, but we're asking that this be put over to next week. We're going to withdraw the ordinance and resubmit it on -- by tomorrow. That's in part so the mayor can be here so we can have a full council to discuss the issue.

**Francesconi:** Ok. Any -- I guess we -- any objection? No objection. [gavel pounded]

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**Rosenthal:** Thank you.

**Francesconi:** Sorry for those that came to testify. It will be next week. We'll hear it next week, everybody. That's for the audience's sake.

**\*\*\*\*\*:** What time do you think?

**Francesconi:** I don't know.

**Moore:** It will be on the morning regular agenda, it just depends how long the time certians run, and we've got quite a few. They can check my office later.

**Francesconi:** Do we have any time certians in the afternoon?

**Moore:** Yes, we do. Yes. Our last time certain of the morning is at 11:00, starts at 11:00 and the one in the afternoon, last one starts at 3:30. So we have a full schedule next wednesday, all day.

They could call my office friday after 4:00 and we can give them a rough estimate when it will be.

**\*\*\*\*\*:** Not in this friday?

**Moore:** I'm sorry, call me thursday.

**Francesconi:** That's the best we can do. Thank you. 772.

**Item 772.**

**Francesconi:** I think this is a second reading. Roll call.

**Francesconi:** Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye.

**Francesconi:** Folks, we're done until next week. Happy 4th of july. Thanks.

At 10:44 a.m., Council adjourned.