



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **24TH DAY OF SEPTEMBER, 2003** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Leonard, Saltzman and Sten, 5.

Commissioners Leonard and Saltzman arrived at 9:34 a.m.
Commissioner Francesconi arrived at 9:41 a.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Ben Walters, Senior Deputy City Attorney; and Officer Michael Frome, Sergeant at Arms.

Items No. 1130 and 1140 were pulled for discussion and, on a Y-5 roll call, the balance of Consent Agenda was adopted.

COMMUNICATIONS	Disposition:
1121 Request of Jada Mae Langloss to address Council regarding Mothers for Police Accountability (Communication)	PLACED ON FILE
1122 Request of Stephen Edlefsen to address Council to continue his introduction (Communication)	PLACED ON FILE
1123 Request of Charles E. Long to address Council regarding the departure of Police Chief Mark Kroeker (Communication)	PLACED ON FILE
1124 Request of Thomas Edward Mullen to address Council regarding use of available land for housing and the New Columbia Villa project (Communication)	PLACED ON FILE
TIME CERTAINS	
1125 TIME CERTAIN: 9:30 AM – Create a citywide web-based calendar of significant meetings, events, and programs, require bureaus to utilize and implement its use (Resolution introduced by Mayor Katz and Commissioners Francesconi, Leonard and Saltzman) (Y-5)	36170
1126 TIME CERTAIN: 9:45 AM – Ninth Annual Pollution Prevention Awards Presentation (Presentation introduced by Commissioner Saltzman)	PLACED ON FILE

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<p>*1127 TIME CERTAIN: 10:00 AM – Approve contracts for towing and storage of vehicles (Ordinance introduced by Commissioner Leonard) (Y-5)</p>	<p align="center">177918</p>	
<p align="center">CONSENT AGENDA – NO DISCUSSION</p> <p align="center">Mayor Vera Katz</p> <p>1128 Confirm appointment of Frank Ray and Charles Porcelli to the Portland Utility Review Board (Report) (Y-5)</p>		<p align="center">CONFIRMED</p>
<p>*1129 Pay claim of Mr. Drazen Blazevic (Ordinance) (Y-5)</p>	<p align="center">177900</p>	
<p>*1130 Authorize payment of \$400,000 to the Portland Development Commission for the Downtown Marketing and Promotions Program from the Parking Facilities Fund (Ordinance)</p>	<p align="center">REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION</p>	
<p>*1131 Authorize acquisition of vehicles for use by City bureaus (Ordinance) (Y-5)</p>	<p align="center">177901</p>	
<p>*1132 Authorize an Intergovernmental Agreement with the Federal Bureau of Investigation and the Washington County Sheriff to participate in the Violent Crimes Task Force (Ordinance) (Y-5)</p>	<p align="center">177902</p>	
<p>*1133 Authorize an Intergovernmental Agreement with the Federal Bureau of Investigation to receive overtime reimbursement for Police Officers participating in the Safe Streets Task Force subsection of the Violent Crimes Task Force (Ordinance) (Y-5)</p>	<p align="center">177903</p>	
<p>*1134 Amend an Intergovernmental Agreement with Portland Public School District No. 1 to allow Portland Police Officers to use Whitaker School for training (Ordinance; amend Contract No. 51926) (Y-5)</p>	<p align="center">177904</p>	
<p>*1135 Authorize an Intergovernmental Agreement with the Clark County Sheriff's Office for Portland Police use of the Clark County Sheriff's firing range (Ordinance) (Y-5)</p>	<p align="center">177905</p>	
<p>*1136 Amend Intergovernmental Agreement with the Housing Authority of Portland for lobbying services for the Columbia Villa redevelopment (Ordinance; amend Contract No. 51927) (Y-5)</p>	<p align="center">177906</p>	

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Commissioner Jim Francesconi		
*1137	Authorize Intergovernmental Agreement with Oregon Department of Transportation for Red Electric Reconnaissance Study (Ordinance) (Y-5)	177907
*1138	Authorize an Intergovernmental Agreement with Multnomah County for physician oversight and post incident review services related to the Automated External Defibrillators program (Ordinance) (Y-5)	177908
*1139	Authorize acceptance of assignment of ownership of conservation easement of Marquard property adjacent to Forest Park from Three Rivers Land Conservancy and Friends of Forest Park (Ordinance) (Y-5)	177909
*1140	Authorize agreement with CH2M Hill, Inc. to provide professional and technical services to develop the East Columbia to Lombard Connector/East End project (Ordinance) Motion to amend the effective date from October 17 to September 24: Moved by Commissioner Francesconi and seconded by Commissioner Saltzman and gaveled down by Mayor Katz after no objections.	177917 AS AMENDED
*1141	Authorize Intergovernmental Agreement with the State of Oregon for cooperative assistance during the snow and ice operations (Ordinance) (Y-5)	177910
Commissioner Randy Leonard		
*1142	Extend the term of a temporary, revocable permit to Qwest Communications, Inc. to build and operate telecommunications facilities within the City's streets for an additional twelve months (Ordinance; amend Ordinance No. 175757) (Y-5)	177911
*1143	Terminate the franchise of FirstWorld Communications, Inc. now known as Verado Holdings, Inc. (Ordinance) (Y-5)	177912
*1144	Amend contract with Youth Employment Institute for operation of City graffiti abatement program to allow an advance payment in the amount of \$64,117 (Ordinance; amend Contract No. 34365) (Y-5)	177913
Commissioner Dan Saltzman		
1145	Authorize final payment and release retainage to the Natt McDougall Company for their work on the Larson's Roadway and Pipeline Bridge Maintenance and Seismic Strengthening (Report; Contract No. 34466) (Y-5)	ACCEPTED

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<p>*1146 Amend Intergovernmental Agreement with Multnomah County to increase dollar amount by \$120,000 to provide administration of eligibility verification for Water/Sewer Bill Discount and Crisis Assistance Program (Ordinance; amend Contract No. 33299) (Y-5)</p>	<p align="center">177914</p>
<p>Commissioner Erik Sten</p>	
<p>*1147 Authorize and Intergovernmental Agreement with the Housing Authority of Portland, Multnomah County Office of School and Community Partnerships and the City of Gresham for the annual allocation of Payment in Lieu of Taxes funding for housing and homeless activities as recommended by the Housing and Community Development Commission (Ordinance) (Y-5)</p>	<p align="center">177915</p>
<p>*1148 Authorize subrecipient agreement with Central City Concern for \$338,320 for the CHIERS Outreach Program and provide for payment (Ordinance; amend Ordinance No. 177873) (Y-5)</p>	<p align="center">177916</p>
<p>REGULAR AGENDA</p> <p>Mayor Vera Katz</p>	
<p>*1149 Accept a \$191,096 grant from the U.S. Department of Justice, Bureau of Justice Assistance, Project Safe Neighborhoods (Ordinance) (Y-5)</p>	<p align="center">177919</p>
<p>S-1150 Adopt the Northwest District Plan (Second Reading Agenda 1094) (Y-4; N-1, Katz)</p>	<p align="center">SUBSTITUTE 177920 AS AMENDED</p>
<p>1151 Adopt the Northwest District Plan Urban Design Concept and Action Charts (Previous Agenda 1095) (Y-4; N-1, Katz)</p>	<p align="center">36171 AS AMENDED</p>
<p>1152 Amend Property Tax Exemption for New Transit Supportive Residential and Mixed Use Development (Second Reading Agenda 1096; amend City Code 3.103) (Y-5)</p>	<p align="center">177921</p>

At 10:53 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 24TH DAY OF SEPTEMBER, 2003 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Leonard, Saltzman and Sten, 5.

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

<p>1153 TIME CERTAIN: 2:00 PM – Amend Title 33, Planning and Zoning, to update and improve City Building and land use regulations and procedures regarding size of trees, building coverage and nonconforming situation reviews (Ordinance introduced by Mayor Katz; amend Title 33)</p>	<p>Disposition: PASSED TO SECOND READING OCTOBER 15, 2003 AT 9:30 AM</p>
<p>1154 Amend Title 33, Planning and Zoning, to update and improve City building and land use regulations and procedures regarding lot validations and lot segregations, attached residential infill in the "a" overlay and other land division items (Ordinance introduced by Mayor Katz; amend Title 33)</p> <p>Motion to accept amendment to instruct the Planning Commission to consider the vacant lot provision separately and send it back to Council after the October 28th Planning Commission hearing: Moved by Commissioner Sten gavelled down by Mayor Katz after no objections.</p>	<p>PASSED TO SECOND READING AS AMENDED OCTOBER 15, 2003 AT 9:30 AM</p>

At 2:46 p.m., Council adjourned.

GARY BLACKMER
Auditor of the City of Portland

By Karla Moore-Love
Clerk of the Council

For a 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.

SEPTEMBER 24, 2003 9:30 AM

Item 1121.

Katz: 1121. Jada mae, are you here? I don't see you.

Katz: All right. 1122. Stephen? You have three minutes.

Item 1122.

Stephen Edlefsen: Thank you. Shall I introduce myself? Stephen edlefsen, forest grove. My intention was to continue my introduction. I intended to talk more about maybe tri-met and metro, and perhaps about some of the new people in the government and in our businesses, and the decisions they're making in their unfamiliarity with the area. But then some other things came to me, and now i'm interested in knowing what you all would like I speak about. I have two things i'm interested in speaking about today. I'll continue talking about tri-met and metro. One is about the police. And some city code. The other is sort of about something I read in the computer shopper about a new computer chip, and its claim to do a bunch of stuff that it really can't do, and it's kind of I guess about microsoft, and the secret service, and the c.i.a., and ignorance. People not really knowing about things like computer viruses and computer programs, and thinking they have viruses on their computers and making choices because of that. Perhaps i'm finished, if you'd like any more details. I hope you'll ask.

Katz: We don't have conversations. This is just a time for you to talk to us.

Edlefsen: You did before, so I -- and i've seen others, later people.

Katz: Don't argue with me. Just continue.

Edlefsen: I won't argue with you.

Katz: Ok.

Edlefsen: The city code is what i'll talk about. Portland has a code in chapter 16 or 17, and a person can get charged up to \$500 and \$10 in jail for not crossing at a right angle to the street. I'm not sure exactly what that means. And I got one of those tickets and the cop was pretty rude to me. He contradicted himself, he said it not a big thing, and so I thought, it's not a big thing, so I can talk freely. And then he got mad because I talked freely. And he called me lippy, and the review board said that's acceptable, that's appropriate. And that's not right. The cops shouldn't cuss and do stuff like that. About the c.i.a. And the secret service, I don't see any reason for them to go bust a guy in ohio. It seems like the secret service and c.i.a. In ohio can take care of that. I don't see why microsoft has anything to do with it. If it's a government thing, microsoft doesn't really even know anything. They just write poorly written programs that seem to confuse people and use up a lot of resources so people will buy them and need next year's model and buy a bigger computer. I guess I want, maybe, people to know about that and not make bad choices.

Katz: Thank you. All right. 1123.

Item 1123.

Charles E. Long: Thank you. My name is charles long, and I live at 420 northeast mason street. I would like to give a word of appreciation on behalf of myself and the community for his tenure as city police chief. He was very conscientious, but he had crisis after crisis, and the climaxed by an unfortunate departure. I think his most critical moment was the decision on how to create

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policeman scott mcollister. On the one hand he had pressure from the police union to absolve him completely, and on the other hand, pressure from the albina ministerial alliance to discharge him. And his decision on suspension for 5 1/2 months I don't think pleased anybody. And he had -- he had a very difficult time, I think, in his tenure. I ran across some notes of -- from a message he gave the prayer breakfast that was very edifying to me, and i'll just point the highlights that was made. He was strolling on the sands of cannon beach and he saw a wonderful sand castles being built, very attractive, and about a couple days later he walked on the beach and all the sand castles were blown away, washed away. And he likened that symbol to our own lives that we build as persons, sand castles, primarily -- possessions, position, power, popularity, and pleasure. Then he said a perfect example of this man that had all these characteristics was john f. Kennedy, president, and one bullet swept away all his sand castles. Then he asked us, what sand castles do we have in our lives? And he mentioned that he was from dallas, Oregon, and his father was a missionary in africa, where he spent much of his youth. He remembered a plaque his father put on his humble dwelling there, "only one life will soon be passed, only what is done for christ will last." and he said, stop building sand castles in your life. Then he made an unusual figure of speech. There are two officers in pursuit of you. Goodness and mercy. They will follow you all the days of your life. That is a reference relaying to psalm 23. Then he says, we don't need these sand castles that are passing away, but god's presence is all that we need in this life.

Katz: Thank you. 1124.

Item 1124.

Thomas Mullen: My name is thomas mullen, I am -- preside here in Portland, Oregon, 3621 northeast albarta court. And i'm -- i'd like to -- i've already been working with the project out in st. Johns, I have the right of way to remove the houses, but i'm unable to remove the houses because i'm unable to purchase land at this time. And I would like to have -- request at this time to have a special time to sit down in front of the council without waiting until next week to ask for a special appointment to be of the city, and the city code under section 44302, temporary appointment where I could work with the city and show them how to put all these programs together, utilizing the housing and the land, which I believe the whole state of Oregon needs, and I feel at this time since the land fields are full, so therefore we're in a bind if we throw them away, and we're in a bind if we don't use them. So even though they're unlivable, but i'm working with other agencies that's willing to help me bring those up to code where they will be livable, and I would like to also turn them back over to the low housing income and homeless people also. But i'm only one person working with this whole network trying to put it together, and i'm unstable in housing at this time, and somewhere keep getting lost in your system here. For one reason I have a phone, but they always get the wrong phone number. They don't get the right phone number, they don't get the right address. So I need some help to get this stable so we can put this program together. So right now i'm asking special permission so they can hold up demolition on it. I -- he told me how to file the action where they will stop taking those things apart before they tear out the floors and all the inside electrical and stuff where I won't have to redo all of it. But I don't know, I don't have a list of what they have to be done to them to bring them up to city code. But I think it would be feasible for everyone involved with the housing and the land development and we have a new thing that you have on your list too about the mixed use of land development. So that's what I was going to propose, but I see that you're working on that same situation. So that's -- we should join these things together to utilize the whole land. So I guess i'm a little bit before the cart here, but still I need someone to clear the floor where I can get into put everything in writing the way it is supposed to be done and to permit my proposal to you, to the city to show that you i'm 101% for real about what i'm doing, and that -- show the city it will work and we will have revenue coming back into the city. I'm willing to help the community, and i've been living here -- i'm 48 years old, i've been

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here 41 years, and I am not planning on going anywhere, therefore, I would like to get something back to the city. So therefore, I would like also help from the city at this point in time.

Katz: Thank you.

Sten: Mr. Moore, new columbia villa is the housing authority, it's a different government, but i'm the liaison to that project, and if you had a moment this morning to stop by my office, which is just to your right as you come out, bob durston is in there and we can maybe facilitate that request.

Mullen: Ok. And about the special appointment, who would cover that department?

Katz: Commissioner Sten offered his chief of staff to meet with you right now. He's in his office.

Sten: He should be able to help.

Katz: All right. Let's move to consent agenda. There are two items that are to be pulled. 1130 and 1140. Any other items to be pulled? If not, roll call on consent agenda.

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

Katz: Mayor votes aye. [gavel pounded] 1130.

Item 1130.

Katz: I'd like the permission to bring this back into my office and bring it forward on a couple of weeks when we resolve some issues. Any objections? Hearing none, so ordered. [gavel pounded]

Item 1140.

Katz: I understand there's an amendment on that one, commissioner Francesconi?

Francesconi: I need some help here. Yes, there is.

Katz: Come on up. Do we have the amendment? I don't find it in my book.

Moore: It was distributed yesterday with the tuesday memo.

Katz: Ok.

Rob Bernard, Office of Transportation: It's a simple amendment. Rob bernard, office of transportation. Essentially the first page of the p.t.e. contract has been removed and replaced with a supplement. Essentially the effective date was revised from october 17 to september 24. The project funding is tied to critical milestone dates, and by making this change it will allow the consultant to begin work as soon as possible after council approval. It is just a simple changing the effective date from three weeks out until now.

Katz: Ok. I need somebody -- somebody needs to move that.

Francesconi: So moved.

Saltzman: Second.

Katz: Any objections? Hearing none, so ordered. [gavel pounded] all right. Roll call.

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

Katz: Mayor votes aye. [gavel pounded] all right. Time certain, 1125.

Item 1125.

Katz: All right. Come on up. This has been in the works for a while, and we're thrilled we're ready to go.

David Lane, Office of Neighborhood Involvement: I'm david lane from the office of neighborhood involvement.

Katz: Let me interrupt you. I understand that you have had a better offer. [laughter]

Lane: Yes.

Katz: And you've rejected ours.

Lane: That's right.

Katz: And this may be your last presentation to the council?

Lane: I think it is.

Katz: So on behalf of the council, I want to wish you all the best, and a wonderful life in another part of the world, where it doesn't rain very often.

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Lane: Well, it's --

Leonard: It rains a lot there. Most rainfall in the world.

Katz: He's on the island?

Lane: Hawaii is the wettest spot in the world. That's my little bit of Portland i'm taking with me.

Leonard: I looked for every problem I could raise with him. It rains more than here.

Katz: Well, we wish you all the best, and --

Lane: Thank you.

Katz: It's costly to live in hawaii.

Lane: It is. I know.

Leonard: Not if somebody is giving you a house.

Lane: I know. It is.

Katz: Well, we tried.

Lane: I -- yes, I appreciate that. And I appreciate all the well wishes. And I think it is exciting this is perhaps my last presentation, because this is something we have been working on for about four years. I think it started about four years ago when commissioner Saltzman got a simple -- seemingly simple request from southwest neighborhoods to have a citywide calendar and a citywide place where bureau was put all their significant events and commissioner Saltzman said, yes, sounds good, let's make that happen. So just to let everybody know, things do get accomplished, it takes a while and we've been working on this for four years, and when we were under commissioner Francesconi, we implemented a part of it with resolution 36109, which requires bureaus to put all their significant events on the online page, which is a huge step in the process. And then when we came under commissioner Leonard, he was very clear that this is something that would fit into the -- into his efforts to get things out in the neighborhoods, and was indicative of his commitment to improving neighborhood services and getting more citizens involved actively at the community level. And all along, Sam Adams from your office, Mayor, has been pushing for more electronic utilization by neighbors so they can really access city government. So we're real excited about this.

Katz: This is part of the e-government.

Lane: It's part of Portland online, and we've been working very close with b.t.s. And I want to specifically thank Dan Bauer and Philip Homstrand for working with us all along, from b.t.s. So we'll give just a brief --

Francesconi: You have to figure out how to include Commissioner Sten in this too.

Lane: Yes.

Katz: He never had o.n.i., but there's always a first time. [laughter]

Leonard: And being the collaborator that I am, we can talk.

Lane: We'll give -- I think you've had extensive presentations, so we're not going to duplicate that, but I want to give you a brief overview of how the calendar will work. This is John Dutt, the manager for the information referral service for the city and county, which receives 15,000 calls a month. It's been just a wonderful consolidation effort that the council approves. So I'm pleased John's been taking the lead on trying to make this the final implementation of this calendar.

John Dutt, Office of Neighborhood Involvement: I wanted to say first of all the reason I'm here, Dan Bauer put together this presentation, but I've been pretty intimately involved in getting o.n.i. Online and getting the calendar together, so I'm just going to run through this real quick for you. A little overview of the background and then some of the benefits of having this available. The background, a little first on the background. The community for a long time has really demonstrated that they'd like to have a centralized events calendar. I can tell you as the information and referral program manager, we get requests all the time for people that are looking to find events, and it is sometimes challenging. So I think there's been this need for a long time. First, I

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think o.n.i. brought it forward, and there's been a lot of support and working with both o.m.f. and b.t.s. on it. As david alluded to a little bit ago, resolution 36.109, which was the resolution which had the news and projects proposed policies be put on Portland online, that's been going for a couple months, and seems like that's been working pretty well. I've had a lot of positive comments personally on that from citizens calling in. And then, again, this is just to continue to develop Portland online and the promise of e-government through the new website. Some of the benefits of having the citywide calendar, I think a lot of them are pretty self-evident, but having again that one location for all city event information, people can go to this one main calendar and see what's going on all over the city, with all the different bureaus, as opposed to having to go around all the different sites and try and find that information. I think having easy access to these events also will help facilitate community involvement. Obviously if a person can find something they're much more likely to get involved versus getting frustrated and not following through on something if they're interested. And then this gives us also a standardized format for distribution, which should make it easier for the city bureaus to be able to make this information available. I know when we were looking at o.n.i., we were doing our website, it was nice to have this sort of format that we can have staff all over our bureau and also through the coalition offices be able to easily go in and post an event and add information. And this is again another step towards leveraging the existing e-government infrastructure. And then as far as the actual calendar itself, it would exist right off of the home page, and we have, again, Portland online really being the new web presence for the city, the launch was in June 2003, the customer focused, also service-based focus. I think most people go to the website looking for information on services they need to be able to access, and then again, a single source for news and information, including the event calendar, as well as the ability, another thing that's exciting about Portland online, is the ability for people to subscribe and receive notification about events or news items, or things that are going on, and they can get information on just specific bureaus or things that they're really interested in. So that's something that's in the works, and this calendar will also allow for that. So that's pretty exciting. The event management, it's pretty simple tool for staff to use. I'm not a web guru by any stretch of the imagination, but it's definitely an easy way for myself and for others within our bureau to be able to go in and post and manage event information, and I think everybody's going to find that it's really an easy tool to use. This page shows you the content management tool. It looks a lot like using many word processors, you can go in and enter dates, you can enter start time, end time, the type of event, you can go in and down below in the description put information on the agenda, you can link to a website if you wanted to, you can put just about anything you want. A p.d.f. document. So it's really a pretty comprehensive calendar. And then again, pretty easy access as far as searching for events. There will be the one master calendar, and all the bureaus' individual calendars will feed up to that main calendar. So it's, again, easy to find which -- what I think you're looking for there. And then these - - there's a series of three screens. That first screen was the month view, and then you can click and look at just a particular week view of events. You can also be able to sort by certain type of events, whether it be a public meeting, a general meeting, a training of some sort, and then this you can click down and see more detail of the event itself, a summary description, like I said, you could put an agenda there, you can put a p.d.f. File document there as well for people to be able to see what's going on with regards to that particular meeting. So my involvement with the calendar has been over the last several months, I haven't been working with it as long as david, but I definitely think it's going to be a tool that will be easy for the public to use, and our program is very much about being able to increase the access of government, and one of the things we've always had a lot of request for was regarding events, so I think this is going to be a nice tool, easy for the city to use and easy for the citizens to access information.

Katz: Thank you.

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Lane: The next step is, we're going to be working with city staff. We met yesterday with some public involvement staff to get them up to speed, and we'll have more trainings with them so we can refine this and b.t.s. has always been very amenable to changes to make it more user friendly. And really the next step is asking you all to commit to having your bureaus really use this to really get the citizens to be able to access it, because I think it's very exciting.

Katz: Thank you. Questions by the council?

Saltzman: Whose responsibility is it to keep the calendar current?

Lane: Each bureau is responsible. It's like, each bureau will be able to, through their own website, or if they don't have Portland online yet, they'll get the software, so their staff will be entering events from their desk top. So it's the responsibility of each bureau. That's the way Portland online works in general. The idea is you enter it in water bureau, the staff enters an event, it goes on the water bureau calendar, then it bubbles up to the city home page. So it centralizes automatically.

Katz: Does it go automatically? So the water bureau or b.e.s. sends out an announcement on their website --

Lane: Correct. Correct. Right. So the term we used, we learned was "bubble up."

Katz: Bubble up. All right.

Dutt: I was talking to dan about that, he said for the bureaus that don't have a presence yet on Portland online, they'll have a section open of the home page under government where they can go in and put their stuff there. Much like -- it's basically the same as resolution 36109, which created the news postings, so bureaus that don't have presence on there yet can still go and post their news items on the home page of Portland online.

Lane: And we'll also be training the coalitions offices, they'll be able to get the software and be able to enter their neighborhood meetings on there, and that will also bubble up, so that citizens get a whole view of the types of meetings going on across the city.

Katz: So it's important for each one of us with our bureaus, and if you notice the date for this to be-to-begin is october 1, so we don't have a lot of time to piddle around.

Lane: So we'll be doing some trainings in the next couple weeks, and it's going to be grandfathered in a little bit and have to have some adjustments, but I think that one of the commitments that o.n.i. is going to make in the next -- over the next year as part of the public involvement standards task force is some sort of ongoing citywide public involvement network that staff can meet and continue to update issues like this.

Katz: Ok. Thank you. Anybody want to testify?

Moore: I didn't have a sign-up sheet, but we do have people.

Katz: Come on up. Chris, why don't you start.

Chris Smith: Good morning, i'm chris smith, 2343 northwest petty grove street. I'm a neighborhood activist, but i'm testifying today on my own behalf, not for my association. I want to enthusiastically support this proposal. This is one of the few times I get to see the confluence of my neighborhood activism with my day job where I create web site technology for xerox corporation. This is just unabashedly a good idea. I've seen in my professional life how website technology can enable productivity in people, and the idea of enabling the productivity in activists in the city is a wonderful idea. Particularly we'd like to underscore the ability of the system to allow subscriptions and notifications by category. That's very important. I subscribe to o.n.i.'s current notification system and I get several emails a day about events in the city. If I could hone that down to categories of interest, that would cut my email reading time a little bit and make me more productive. So that's a great idea, as is having it searchable. I would emphasize when you have content systems that follow the bubble up principal where the people closest to the content are responsible for maintaining it, that is the weakest link. It really will take the commitment of the

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bureaus to keep this thing up to date to have it be effective for citizens, and I would urge all of you to communicate that message strongly to your bureaus.

Katz: Thanks, chris. All right.

Glen Bridger, President SWNI: My name is glen bridger, president of swni. Our organization helped push this several years ago, and i'm pleased to see there are many members of our organization out here today. We want to thank you very much for implementing this. This is a great step forward. I hope it's understood that this not only helps us as a community, but it's also a tool that if your bureaus look at this and say, hey, we can find out what's going on, if we overlook something in the other organizations that we should know about, we can use this as a tool internally so we can be more effective in communicating amongst our bureaus. So I want to thank you very much for this step forward.

Katz: Thank you.

Corrine Webber, SWNI Board: Good morning. My name is corinne webber, 6245 southwest 39th avenue. I'm here to represent the swni board as the public citizen involvement representative for that 16-neighborhood association. As you know, we've been struggling with this issue over the years. It was a major stumbling block in connection with the southwest community plan. And it was only through great struggle that we finally arrived at the southwest community plan, which includes the citizen involvement policies. And certainly the proposal on the table today has enormous implications for citizen involvement. Without timely and early access to information, citizen involvement just doesn't occur without all kinds of problems, as we experienced in the past. So I want to commend all of you for bringing this issue to the table, and moving forward with this, because it will certainly help enormously to implement the policies that are set forth in the southwest community plan, which were passed as an ordinance in july of 2000. Thanks to all of you. And the work that we did together. Now I have a couple of suggestions I think it's a wonderful idea, but hopefully, hopefully we can broaden this communication link by not only having it on the web for those who are computer savvy, and many people are not, as you know, but also put it on the cable. It would seem to me to be a very easy transition to move it to the cable, and that would cover the waterfront pretty much. Or -- and/or put it into "the Oregonian" in some form on a monthly basis, or whatever. But extend those communication links beyond the computer, if you would. And I think that would be very, very helpful. Secondly, I would hope that you would seriously consider changing the resolution -- the proposal from a resolution to an ordinance. I think that would make it very much more meaningful. And put the bureaus' feet to the fire, so to speak, more so than if it's merely a resolution. Not that a resolution has no meaning, but I think it would be helpful if we gave it a little bit more umph, a little more strength with an ordinance. And thirdly, I would hope that we would have unanimous support for this across the entire city council, and again, I want to thank you all, because it certainly will enable us to implement the southwest community plan citizen involvement policies, and hopefully broaden them to cover the whole city.

Katz: Thank you. Anybody else?

Leonard: I'll just say your idea on the cable is an ingenious one. I also happen to have responsibility for that operation, and I made a note, I will call them after the council and --

Webber: Good for you. Thank you.

Leonard: -- ask them to put that on there.

Katz: Go ahead.

Cathy Bambeck: I'm Cathy, 5131 southwest 38th place. I am also on swni board of directors, I represent bridal mile neighborhood association, I also am on the great guidelines committee, and I also am asking you to support this resolution. I think it's a very good idea, and that's about all I

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have to say about it, except saying that I think we do need a calendar, and it should be on the web. So that's about all I have to say.

Katz: Thanks.

Leonard Garth(?): I'm Leonard Garth(?) from southwest neighborhood. We think this is a great idea. More and more in my work I'm using the city webpage, and also the bureau web pages. They're great, they've been very useful. This is a wonderful idea, and it will be very useful for citizens. Thanks so much.

Katz: Thank you.

William Warren: Good morning, William Warren, public outreach manager for central northeast neighbors. I'm here to represent the fact that our coalition is strongly behind this. I do want to say that more years ago than I care to remember, Brian Hoop was able to gather us all into a room to have initial conversation about how this would all happen. So in addition to all the other bureau folks that David has mentioned, and John has mentioned, I want to make sure the council knows that Brian Hoop from the office of neighborhood involvement was first involved with this and brought this to coalitions, which we all as staff members enthusiastically supported, and then began to scratch our heads and wonder how the technology would make this remarkable moment come about. I'd like to think of this as the city's giant palm pilot. So that when you look at a particular date you can find out whatever is happening in the city. I think that for the residents that I've had the pleasure to work with for nearly seven years now, they will discover that the ability just to simply find the information will be the first link in getting them involved in the public participation process, whether they're actually able to physically be at the meeting is another story. The fact that they will be able to have access, direct access to the information and find out who in that particular bureau they need to speak to, or who a contact person is on a particular project will be of enormous value to them, and I suspect over a period of time we'll probably see a spike in that office, not only in the office of neighborhood involvement in terms of information gathering, but probably also in our respective coalitions. We'll probably be contacted from folks that hitherto we really haven't had a lot of contact with. It served central northeast neighbors nicely because we don't have a coalition newsletter. So this will be a way for us to disseminate information and create that link for folks who have been waiting for the printed piece of paper. And I'd like to say that one more time it brings Portland into the vanguard in the sense that here we are a city that has about 70% of the homes are wired for internet capability, and I suspect that this will probably ramp up those numbers in probably the next 18 months once we're up and running and successful. On a personal note, I'm sorry to see David leave. I know that you did your best to convince him to stay, as we did too, we heard about that yesterday at the meeting. And I've had the chance to work with David for nearly 10 years now, and in another part of the state on other issues, and I know that where he's moving to he will of course make himself known there, but it is our loss and I'm sorry to see him go. Thank you.

Katz: Thank you. All right. Anybody else? Matt, did you want to say anything? No. All right. You'll be hearing more. This is one of the areas that I know the council and -- is very interested in, and I want to finish former commissioner Lindberg's work of creating a 24-hour city hall. So more to come. All right. Roll call.

Francesconi: This is a terrific project. E-government can make us more efficient and it can save money, but it also can give information to our citizens so they can act upon it. So this is terrific. I'm -- I'm only sorry it took four years. We have to do this a little quicker. But anyway, it's terrific work on the part of everybody, and David, thanks for all you've done for our city and our citizens. Aye.

Leonard: This resolution is consistent with the kinds of things that the office of neighborhood involvement is doing under David's leadership. For an example, next month we're hoping by next

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month to be able to kick off a pilot project at the kenton site in north Portland. Kind of a mini-city hall. We'll provide services out of that area. It's going to depend on telecommunications, which matt I know is assisting with us on, the same kind of technology to allow people who traditionally work downtown but are assigned to neighborhoods to actually work in the neighborhood they're assigned to. O.n.i., since July 1st, we brought in the neighborhood inspectors from the bureau of buildings, which is -- makes sense to a lot of people. It nearly caused a bureaucratic nervous breakdown that David managed. And of course we're involved in this whole upgrading of services in crime prevention section, which David manages. So my experience with David is that this is a person who, when I approach with some idea or concept, he figures out how to get it done, doesn't come up with reasons why it can't happen. So his decision to leave was disappointing, to be polite. And when he -- when I started putting on my thinking cap to try to talk him out of it, the first thing I said was, why was he leaving, and he said, I'm going to the islands, the Hawaiian islands to live on Kauai, and that eliminated any resort could I come up with. I was like, ok, that makes sense. So I just can't say enough about David Lane. And the leadership he's brought and his can-do attitude, which I wish I could create copies of. I mean, it's been a refreshing experience in the midst, Mayor, as you know, of some really difficult changes that we're implementing at O.N.I., some of the most significant some have said since its creation. And we wouldn't be at the place we mean, and I mean this -- at the place we are, and I mean this in the positive sense, without David's leadership. Because these changes are going to bring services to the citizens consistent with the resolution we're voting on right now. I am convinced. So that's my long-winded way of voting aye on this ordinance, but in thanking David publicly for his tremendous public service. I wish him, his partner, and his new twins all the best. I have committed to him that I will make the sacrifice to come and speak with his future employer on the island to give a personal recommendation. If he asks that of me. Aye and aloha.

Saltzman: This is a great step forward. I think as David mentioned, this idea was first brought up when I was commissioner in charge probably at a SWNI world meeting, and I think I was new enough at the time to think, gee, don't we already have something like that? And sure enough, the city does have -- has had various listings of meetings. You can get a list of neighborhood meetings, but to integrate all the advisory committee meetings, bureau meetings, everything that has bubbled up over the years in terms of more meetings, more opportunities for the public to be involved in shaping city government, you really needed something like this and I will certainly make sure the bureaus I'm involved with will do their utmost to keep this thing alive, because nothing frustrates anybody more than a dead website where you look at stuff that hasn't changed in months, and that would defeat the whole point of this progress today. So I think each one of us will have to work with our bureaus to get that direction delivered. But this is a true step forward in neighborhood involvement, and Brian Hoop, I want to thank you too, but I think it's also quite a fitting legacy for David Lane. I also have the pleasure of hiring David Lane as the director of the office of neighborhood involvement, and he was an outsider, he -- as I recall, when the job announcement was posted, he walked in from off the street one day and walked into the O.N.I. office, kind of sat down and waited, and nobody asked if they could help him. And from that point on, he started to think, the wheels started to move and think how can you improve how this office delivers services to neighborhoods? And that was just one small example. And I think today probably if you walk into the lobby of O.N.I. You'll notice there are people stationed right there so you won't have that situation happen again where nobody asks how can we help you. But that's one small sign of the many accomplishments that David has accomplished. And I want to thank you for all that great service, and having something like Portland Online means that you're not going to be as far away as you think, and you can just get online and actually still be an expatriate citizen of Oregon and

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participate in meetings, send us emails, and keep -- you can go from surfing on the waves to surfing online. Have a good trip and thanks for your service. Aye.

Sten: This is terrific, david, thank you for everything. Aye.

Katz: I also want to thank dave, and I also want to thank matt lamb and the bureau of technology services for making this a reality. I did part of this interest for me was that in january 1, 25, i'll be watching all of you like hawks, and i'll be mailing you and coming down to testify. And i'll have three minutes. Maybe you'll give me four, I don't know. And matt, we meet with the office of finance and management every week, and matt's at the table, and every week I ask matt, what did you do this week to deliver more services to the citizens of this community? So as I said before, there's more to come. Thank you, david, and good luck. Aye. [gavel pounded] all right.

Francesconi: After what the mayor said, can we change our vote on this one? [laughter]

Katz: 1126.

Item 1126.

Saltzman: Madam mayor, members of the council, america celebrated pollution prevention week this year during the week of september 4 through september 20. In Portland we observed this week every year by recognizing city of Portland employees and city partners in the private sector who work to prevent pollution and protect our environment. This year's pollution prevent ward winners will receive a certificate and a gift honoring their achievements. The gift is a paper weight made from recycled glass. It's a good example of how recycling can support creation of new products instead of adding to waste in our landfills. So congratulations to our award winners, and thank you for your efforts to make Portland a cleaner, more livable city. And now to present this year's pollution prevention awards is environmental services director dean marriott.

Dean Marriott, Director, Bureau of Environmental Services: Good morning, mayor, members of council. I am dean marriott and i'd like to ask if commissioner Saltzman can step to the side. I'd like to try to get you back on schedule, when you read the recipient f. They would come forward to receive their certificate and their award, and while they do that, i'll be reading you a little description about why they're being so recognized. The first recipient is two representatives from a city work group. Kathleen murrin and john reed, if they would come forward. They are working with the integrated pest management team for parks and recreation bureau. The program is a model for municipal approaches to pest management, and the only such program recognized by the endangered species act. The intent of the program is to limit the impacts of pesticide application on water quality, native plants, as well as protecting human and animal park users. These practices are used both in traditional neighborhood parks and natural areas that are managed by parks and recreation. The program reduces pesticide use while continuing effective pest management. Congratulations and thank you very much. [applause] the second recipient is anthony roy. Anthony promotes innovative approaches to storm water management for the office of sustainable development. He play as key role in expanding the use of ecoroofs in the Portland area through his involvement in ecoroofs everywhere. Having vegetation on roofs reduces storm water volume, improves water quality, helps prevent sewer overflows from risk the willamette river, improves air quality and reduces energy use. Anthony gets directly involved with the installation as well, so you can often find him on a roof somewhere trying to make it more environmentally friendly. Thank you very much, anthony. [applause] just as an aside, I went to the county office building to observe their ecoroof, and it makes me more interested than ever to have one here on city hall. So we'll work on that. The third recipient, jeff sandberg. Jeff is a member of the water bureau's business industry and government conservation program. Also known as b.i.g. Since 19 -- that's not jeff known as b.i.g., but the program. He has helped businesses conserve water and save money on their utility bills. His investigations have revealed problems that cause the loss of water and he's identified options for equipment changes that conserve water. Through his efforts, many large

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water users have saved millions of gallons of water each year. This conservation leads to reduced demand on our reservoirs and wellfields. Thanks very much, jeff. [applause] the fourth recipient is don holmes. Don is the water bureau's sustainability coordinator. He works in cooperation with the office of sustainable development to implement bureau programs using the natural step process. He has provided training on natural step methods to about 75 bureau employees over the last two years. Don is also advising several work groups within the bureau on how to reduce waste and substitute more earth-friendly chemicals in important workplace settings. Thanks very much, don. [applause]

Marriott: The final pollution prevention award for this year actually goes to two folks who are representing the bridlemile creek stewards in southwest Portland. Greg schifsky and steve mullinax. [applause] bridlemile creek stewards are volunteers and spend many hours each year removing invasive plants that threaten the forest and creeks in the neighborhood. They work very closely with environmental services to implement watershed restoration projects on both public and private properties, including hamilton and albert kelly park. Greg and steve also provide education and outreach assistance to other area residents on environmental impacts from dog waste to auto pollution, lawn chemicals and storm water runoff. Thanks very much. Appreciate your assistance. [applause] mayor and council, thank you very much for taking the time to recognize this year's pollution prevention award winners.

Katz: And congratulations to all of you, and thank you for making this a better place and a better city to live and work in. Thank you. All right. 1127.

Item 1127.

Katz: Do we have staff? Come on up.

Marian Gaylord, Towing Coordinator, Bureau of Licenses: Good morning, mayor, commissioners. I apologize for the roughness of my voice, but i'm suffering what seems to be going around right now. I'm marion gaylord the towing coordinator in the bureau of licenses. This morning i'm representing the tow board of review, and their recommendations for the terms of the next contract for vehicle towing and storage, and the list of tow contractors that they have approved for award of the contract. I can summarize the short list of significant changes to the contract and then if you have any questions, i'd be happy to answer them. The most significant changes recommended in this contract are -- represent an attempt working with the towing industry to improve the service to police officers and other agencies that are served by this contract by becoming more specific. We've done a lot of the broad-brush kinds of changes to this contract already, so now we're in the position of sort of fine tuning some things. So there are several changes that have to do with large truck towing. The first is a change to the method for calculation of fees for class b's and c's, to allow for better audit capability and verification of the times. A change in the response standards for class b and c to accommodate the need for those larger trucks to warm up and slower take-off to get to the tow service. Requirement of back-up alarms on class a or light-duty tow trucks. This was requested by odot comet program, which is also an agency served by the contract. And this is to comply with the state s.o.p.'s. A change in weight classifications for class a and b trucks to more easily dispatch -- excuse me, b and c trucks, to more easily dispatch the correct equipment for each job. A requirement much state approved safety certification on class c trucks. This is a certification that the large trucks in most cases are required to get already, but by requiring it here, it also supplements that. It supports that so that if we have a company that only tows for the city of Portland, they will be covered by that requirement as well. A restriction on the number of tow-related municipal contracts that will be awarded to one owner. And this doesn't absolutely shut the door on a company having more than three contracts, but it does provide its -- it strengthens the board's ability to review carefully if we have a company that is sort of looking to create an empire. So the board is very concerned about relying too much on a

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single provider. And they want to encourage more diversity in the pool of tow contractors. Provision also for three one-year extensions of this contract that would be at the city's sole discretion. These would come after the two-year regular period of the contract. We would also have an open application period for new towers, but this would allow us to extend if things are going well without having to go through the whole application process again. A provision for temporary price increases to cover significant increases in fuel costs. I'm sure we've all felt the changes of the fuel pump in the last year or so, and it's definitely having a serious impact on the tow companies. So we built into this a provision where they can come to the board and request a temporary surcharge, fuel surcharge, and there are guidelines for how much the increase would have to be, and what circumstances would have to exist to kick this into play. Most of the list of agency paid rates had not changed since 1996. Many of them since 1993 or even earlier. So we did a thorough review of all of the agency rates and those were nearly all raised. However, in -- what I should emphasize to council is that the agencies don't pay for very many tows. Most of the tows are paid for by citizens, and the changes to the citizen rates are much less than what we've changed with the agencies. And generate increases to accommodate recent rises in insurance and fuel costs. The recommended increase in the class a rate is approximately 2.5%, and the national cpiu for august of -- of 2003 is 2.2%. So i'd be happy to entertain any questions.

Leonard: If I could, I would like to add, marian does an outstanding job, and when I first was assigned the bureau by you, mayor, we met, and one of the concerns i've had that I want to distinguish from this contract that we're going to be voting on are the -- is the issue of the unregulated tows that occur on private property. And marian and I discussed that, and she has developed as a result of that, some rules that we will be proposing real soon that will for the first time limit the amount the tow companies can charge for towing cars that are parked in parking lots, and you want to just since we have this opportunity, touch on some of those high points?

Gaylord: The ordinance that currently is in place was written in 1988, and it was the first attempt that Portland had made to regulate this at all. Things were even more egregious in those days. This ordinance was a first attempt, but there was a misunderstanding in the original concept as to what state law provided for the local municipalities to regulate. Since that time, some of the tow companies who are very resourceful have found ways to turn this into what I think I can say comfortably from the citizens' perspective is highway robbery. We have problems with towers that are parking a short distance away from a lot and watching, and as soon as someone gets out of their car they fly in and they grab it and go.

Leonard: And charge whatever amount they want, by the way.

Gaylord: Yes. At this point the ordinance only provides for the towers to register their fees, it does not set their fees in any sense. And they can change that registration as many times as they'd like during the year. So this means that while the basic city of Portland municipal tow will cost approximately \$105, many of these private property impound tows are ranging between \$250 and \$400. And so needless to say, people who are visiting from out of town are very unhappy when they run into this, because Portland is almost unique in the state for even regulating, attempting to regulate this kind of towing, and in many areas the local government just throws up their hands, because it's -- it is labor intensive to deal with it, but I think that we can give ourselves some much better guidelines for this.

Katz: I hope that none of them that you've just described are ones that are getting our contracts.

Gaylord: Actually, the -- probably the two largest p.p.i. towers are on our contract, however, they are in the bottom range of the -- of this spectrum of rates. It's one of those odd phenomena where there are not a great number of p.p.i. tows done every month compared to, for example, the municipal contract, but we get more complaints and the complaints that we get are against the smallest tow companies that do the fewest tows. It always reminded me of the little kid with the

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lemonade stand who's charging \$10 a glass and say, I only have to sell one. So I think that there is some of that going on with some of the smaller companies, and I think we can provide a better service to them.

Katz: We're looking forward to it. Did you want to testify? No? Ok.

Bob Wilson, Industry Representative, Towing Review Board: My name is bob wilson, the industry representative to the towing board review. I just came along to make sure you guys don't beat up on marian.

Gaylord: My enforcer. He's actually here in case you had any more technical questions.

Katz: Thank you. Anybody else? Ok. Go ahead.

Saltzman: One question. I was looking through some of the financial penalties that can be assessed against companies for things like not having the -- failure to have correct change, failure to accept the valid credit or debit card. These are people who have their cars towed. Are they given anything in writing that informs them of these types of rights?

Gaylord: No. We don't have any program for accomplishing that. Generally speaking, when people feel that they have been wronged in some way, they will call me and I -- we have a process in place for dealing with the complaints. And what I always tell them is, write me a narrative. Tell me everything that you think was wrong with this, and then we compare it against the rules that are in place. The rules that we have are so detailed and so varied, i'm not sure which ones we should inform people about ahead of time.

Leonard: Let me just add one thing, I identified that same issue as a concern I had, because people were showing up and being told you have to pay cash, and that kind of thing. So marian and I have discussed putting in the rule requiring that they have a sign when you go to pick up your car that says, you have the right to use a credit card or a debit, what were some of the other issues?

Gaylord: Those are probably the two that are the most often a problem, because it costs towers money to accept credit card, and we have -- here again we're talking about private property tows. People -- it's very often the middle of the night, and people probably just don't have \$200 in cash in their pockets with them. So that is something that I think would be very useful, but the issues that you were describing are actually part of the municipal contract, and in that respect, it's actually fairly rare that the towers have a problem complying with those things.

Saltzman: But we are looking then about establishing such regulations over the private party --

Gaylord: Yes, private property impound. It's a completely separate program, but --

Leonard: But you show up at the same place to get your car.

Gaylord: M-hmm.

Saltzman: So we can by rule establish some disclosure conditions, things like that?

Gaylord: Absolutely.

Saltzman: Because nobody has -- few people have that amount of money at 3:00 a.m. In the morning, and that just means the tow company gets another overnight tow charge because you have to come back the next day.

Katz: Ok. All right. Anybody else want to testify? Chris, are you coming up in -- ? Are you -- you're going to have a busy morning.

Chris Smith: I get a three-fer today. Chris smith, 2343 northwest petty grove street, testifying for myself, not for my association. I don't have testimony specifically to this contract, but would like to bring up an issue that perhaps the next time you refine this contract you can look at, in our neighborhood, northwest Portland, we enjoy a program called clean sweep with pdot where about three times a year pdot comes in and sweeps all the streets. It's really kind of a service for the denser neighborhoods in Portland, and because of the density, we have to get all the cars off the street in order for them to be able to effectively street, and as a result we have a lot of cars towed on those mornings, even though we've been working on better notification systems and trying to get

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the word out, but there are always people who don't see the barricades go up and their cars get towed. I believe right now under the current contract there's a minimum \$140 fee for a citizen who gets their car towed. The towing charge plus I think one day of storage at a minimum. It seems to me this is substantially different than most municipal this, is a scheduled event. A large number of cars are towed at once, so it seems to me it's a bit of a windfall for the towing industry, that they're - they can schedule when they have to have the trucks out, they know they'll get a certain volume. It seems like there could be a lower charge for those tows because they're able to apartment more efficiently. And i'd love to see that set-up as a special class in the contract so that we can lower the fee for those citizen who's don't get the word. Clean sweep, I hasten to say the neighborhood has looked at the tradeoff, and having clean streets and we're very much in favor of the program and we appreciate pdot doing the program, but if there's a way to lessen the impact, that would be a great thing.

Katz: Thank you. Anybody else? If not, roll call.

Francesconi: This is another example where strong regulations are needed. And they benefit directly the public, who are being ripped off, as was just described here. And so this is very good work and marian does a terrific job, and the fact that you had no people here contesting this is an indication of this. I also, the towing board did a very good thing by limiting the number of contracts, which therefore injects competition into this. Which therefore would lower the price over time, so that was also very good. And the idea of extending this to the private tows, the way that commissioner leonard is leading you, is wonderful as well. So thanks for your work. Aye.

Leonard: Aye. **Saltzman:** Aye. **Sten:** Good work. Aye.

Katz: Mayor votes aye. [gavel pounded] thank you. All right. We are now at our regular agenda. **Item 1149.**

Katz: This is another part of a grant that we received.

Michael Pace, Portland Police Bureau: I'm lieutenant michael pace, the detective division of Portland police bureau. This is a portion of a grant that Multnomah county actually applied for that they would use with us to hire an additional detective to work firearms cases and specifically splitting time with career criminals and domestic violence firearm cases.

Katz: Did you want to add anything?

Sgt. George Burke: I'm sergeant george burke with the detective division. The lieutenant was very short-winded with what exactly this position is going to be, and that is the hiring of one detective in addition to his wages as it's broken down, it would be overtime costs and benefits are included in that, and it's a two-year grant to begin with, our fiscal year, which would have started back in july, to go through our fiscal year into -- ending in 2005. And -- end of june.

Katz: And this is basically dealing with firearms issues and domestic violence.

Burke: The primary function of the investigator who would be assigned would be for domestic violence-related firearms. The secondary function of the detective would be to -- the identification, documentation of armed criminals that currently the state of Oregon has over 6,000 documented armed career criminals in the state, yet there are far more than that in number who would otherwise qualify based on the crimes. So it's the identification of these people, the documentation of these people and the removal of firearms from people who do not have the right to have those firearms.

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

Francesconi: This is terrific. The effort to reduce gun violence by targeting those that shouldn't have firearms is great. Aye.

Leonard: Aye.

Saltzman: This is another great grant we've gotten through project safe neighborhoods under the u.s. Attorney's leadership, and it's targeted to perhaps the single largest cause of fatalities I believe

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in Portland, due to gun violence, and that is domestic violence. So this is great work, and I hope we'll be very successful. Aye.

Sten: Aye.

Katz: Yes, I want to thank u.s. attorney mossman and everybody that's been involved in putting together this grant and commissioner Saltzman is right, this is a huge issue for us not only in Portland, but around the state. Aye. [gavel pounded] all right. S-1150, 1151, 1152.

Items 1150.

Katz: Ok. I think we want to wait. Why don't you flag to commissioner Leonard this is second reading. What we're voting on is everything other than the parking. Roll call.

Francesconi: I hope we're -- we've reached the point where we can begin some healing now. It's been a long process, and I know that there's been a lot of pain, but there's also been a lot of terrific work done by the citizens, by the advocates, and by the planning staff. And there's many good things in this. I'm not going to go through them all. But I do want to note, and again, the purpose is just to try to help with some healing, is that because of citizen input, there were some significant important changes. The mayor led the effort on the tower and the changes in the design on that tower. That now the design commission for the first time actually can limit the height. And that was in response to some genuine concerns that even surprised I believe the neighborhood association with the depth of them. And so we made some changes. On the -- in the Guile Lake area, we've down zoned some areas, we have some money that we didn't have before for transportation, and we're limiting office to industrial uses. And then even though this item is in front of us, we've removed some parking garages, not enough to satisfy the neighborhood. And then the other thing we're doing is removing the plan to institute the meters now, and we're going ahead with the t.m.a. So this is all things to try to demonstrate that we're trying to be sensitive, even though there is some disagreement. So because this is such an important neighborhood, though, it's not just a question of passing these plans. It's how we now work together to try to implement some of this. And there's what we need to move forward on.

Katz: [inaudible]

Francesconi: I know. The mayor was reminding me it has nothing to do with the parking. I'm aware of that, but I'm doing all I can to include anything I can to help with the healing process. [laughter] clearly, even though --

Leonard: Then don't mention parking. [laughter]

Francesconi: I think it's better to get it all out in the open myself. Even though technically it's not connected, in everybody's mind it's connected. So I guess even though I've said it before, I want to say it again. I really want to thank the planning bureau for the work that they did on this. And I really -- they were pulled and pushed, and stretched, and sometimes we did things and I did things that they didn't agree with, but I appreciate very much all the work they did on this. And I'd like to thank the planning commission for the time they spent on it as well. Aye.

Leonard: Aye.

Saltzman: I want to thank all the -- our planning staff and the neighborhood representatives, the neighborhood -- neighbors themselves who participated. We realized there was much controversy about how this plan started, how it ended up, but I guess one of my guiding principals is as I told many neighborhood leaders, was we need to get it done. These issues have been under discussion so long, and in the meantime, these issues get discussed, the landscape of northwest Portland, the demographics of northwest Portland, the vibrancy of northwest Portland is changing in dramatic ways, and it needs a neighborhood plan that reflects modern conditions. And rather -- and I think the lack of a neighborhood plan reflects modern conditions only further breeds and inspires many of the raging controversies that go on. Most notably between the neighborhoods and the businesses, most notably around parking, but certainly the land use issues are equally as important. I think the

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city council planning staff, all the citizens I think we've come up with our best shot, but it is an updated and new shot at dealing with issues of living and a very great neighborhood, but also a neighborhood with many challenges, and I hope this plan will stand the test of time. Aye.

Sten: Glad to be at this point. Aye.

Katz: All right. I'm going to cast the only no vote here, and let me tell you why. The community spent a lot of time and a lot of energy, and a lot of years, far longer than any of us sitting on this council, in developing a vision for their neighborhood. And it is a difficult neighborhood to create a vision that meets the needs of both the residents and the business community, because they're so intertwined. Four neighborhoods, the pearl, and the nina, and nwda, and linton, all agreed that we needed a transition zone along the south of vaughn. And there were very important urban design and transportation issues in this plan. Countless of hours went into it, but i'm afraid to say that what we created here is far worse than what was originally planned, and I know the planning bureau worked very hard, and this is an effort that they also made to make sure that this plan worked, but unfortunately some decisions were made that may make this plan on -- almost unworkable and unenforceable. Community support, even for this section of the plan, has evaporated. We increased the amount of office space significantly to one of our prime sanctuaries and in industrial land employers. I think the traffic impacts are going to hurt severely not only northwest 23rd, but i-405 ramp and circulation -- freeway circulation. And may even threaten the sanctuary area itself. Commissioner leonard's staff and b.d.s. will have to implement and enforce what the council is passing, and I think it's going to be very difficult, as we discussed last time, that some of the language is unenforceable. So they will have their hands full. Commissioner Francesconi's staff and pdot will have to struggle through many years of northwest parking issues, and will have to find the resources to deal with the transportation improvements as a result of the amendments that have been made. And as the results of adding enormous amount of office space in an industrial sanctuary. I think that the council will find that they've won the battle on this one, but have lost the war. Despite all of the efforts on the part of the planning bureau, and the council members who tried very -- very hard to make this as workable as possible and to meet everybody's needs and demands, I think it falls short of a vision for a community, and I recall commissioner Hales's words when we were dealing with contentious issues like this. He always says, we try to do no harm, and I think we've done considerable harm to this neighborhood. No. [gavel pounded] all right. Let's move on. And take the next item. Item 1151.

Item 1151.

Francesconi: I said this before, I don't want to belabor this point. I appreciate the mayor's point of view. I understand the risk. But I also understand that we eliminated office to the south here, and I also understand that we've now come up with \$5 million we didn't have before, and we allowed esco to remain in the city with the expansion of their corporate headquarters in a way that nina could support -- nina could support. And I think that's important to emphasize here. Aye.

Leonard: I would say that I am learning that finding balance is not as easy as it sounds, and it is difficult, and there are risks involved in trying to achieve that. And I do believe that we have attempted to do no harm, and have attempted to find a balance in this plan. Aye.

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

Katz: No. [gavel pounded] 1152.

1152.

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

Katz: Mayor votes aye. [gavel pounded] thank you, everybody. We stand adjourned until 2:00.

At 10:53 a.m., Council recessed.

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September 24, 2003 2:00 pm

Katz: The council will come to order. Karla, please call the roll. [roll call] let's hear item 1153.
Item 1153.

Katz: Ok. Come on up.

Cary Pinard, Bureau of Planning: Cary pinard. The resolution you passed on September 10th told us to come back with this package where you would be readopting what you've already adopted and what we called policy package one. It has several items in it. We have, in bringing it back to you today, split it into two pieces. Package 1-a and 1-b, at the request of b.d.s., so this one, 1-a, is the nonlot segregation, nonland division issues that you packaged that has to do with building coverage, eves, some approval criteria that were not controversial last time, and you didn't get any if much testimony on them.

Katz: Ok. We probably still need to take testimony now on them. So this is split out the lot segregation issue and brought back everything else.

Pinard: Right. This 1-a is 1153 on your agenda and the other one will be 1154.

Katz: Anybody signed up for 1153?

Liz Callison: Liz callison, southwest Portland. I just like to comment, i'll be commenting mostly on part b, but I would like you to include eves in the building coverage computation. That's all I have to say right now. Thank you very much.

Katz: Ok. Anybody else?

Moore: That's all who signed up.

Katz: All right. It will pass on to second. Does council have any questions on 1153? All right. 1154 then.

Item 1154.

Katz: Ok. Cary, why don't you come in and tell us what we've got here.

Pinard: Again, on september 10, you passed resolution 36166 that had several directives in it. One was to request the city attorney asked that the policy package one that was on appeal at luba be brought back to you, and that's what's before you today. It also directed us to bring back this minimum lot size in the r5 and r2.5 zones today. It also had a couple of other provisions that would make it easier to build small detached dwelling units in the city that instead of you directing us to bring it directly back to you, you directed us to take it to the planning commission. There's a little package of those, and we are bringing that to the planning commission on october 28. You also told us on september 10 to send a vacant lot provision that would be an exemption from -- for this minimum lot size in the r2.5 and r5 zone and package that with the other things you were already sending to the planning commission on october 28, so what's before you on package 1-b today is just the minimum lot sizes for those two zones, r2.5 and r5, and some of the other provisions that have to do with land divisions, because it was hard for us to write the findings in the two separate ordinances without packaging them together. So it also has to do with definition of site land division, lot dimension standards, property line adjustments, lot consolidations, you have already made a decision on all of these, we're not proposing in what's before you any changes in that decision except for the one item you told us to in resolution 36166.

Katz: Does council have questions?

Sten: A comment. I won't give all the background because I think everybody who's watching is following this, but maybe just a little bit. I brought this package back as a proposed substitute essentially, and it's a package to what the council decided 3-2 earlier in the summer. Essentially when I talked to the different sides, I felt this litigation was going to go on for a long time. I didn't think that was the right way for us to spend our money, and I thought we ought to work on a compromise between the neighborhoods and the city council, and to find something that is fair to

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the home builders who work order good faith on this as well. Essentially my package was, reinstitute the minimum lot size, but also institute a series of citywide planning and regulatory changes to make appropriate small lot development more accessible and with more forms, including things like detached homes in the r2 zone and things I think make a lot of sense that aren't legal now to find the right balance. One of those proposals I had was to continue, and it was building off a compromise the mayor offered late in the discussion that didn't quite get through, but that I liked, that we continue to allow the skinny lots on vacant lots, but not if -- not after demolition. So if there were vacant lots available. That's still the issue, and from my point of view, I still think that's a good idea. That's what i've told one side of the debate, the home builders, makes sense. The neighborhoods came to the last hearing and said we'd like time to talk about that at the planning commission. I'm obviously thinking I think it makes sense. The council said it makes sense at the planning commission. I had not realized at that september 10 hearing that the package of bigger changes is complex enough, it's probably not going to get back to the council until january. And I at least my history is when we say one month, it often is just a month or two later for maybe reasons that are my fault, and so what i'm wondering is if it might be possible, I don't think that's in the spirit of what I talked to the builders about, to ask the planning commission to continue with that package, but send the vacant lot provision back to us in november after they look at it at their october meeting. And I -- so we have a planning commission hearing, people would be able to weigh in, but we would get it back to council on a reasonable basis and not have it tied down. It not perfect for both sides, but I think it meets the intent of what both sides would like. A planning commission hearing and a speedy resolution.

Katz: Sort after compromise to a compromise. The planning commission may not want it, but I would agree with --

Francesconi: The alternative is to cut out the planning commission. So I think is a good approach.

Sten: And everybody would have the benefit of a -- or the burden of a city council hearing once the planning commission hearing happens, so there would be that venue as well.

Katz: So we're going to have a hearing. We'll have a hearing and people can comment on that. The amendment, then, would be that that vacant lot come back earlier, sooner rather than later.

Pinard: And you would be sending a letter to planning commission.

Katz: I'll be sending it, but you'll all sign it, all right?

Sten: Ok.

Katz: All right. So -- and I have a note here, it says move this whole package to second. To october 15, when i'm back, is there any particular reason?

Pinard: We thought you were interested in --

Katz: Oh, ok. All right. Let's hear testimony.

Katz: Everybody understands the amendment that may be provided us? In other words, deal with the issue of the vacant lot issue, but bring that back sooner rather than later, because the rest of the package is more complicated, and would need additional time. All right. Bonnie, why don't you start.

Bonnie McKnight: Mayor Katz, my name is bonnie mcknight, I live at 1617 northeast 140th, and i'm simply here today on behalf of a number of neighborhood folk who are in the attendees who will be happy to speak with you, which we understand we've had a lot of discussion around this issue. The impact assessment process would be an appropriate thing to begin using at this point, since we've danced around that for a while, you've adopted it, and I think it would inform the process of getting back, and I don't think it would slow anything down of getting back to the planning commission in November. And so from that standpoint I think the timing is excellent. We want to thank you for coming up with an opportunity to provide a better decision with a lot more input, and

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one that doesn't involve us going down to the state of Oregon to the land use board of appeals, and forcing the issue back before you, wasting our time and your time. We would much prefer to not do luba appeals, and especially since we have to pay for them ourselves, but more especially because it's not the right way to do business, and we appreciate this opportunity. And look forward to working with you to do this one right. Thank you.

Katz: Thank you.

Liz Callison: Liz Callison, southwest Portland. I just like to say first of all that I'm aware that Metro some years ago in about 1994 told the city of Portland that they would suggest about a 10% taking of the housing -- or the housing units that were going to be needed for the next 20 years, and Portland, through Charley Hales, chose to renegotiate that up to 20%. So I'd say that the city council's pro density agenda is out of sync with the wishes of most neighborhood residents. To the end of increasing density without really dealing with the question of zoning, per se, the city has for the past decade whittled away at our zoning rules, and what they mean. Most homeowners don't want increased density in their neighborhoods, and the increased traffic congestion and parking problems that come along with the overlay dense neighborhood development. So there are several points I'd like to make regarding this packet b.1-b. I do think this does need to go back to luba, just to get some clarity on the question of the minimum of lot sizes, and what the r-5's and r-7 are particularly supposed to mean. Does luba agree that the city can basically arbitrarily change the meaning of an r5 to an r3, 3,000 square feet, without calling it an r3, for example? The building coverage on the eves I already mentioned that, I think that should be included in the computation for coverage of the lot. Parking provisions, this lets out people in these little small lots from having parking provision off street, and that's going to add to congestion and risk to neighborhood kids, bicyclists, and all -- on our streets, if we have too many cars parked in front. I think it's really been wishful thinking for the city to think we can add parking units and that people won't have cars to go with the houses, or the units that they're living in. Number 3, I'm concerned about possible inadequate notice and due process for affected neighborhood residents. This situation, this minimum -- this lot size situation and this zoning is going to be and has been affecting neighborhood residents. It will tend to increase their land value as far as Multnomah county taxation, and it's been tending to lower the value of their homes. So I think that people need to be better informed about this impact on their property values and their taxes. And I think I'm -- there's one last thing. The exemption for the west Portland park neighborhood area, page 7 in 1-b, I think that exemption should -- that it's inequitable for west Portland park to just take advantage of that. I'm concerned about potential ex parte contact on this one, and that's something I would be raising at luba that the west Portland park exemption should have been applied citywide. Thank you.

Katz: Thank you.

Kelly Ross, Home Builders Association: Good afternoon, mayor, commissioners, Kelly Ross, representing the home builders association. I appreciate the efforts that commissioner Sten has put into this to try to craft a compromise. But I want to raise some very strong concerns that we have about the compromise to the compromise that's been laid out here before you. While we're certainly disappointed when the matter came back to the council for reconsideration, we felt that the intent of the package that commissioner Sten had laid out was acceptable, that it would be workable. We're having problems now as this gets divided into separate parts with the possibility of the most important part for us, the vacant lot exemption, have to circle around again through the planning commission process and come to you. It leaves the door open for what we would think might be some procedural mischief out there, that in fact this provision may not be enacted. And if that is not enacted, and at some point all construction on these type of lots is prohibited, if even for a temporary period of time, it causes big problems. It's extremely disruptive to the business people who are -- who have specialized now in constructing those dwellings, who have established crews

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that know the plans, the neighborhoods, and the type of construction that's going on. If there's any disruption, those people go elsewhere. Their talents are in demand, and you have to start from square one on assembling those teams again. The other problem that this causes is that with uncertainty about the future of this type of construction, it somewhat undermines the design competition that we're working on with commissioner Leonard's office, and we just had a meeting today in talking about a fairly substantial commitment in terms of fund-raising for awards in this design competition. If there's the possibility somewhere on the horizon that this type of construction would be illegal and prohibited, it -- it makes it harder to make that whole effort work. So we would urge you to unite these components yourselves, I understand the importance of having respect for your advisory commissions, but in this case I think the negatives on this outweigh the positives of running it back through that process again.

Katz: Thank you. All right.

Moore: That's all who signed up.

Katz: Anybody else? All right. I'll take the -- who else? Come on up.

RoseMarie Opp: My name is RoseMarie Opp, I challenge this revised code language that establishes a minimum lot size for development on existing lots in the R5 and R2.5 zones. An R5 minimum should be what the term states, R5, which is 5,000 square feet, and I've been thinking this for years, and I still can't get that change turned around in my mind. I wonder how we arrived at having a size of 3,000 square feet being minimum in an R5, and still be defined as an R5. It seems to me they must be redefined as an R3. I realize some standards were changed in the land division code. However, standards are different than a base zone change. And I think in order to change the minimum lot size to 3,000 square feet, you need to go through the procedure of a base zone change and call it R3. The whole matter is confusing, and the land division code rewrite I believe caused further confusion, and it appears you're now trying to fix the glitches as a term used by the planning bureau, so some part of the city now is an R5, it is a guess -- I guess an R5, other parts it's an R5, it says it is, but it's really more like an R3, but we're not calling it an R3. To call it an R5 is deceptive. To me this is just very elementary. I mean, 5 is 5, 3 is 3, and I can't get a change in my mind. And that was one of the reasons why I also opposed the title 34 rewrite. If the problem really is it's a small lots, just address those little lot problems rather than perhaps opening up flexibility throughout the city or setting precedent for small lots throughout the city. And I do not believe that no adjustments will hold water, or remain in place, because as we all know, council can easily change that at a later date. I want to talk about the 33.405.060 -- the infill and the R5. I notice the word "base" in the base R5 is crossed out. And there are references to standards meeting those in the R2.5 zone. And so this illustrates to me that the R5 base zone is being diminished and changed in ways that are detrimental to the property rights of those who live in the R5 zone. The property owners who bought into a neighborhood who live in the R5 zone. I know you have a chuckle in your face about this, Mayor Katz --

Katz: I happen to agree with you.

Opp: You mean we do agree today?

Katz: I'm sorry, I interrupted you.

Opp: Well, then I think you have the where with all to keep it an R5, it seems to me, but anyway, one other point is in the 33.110.212, I question why the West Portland Park subdivision has a different set of regulations than the rest of the city. Maybe the rest of the city should have those same guidelines as was placed in this for the West Portland Park subdivision.

Katz: Thank you.

Opp: Ok. Thank you.

Amanda Fritz: I'm Amanda Fritz, speaking only for myself, and I wasn't planning on testifying. I find the suggestion there could be procedural mischief at the planning commission a challenge to

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the integrity of the planning commission, and you have my word that there will be no procedural mischief, and that the -- there will be a good faith effort to find ways to make this work better. The vacant lot thing has a lot of questions in it, and we the citizens believe there are better ways which would encourage affordability and make it more compatible with the neighborhoods.

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

Katz: It's ok. We have a very open process. You don't have to sign up.

Terry Griffiths, Woodstock Neighborhood Association: Terry griffiths of the woodstock neighborhood. I've been here before. I have many of the same concerns about the allowing houses on platted 25 by 100 lots being a zone change. I have that concern, I have had it since the beginning. I am, however, very grateful for the compromise that's before us today, especially having listened to neighborhoods in northeast Portland, which sound like they're being transformed by tear-down and demolitions of preexisting family homes. And I think this compromise will be a huge relief to them, and potentially down the road probably to us as well. This has happened some, but not on the same scale in our neighborhood. As for the separation of the vacant lots, the vacant lots exemption, I do think that one of the problems with allowing housing to be built on skinny lots is having that housing be compatible with the building fabric, with what's built around it. And I know there were some design guidelines put in, but they were meant to be -- they were originally proposed I believe by the planning bureau just to take care -- ok. I missed what happened in june.

Katz: That's all right.

Griffiths: Back me out of that one. I still think that -- I have a real concern about the vacant lots exemption, period, but the basis of that is design compatibility, and i'm not at all convinced we're there yet, and I would like to see more time in order to get there. Thank you.

Katz: Thank you. It was commissioner --

Griffiths: Yes, I realize that.

Katz: It was commissioner leonard, and b.d.s. was to work with planning to develop kind of a template, like metro did, on design buildings, so that it -- they would fit with the character of the structures in the neighborhoods. All right. Anybody else?

*****: Good afternoon.

Katz: Hi.

Jack Hoffman, Attorney, Dunn Carney Allen Higgins and Tongue: My name is jack hoffman, i'm an attorney with the law firm of dunn, carney, higgins and tongue. We're here on behalf of clients who own property on 4100 southwest Tualatin lane. My oral testimony and comments will supplement a letter we submitted this morning that should be part of the record. Mr. and mrs. South object to the inclusion as a technical objection to 33.667.300, and the addition was 1b and c. It deals with why adjustments or property line adjustments no longer would be necessary. Our clients are in the midst of a title 2 -- they're in the midst of a type 2 appeal to the Portland adjustment committee appealing the property line adjustment or an adjustment to ms. Mccoy's property on 2050 southwest mt. Hood lane. So our objection, our request is that 33.667.300 1b and c not be included this time because to add it basically nullifies or makes moot this appeal, and this appeal is right in the middle of being decided by the Portland adjustment committee. And then the more details in terms of our objections are in the letter that was sent by my fellow attorney ty wyman. Actually I sent the letter and it should be address to mayor Katz and the other commissioners.

Katz: That's all well and good, but is our staff up to speed -- ok. Thanks. We'll have -- thank you. Questions? All right. Cary, come on up if nobody else is going to testify and respond to jack's issue. And anything else you heard, and then i'll ask commissioner Sten to make an amendment, and then we can move that to second on october 15.

Pinard: And on october 15 you wanted to sit that over to the morning agenda?

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Moore: Because that's a 6:00 p.m. session.

Katz: Oh, we have a --

Moore: There's no other time certain scheduled.

Katz: Let's do that. Talk to us about jack's issue.

Pinard: I would ask sandra wood to speak with planning bureau. She knows more about this specific issue than I do.

Katz: Ok. Identify yourself.

Sandra Wood, Bureau of Planning: Sandra wood with the bureau of planning. The amendment that's proposed in policy packet 1-b, which was already adopted by council, but we're relooking at today, is to exempt properties that already exceed the maximum lot size from that standard if through a property line adjustment their lot will become larger. The reason we're proposing the exemption is often times people are just moving or deeding over backyards to each other, or side yards to each other. The maximum lot side standard didn't go into effect until july of last year, when the new land division code went into effect. It's only applicable to the single dwelling zone, so it doesn't affect any of the commercial or multidwelling or industrial zones. We've had 11 of these adjustments applied for in the last -- since july of 2002 and all 11 have been approved, save the one that is being appealed to the adjustment committee, and that one is still pending.

Pinard: Can I add a little bit? This is the -- one of the original top 10 issues, and when that was first put together, it was when the land division code was -- had been in effect for just a few months, and this is one of those issues that popped up right away as an, oops, we didn't mean the minimum - - the maximum lot size that does apply to land divisions, we didn't intend for it to apply to existing lots, but the way it was written it was, so these adjustments started to be required in order to do what was allowed by right before. That's why it was an early identification of a glitch or an unintended consequence and has been weighed in around with other issues to get to you as part of that first top 10 group of issues.

Katz: Council have any questions?

Saltzman: I don't profess to understand any of these details, but I do understand a point you said, 10 of these adjustments have been granted. Are we doing something that's going to deter this pending adjustment from getting a fair chance of being also granted?

Pinard: No. If you adopted this, the need for that adjustment would go away. They just have -- they're already in the process. But it would -- you would in effect be granting it. Because you would say it was no longer necessary.

Saltzman: Granting it on the behalf of the clients --

Pinard: You're changing the rules so that the adjustment would no longer be necessary.

Saltzman: I see.

Katz: Ok. Thank you. Amendment?

Sten: I'm trying to think what the amendment needs to be. It would be to instruct the planning commission to consider the vacant lot provision separately and send it back to us. I don't know how soon, shortly after the october 28 work session, planning commission hearing.

Saltzman: October 28 or september?

Sten: October 28.

Pinard: It's october 28. The --

Katz: When do you think it would be -- come back to us?

Pinard: If they took action on the 28th, I think it would take us -- you're not here on the 28th. It would take us a couple weeks to get it written up and sent off and do the notice for your hearing, so I don't think it could get here much sooner than the beginning -- that would kind of be the middle of november, first or second week of november at the earliest.

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Sten: What I was thinking, just as a matter of the way this is going to work, it doesn't mean to be exactly right, I'm not looking for it to be exact, is that if we have the 2nd reading october 15, the package will take effect november 15, and that would give us a chance to do this piece around the same period while working on the planning commission hearing. Give or take a couple weeks.

Katz: Ok. All right. Any objections to the amendment? Hearing none, so ordered. [gavel pounded] all right. And then --

Francesconi: Can I ask a question?

Katz: Sure.

Francesconi: How many vacant lots are we talking about? How long have they been vacant?

Pinard: That's hard to answer exactly. We do not have the information to give us that exact answer. We've looked at some maps that we can then estimate. By neighborhood, we think that there are not an insubstantial number, but when looking at what we did was put some housing footprints on top of replatted lot lines to see which ones had houses on them when the last flyover was and which ones were vacant, that on any given block, this is very much averaging the response over the different parts of the city we looked at, one or -- there would be one or two vacant lots where one of these houses could be built on, but what would change from what's the rule today is no longer could a whole block be torn down with a whole block coming with new development. So there could be two, three, sometimes even four per block of these vacant lots, but there were no parts of town that we saw that had large expanses of vacant lots, like a whole block or whole side of a block at a time.

Francesconi: If you could by the hearing, i'd like to know a little more precisely what we're talking about here. Is that possible without you going --

Pinard: It would be really time and resource intensive to try to do that, because we'd have to have somebody try to count things by hand, and we still wouldn't be very accurate.

Saltzman: Isn't that going to crop up as a criticism of any action we take if we don't know what we're talking about? That seems to be a perennial criticism we face on one side or the other.

Pinard: We brought the maps to the september 10 hearing, we provided maps to the -- any neighborhood that wanted them so they could look and see and get the same feel for where the vacant lots were in their neighborhood. We are happy to continue to do that. And get that sense of a ballpark figure per neighborhood, we -- we could sit down and talk to any neighborhood that wanted us to bring us out. It's just trying to get an official count would be very intensive resource, because we can't make it electronic, we'd have to do it by hand.

Francesconi: You mean by hand you mean go out and inspect, or look at the maps?

Pinard: Even looking at the maps, we have to guess, because they're not registered exactly the same, so sometimes it may look like an existing house is over one of those 25 by 100 lot lines, and if it is, then that few inches of that lot means it's not vacant, but if the line is registered incorrectly and that house is actually not close to the lot line it and it is vacant -- so without doing really intensive research, you're going to get sort of a best guess at the numbers.

Francesconi: At this point i'd be happy with the best guess. And so I need more information on what the range is. You can give me a broad range.

Pinard: We'd be happy to do that.

Katz: You can tell on the maps that you've actually identified that are platted 2.5, could you not? Those maps you brought in, colored those yellow maps --

Pinard: If we could -- we could get somebody to count those up by neighborhood and give you a rough estimate.

Katz: But on those you have an estimate.

Pinard: I just want to you realize how -- the accuracy level of that.

Katz: Gotcha.

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Francesconi: My last question, I guess, are we cooperating -- are you trying to help commissioner Sten in terms of coming up with some other types of ideas about how to have smaller houses built in our neighborhoods?

Pinard: Yes. There's several things going on. The planning bureau is presenting to the planning commission several ideas that were in your resolution and a couple that were already on -- in the packet. We're cooperating with b.d.s. on the catalog. If we see that code changes are needed to make some of these better designed, options work. We have planned on dealing with that, and the next package -- I guess it would be two pages that you will get from regulatory improvement, what we will be calling policy package three will have some additional ideas.

Francesconi: And the time line on those? Other ideas? Do you think -- when will we see them?

Pinard: I think since we're also doing -- starting the infill design project, that I know you've been wanting us to do that for quite a while, I would say you would start hearing from a variety of projects as soon as late winter and could continue on in spring and summer. We will be trying to coordinate them, but some are looking at slightly different aspects. So there will be a variety of opportunities for you to look at it in the spring. Late winter to spring to summer.

Katz: Ok.

Francesconi: Thank you.

Saltzman: I was just curious, the concern that mr. Ross expressed about the possibility I guess of moratorium being imposed. Is that likely? Between now and mid-november?

Katz: No.

Saltzman: Can construction continue on these vacant lots?

Pinard: If you vote on the amendment that's before you today, the policy package 1-b, and it comes back to second reading on october 15 and goes into effect 30 days later, november 15, at that time there will not be the ability for them to continue building on these smaller lots that they have, whether they have a house on them or vacant. You will, if all goes as planned, be very soon at that time considering whether you want to add in a vacant lot exemption, in which case if you do consider that and you do pass it, then you will allow those types of houses on the vacant lots that meet your criteria. I -- if you don't pass that additional provision, then there will not be the allowance for lots at this density in the r5 zone.

Saltzman: I apologize, I was not here september 10 when the resolution was heard, but was it the intent of the resolution to allow this exemption for vacant lots?

Pinard: The original resolution had the vacant lot exception as part of what we'd come back to you today, and at that hearing it -- that was a provision that got changed.

Katz: I just want to remind everybody, that was a motion that I made. I didn't -- and there wasn't any support. So we're back to square one. All right. Any -- anybody else? All right. We'll bring 1154 as amended. Why don't you draft a letter we can all sign, they're going to dislike me intensely, but amanda, you're here, you can explain everything to the commission. And we'll bring 1154 back october -- on october 15. In the morning. All right. Fine, everybody. We stand adjourned. [gavel pounded]

At 2:46 p.m., Council adjourned.