



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **17TH DAY OF MARCH, 2004** AT 9:30 A.M.

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

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

At 1:10 p.m., Officer Anthony Merrill replaced Officer Chinn.

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

<b>COMMUNICATIONS</b>		<b>Disposition:</b>
<b>232</b>	Request of Mark Lakeman to address Council regarding new projects proposed at the SE 21st and Division intersection (Communication)	<b>PLACED ON FILE</b>
<b>233</b>	Request of Derrell Ness to address Council regarding influx of large corporate retail outlets in the 7 Corners neighborhood (Communication)	<b>PLACED ON FILE</b>
<b>234</b>	Request of Richard Cascio to address Council regarding community opposition to the planned Starbucks (Communication)	<b>PLACED ON FILE</b>
<b>235</b>	Request of Bill White to address Council regarding a simple prayer (Communication)	<b>PLACED ON FILE</b>
<b>236</b>	Request of Andrea Meyer to address Council regarding the Joint Terrorism Task Force (Communication)	<b>PLACED ON FILE</b>
<b>TIME CERTAINS</b>		
<b>237</b>	<b>TIME CERTAIN: 9:30 AM</b> – Authorize a revised Intergovernmental Agreement with City of Gresham for city boundaries, urban services and new urban area planning for the Pleasant Valley area (Ordinance introduced by Mayor Katz)	<b>PASSED TO SECOND READING MARCH 24, 2004 AT 9:30 AM</b>

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<b>238</b> <b>TIME CERTAIN: 10:00 AM</b> – Neighborhood Coalition 30 <sup>th</sup> Birthday Celebration Committee (Presentation introduced by Mayor Katz and Commissioner Leonard)	<b>PLACED ON FILE</b>
<b>CONSENT AGENDA – NO DISCUSSION</b> <b>Mayor Vera Katz</b>	
<b>239</b> Reappoint Mary Ellen Buck, John Czarnecki, Melissa Darby and Rob Dortignacq to the Historic Landmarks Commission (Report) (Y-5)	<b>CONFIRMED</b>
<b>*240</b> Amend agreement with ACS State & Local Solutions, Inc. to extend the Photo Red Light and Photo Radar programs (Ordinance; amend Contract No. 51527) (Y-5)	<b>178244</b>
<b>*241</b> Authorize an Intergovernmental Agreement with the State of Oregon, Department of Transportation for oversight training and certification of Police Bureau officers who perform commercial vehicle inspections (Ordinance) (Y-5)	<b>178245</b>
<b>Commissioner Jim Francesconi</b>	
<b>*242</b> Amend contract with Shiels Oblatz Johnsen, Inc. for project management services in connection with the Portland Transit Mall Project (Ordinance; amend Contract No. 34662) (Y-5)	<b>178246</b>
<b>*243</b> Authorize Intergovernmental Agreement with Oregon Health & Science University for engineering and construction management services for the SW 6th Avenue north of SW Sheridan Street Project (Ordinance) (Y-5)	<b>178247</b>
<b>Commissioner Dan Saltzman</b>	
<b>*244</b> Authorize an Intergovernmental Agreement between the Bureau of Environmental Services Downspout Disconnection Program and the Northwest Service Academy Metro Center EnviroCorps to facilitate community participation and provide for payment (Ordinance) (Y-5)	<b>178248</b>
<b>*245</b> Increase contract with Mayes Testing Engineers, Inc. to supply qualified engineering and technician personnel (Ordinance; amend Contract No. 34868) (Y-5)	<b>178249</b>

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**Commissioner Erik Sten**

- \*246 Accept a Homeless Management Information System grant from the Office of Community Planning and Development of the U.S. Department of Housing and Urban Development in the amount of \$482,731 (Ordinance)

**178250**

(Y-5)

**City Auditor Gary Blackmer**

- \*247 Authorize Intergovernmental Agreement with Tri-County Metropolitan Transportation District of Oregon to provide exclusion hearings (Ordinance)

**178251**

(Y-5)

**REGULAR AGENDA**

- \*248 Waive fees for design review and other required permits to implement a temporary alcove abatement pilot project in the Central City and Northwest Plan Districts (Ordinance introduced by Mayor Katz and Commissioner Leonard)

**178252**

(Y-5)

**Mayor Vera Katz**

- 249 Declare Council support and interest in the further evaluation of the conversion of Memorial Coliseum into a major community athletic and recreation complex (Previous Agenda 222)

**Motion to accept amendments to add; WHEREAS, on January 8, 1961, Memorial Coliseum was dedicated to the advancement of cultural opportunities for the community and to the memory of our Veterans of all wars who made the supreme sacrifice to preserve for us the inalienable rights of life, liberty, and the pursuit of happiness, and add; BE IT FURTHER RESOLVED, that the City Council directs city staff to work closely with local veteran groups to ensure that concrete plans for a revised enhanced Veterans Memorial Complex are both developed and implemented as an essential feature of any future use of the Memorial Coliseum: Moved by Commissioner Leonard and seconded by Commissioner Saltzman and gavelled down by Mayor Katz after no objections.**

**36206  
AS AMENDED**

(Y-3, N-2, Francesconi and Leonard)

**Commissioner Jim Francesconi**

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<p><b>250</b> Revise Code provisions regarding exclusion from City Parks, define Park Officer, increase exclusion periods for repeat violators and provide for stays of exclusions during appeal (Previous Agenda 203; amend Code Section 20.04.010 and replace 20.12.265)</p> <p><b>Motion to accept substitute Exhibit A:</b> Moved by Commissioner Francesconi and seconded by Commissioner Saltzman and gavelled down by Mayor Katz after no objections.</p>	<p><b>CONTINUED TO MARCH 24, 2004 AS AMENDED AT 9:30 AM</b></p>
<p><b>251</b> Revise number of Golf Advisory Committee members (Second Reading Agenda 229; amend Code Section 3.86.010)</p> <p>(Y-5)</p>	<p><b>178253</b></p>
<p><b>Commissioner Randy Leonard</b></p>	
<p><b>252</b> Adopt a process by which development review delays can be resolved, especially when they involve multiple City development review bureaus (Second Reading Agenda 210)</p> <p>(Y-5)</p>	<p><b>178254</b></p>

At 2:24 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 17TH DAY OF MARCH, 2004 AT 6:00 P.M.

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

Commissioner Leonard and Sten arrived at 6:03 p.m.

Commissioner Francesconi arrived at 6:05 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Frank Hudson, Deputy City Attorney; and Officer Anthony Merrill, Sergeant at Arms.

<b>253</b> <b>TIME CERTAIN: 6:00 PM</b> – Adopt the St. Johns/Lombard Plan Urban Development Concept and Action Charts (Resolution introduced by Mayor Katz)	<b>Disposition:</b> <b>CONTINUED TO</b> <b>APRIL 8, 2004</b> <b>AT 2:00 PM</b> <b>TIME CERTAIN</b>
<b>254</b> Adopt and implement the St. Johns/Lombard Plan (Ordinance introduced by Mayor Katz; amend Title 33)	<b>CONTINUED TO</b> <b>APRIL 8, 2004</b> <b>AT 2:00 PM</b> <b>TIME CERTAIN</b>

At 9:30 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.

**March 17, 2004**  
**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.

**MARCH 17, 2004 9:30 AM**

[Roll]

**Katz:** Happy St. Patrick's Day everybody. Behave yourself tonight, that's all I ask. I've got a very infamous third grade Laurelhurst elementary school class here, so I'm waiting to acknowledge them. Famous, infamous. They are the children of Anna Karlan, Betsy Ames' niece, Anna Learns, Scott Learns' daughter, Austin Chapp, David's son and Debbie Stein, Jake Stein Ross. So—also Amy Claire and anybody else. This is a very strong little group here. All right let's get to communications 232.

**Item 232.**

[not present]

**Item 233**

[not present]

**Item 234**

[not present]

**Item 235**

[not present]

**Item 236**

**Andrea Meyer:** Good morning, Andrea Meyer, legislative director for the ALU of Oregon. In October 2003 the council agreed to renew the joint terrorism task force agreement for another year. There appeared to be consensus among council members that oversight was necessary, and that the following would happen in the next 3 months: first, the mayor and chief foxworth were to complete the fbi clearance forms and the fbi would process their request; and second, the mayor would continue to work to get approval of the city attorney to obtain fbi clearance. 6 mo later there has been no report to council that we're aware of. And more importantly, there's been no implementation of oversight to the jtff. The aclu, joined by many other groups testified that meaningful oversight is critical here. At a minimum the public needs to be assured that there is ongoing independent oversight of the current jtff activities as well as review of the jtff files to insure strict compliance with both the letter and the spirit of ors 181.575, the prohibition against police spying law. The city attorney used to review and purge files of the very same police officers when they worked in the criminal intelligence unit. As jtff officers under full time control of the fbi such review has vanished. Our concerns of improper activity by jtffs are no longer speculative. Recently an alarming number of abuses by jtff local police officers around the country have been exposed. First there was infiltration of the Fresno california peace group, now the same has happened in Denver and aurora Colorado, grand rapids, MI and Albuquerque NM. New York peace protesters were questioned by police about their political association and answers were entered into a data base. And in des moines IA, less than a month ago, a federal prosecutor obtained subpoenas delivered by jtff officers demanding Drake University turn over records from anti-war conference organized by the national lawyers guild. I've provided specifics about these cases and information from the aclu of Colorado web site on jtffs. I urge you to review these. We are concerned. There are numerous peace groups in portland and we want to make sure what has happened elsewhere does not happen here. All the cases that have come to light have involved local police officers, not

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federal agents. It's important not to miss the link. Last November the NY times leaked an fbi memo that asked local police to report protest activities to their local jttfs. This comes after Ashcroft made sweeping changes to the attorney general guidelines to allow police spying of lawful organizations. Until there is real and meaningful oversight put in place Portland runs the same risk, oversight by the mayor and city attorney is an important step to make sure we don't repeat our past mistakes or make new ones. Finally I need to bring forward concerns I put in writing a few months ago to all of you about the dea agreement-- [bell ringing]

**Meyer:** May I finish?

**Katz:** How much do you have left?

**Meyer:** 30 seconds. That d.e.a. agreement is similar to the jtff agreement. However over a year ago the council approved removing language that required Portland police to comply with Oregon laws more restrictive than the federal. The same language that you have in the jtff agreement was removed from the dea agreement. That means there's nothing directing those officers to comply with Oregon law prohibiting police officers have spying. That agreement doesn't expire until 2005.

We cannot wait until then to fix it. It is my hope today by bringing these issues forward that it generates dialogue among all of you. We urge you to move on both these issues with the speed they require. Thank you.

**Katz:** All right. Laurelhurst elementary school, third grade. Want to raise your hands? It's nice to have you here. We welcome all of you here. We meet every wednesday and usually thursday afternoon, and we're not meeting this afternoon because we're meeting this evening. So if you -- if you don't want to watch television and you've done your homework, and you've done your homework, you can come down and watch a very interesting hearing. All right, consent calendar, any items to be taken off consent calendar? Anybody in the audience want to take an item off the consent calendar? If not, roll call on consent calendar.

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

**Katz:** Mayor votes aye. [gavel pounded] all right, consent calendar for the third graders is a list of items that we just voted on in a block without discussing them. They're usually pretty easy, not terribly controversial, while not controversial at all. To save a lot of time we vote on them without talking about it. The next items we're going to be doing a lot of talking. All right. Time certain. 237.

**Item 237.**

**Gil Kelley, Director, Bureau of Planning:** Good morning, mayor and council. Gil kelley with bureau of planning. With me is jay sugnet also from the bureau of planning. We're here to talk to you about an update of our agreement with the city of gresham for the planning and development and eventual habitation of the area known pleasant valley. The mayor keeps asking me, are you done yet? This is a 1500-acre, approximately, area that is east of Portland and south of gresham. It was brought into the urban growth boundary in 1998 and Portland and gresham shortly thereafter entered an agreement to do joint planning work for an area that will eventually include about 12,000 residents in as many 5,000 jobs. That work has gone very well over the last several years. Bob clay and jay sugnet have been representing the city of Portland in that, but done cooperatively with the city of gresham, with metro, and area residents, and actually has won an award. We're very proud of the work that's gone on there. And you'll be seeing more of it in detail this coming summer and fall as we bring you implementation of that work through comprehensive plan and zoning code amendments. But today we're here to update our agreement with the city of gresham over the eventual governance of the area. So we have developed concepts for facilities, infrastructure, commitments and a boundary line that would define what is Portland, what is gresham, and made some revisions to our earlier thinking on that. We have worked this through the city system here, principally through the planning and developers group that I convened. B.d.s. and transportation have had a major interest in the outcome of this, and there are representatives of those bureaus here

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-- representatives of those bureaus here today from transportation, deena platman is here, and b.e.s., daniela cargill are here, as well as the johnson creek council has been a participant, which he wanted troy doss, who works for the planning bureau, but is here as a citizen today, representing that watershed group. The bureau directors have looked this over in several meetings over the last few months, and have come to agreement on this, and I just wanted to represent on behalf of brant williams and dean marriott, who I spoke with yesterday afternoon, as well as ray carriage and tim grewe, all of whom were in this discussion that, we've come to agreement on this and are jointly recommending this agreement to you. So with that, let me turn it over to jay, who will sort of give you a brief presentation on sort of what the substance of this all is, and then with your decision we'll go forward and enter formally the agreement with the city of gresham, which will allow us to complete the next phase.

**Katz:** Ok. Jay?

**Jay Sugnet, Bureau of Planning:** Jay sugnet, bureau of planning. I have nine quick slides.

**Katz:** Quick, underline quick.

**Sugnet:** Yes. Just to give you a little context, i'm going to talk a little bit about the a.g.a., but also update you on the process, the planning process, and the future legislative time line. Just to orient people, pleasant valley is a metro town center, metro designated. You can see on the map --

**Katz:** Can you find laurelhurst elementary school on there?

**Sugnet:** It's a little difficult. It shows you the grand scheme the 20/40 growth concept, where pleasant valley is. Here's foster road, major road, 162nd, and here's 190th. Just a couple of the milestones. Back in 1998 is when metro expanded the urban growth boundary. At that time we had the first agreement with gresham. The concept planning, we got -- metro received a federal grant to do this -- the bulk of the work and the last time we were at council was in the summer of 2002 when you accepted the concept plan and all the products by resolution. And what we've been doing since we last saw you was working on bridging the concept plan to final adoption. In 2003 gresham and Portland received a state grant to develop draft implementation documents completed in december. Now we're preparing for the legislative process planning commission hearings in june, and hopefully come to city council later this summer.

**Katz:** So now for the third grade, this is going to be a teaching moment --

**Sugnet:** Ok, sure.

**Katz:** You see what he's done on the screen? Those are the kinds of jobs that are going to be available for all of you. Those are very important thinking jobs about how to put it on the screen and how to get it moved in the right direction and under the right column. All right, go ahead.

**Sugnet:** So just quickly, I mean this has been a very cooperative effort. All the jurisdictions have been involved. There have been extensive public involvement. 24-member steering committee. There have been community forums. We've continued that in the last two years. And we've had considerable help from consultants. And this is just a phrase from very early in the planning process, and here's a view of the valley, to just give you a flavor for the area. And this is the final concept plan for those 5,000 jobs, 5,000 homes, and hopefully 5,000 fish. [laughter] so in the past two years, we've been developing the implementation plan. These are just -- i'm not going to go through these. They're just the chapters and all the work that's been done. The last one is the intergovernmental agreement. So during the planning process we came up with a number of criteria for where do we come up with this future boundary between the cities. And we've been working on it. And here's the recommendation from the planning and development bureau directors. Portland will take approximately 300 acres of the 1500, and this is the jenny road area, surrounded by Portland on three sides currently. And they will take this piece down here, between 162nd and almost to foster, or 172nd, and this is very similar to the 1998 boundary. It just moves it from the creek center line. This is mitchell creek. Moves it to the edge of the riparian area, and makes sense for a number of reasons. And finally this last slide shows you what we're trying to do is have sort



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of similar time line as the city of gresham so that we have, you know, joint public involvement process, so that we're adopting a similar plan, and that we're both working towards achieving the goal of implementing the concept plan. So that's the end of my presentation.

**Katz:** Thank you, everybody. This has been a very cooperative effort between three jurisdictions with metro providing the major oversight, making sure that it all happens. So thank you for all your work. All right. You done?

**\*\*\*\*\*:** Yeah.

**Katz:** Ok. Anybody signed up who wants to testify?

**Moore:** We have troy doss.

**Katz:** For those of you watching there's a little computer scene, this gentleman has three minutes, he has a little clock on the bottom of it, and when his time runs out the bell will ring. It depends on the kind of mood i'm in whether he gets another 30 seconds or not.

**Troy Doss:** I'm not going to test your mood today, mayor. Once again, it's troy doss. 3120 ne 30th avenue. I'm with the johnson creek watershed council. I'm a volunteer with the council and i've represented the council on the development of the plan through the steering committee for the concept plan as well as the advisory group for the implementation plan. Johnson creek watershed council wants to support the adoption of the i.g.a. with pleasant valley. We consider this a critical first step in the implementation of the pleasant valley plan. The plan develops that a focused-coordinated planning effort involving multiple jurisdictions and numerous partners and stakeholder interests can be successful and the council wants to commend staff from Portland, gresham, and metro for their efforts developing this plan. It's been a great effort for us and we've enjoyed our partnership. We believe that this plan will result in a complete community includes additional housing, schools, parks, employment opportunities, and efficient transportation system. The plan will also contain a vast network of open space and natural areas that will -- that provide a key attribute in the planned area providing habitat for aquatic and terrestrial wildlife alike. This open space network will have an added benefit in terms of the recreation and scenic qualities it will provide area residents. The plan is unique in that the resource areas will frame and complement the eventual form of the built environment. Additionally the built environment will incorporate many sustainable development components, in effect creating a strong and balanced relationship with the sensitive resource area within the valley. As the implementation plan goes forward the Johnson creek watershed council urges the cities of Portland and gresham to continue to work together to secure funding for natural resource enhancement efforts within the open space network. In closing, the council once again would like to congratulate staff for their efforts in this and like to offer our support and extend our partnership as this plan gets developed through the years to come.

**Katz:** Thank you. Anybody else? Any questions by the council?

**Saltzman:** One question.

**Katz:** Go ahead.

**Saltzman:** Are there any areas of remaining controversy about -- well, about anything, but I was particularly wondering about stormwater management, green practices, sustainable development, between the two jurisdictions or between metro and the two jurisdictions.

**Kelley:** I'm not aware of anything I would term as a controversy. What we have done is pledged to work together as we detail out the rest of the plans, including the infrastructure agreements, and the watershed management piece. Dean marriott was very confident after several negotiation sessions with the city of gresham that they're using an approach very compatible to ours. In fact, borrowed a lot of their methodology from our watershed planning efforts. So we feel confident about that. On the transportation infrastructure side, we pretty much have an agreement about how we would jointly fund the bridges and the pieces of road infrastructure that straddle the proposed boundary line. We feel good about that. We essentially have a very similar approach to our code development for guiding private development. Setbacks from streams those kinds of things have

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been pretty much agreed so I think it's a matter of hashing out the details. We will report to you on those as we come forward with our pieces of our code and comp plan amendment. So I think it's gone extremely well actually. I have to say in the very beginning, I was in favor of taking the whole area into Portland for many of those reasons, to ensure that the development would be of the kind of quality that we aspire to here in Portland, but I was very much encouraged by the conversations with Gresham and how they really stepped up. They've done a good job in their most recent developments already inside the city of Gresham, so we feel very good about that.

**Katz:** That really were the issues that popped up very early on.

**\*\*\*\*\*:** Uh-huh.

**Katz:** All right. There's no further testimony, this will pass to second. And we've got -- well, we've got about eight minutes. Is everybody here from the neighborhoods? Ok, so let's do 238.

**Item 238.**

**Francesconi:** Just thanks for all your work on this. You did a lot of work. We'll say that more at the end, but thanks.

**Katz:** Let me say a little bit of something on this. It's been 30 years since at that time Mayor Neil Goldschmidt had a vision for citizen participation, and not being on the council then, being in the legislature, not knowing all the details of how it was all done, but the bottom line it was done, and neighborhoods have grown and grown, and 30 years is really a time to celebrate. And you're going to hear a little bit about the activities and the vision and whatever else you want to say to us.

**Bonnie McKnight:** Mayor Katz, members of the council, thank you very much for, especially Commissioner Leonard and Mayor Katz, for cosponsoring this opportunity to come tell you a little bit about what we're doing. I want to give you a little background about how we started this. I'll talk to you about who is on the committee across the city. I'll tell you what our goals for this are. And then I'll have some individuals from the neighborhoods join me here to tell you what their particular coalition is involved with and what their particular interests are on the committee and leadership roles they've taken on the committee. Last November somebody reminded us at a coalition chairs and directors meeting that, oh, by the way, 2004 would be the 30th year of neighborhood associations. I think it was important to the coalitions at that point to remind themselves and the community what we were in business to do, the service and the value we've brought to this city, and as all good coalition opportunities we have added ideas as we've gone along. We started meeting as a committee made up of two representatives selected by each coalition, in January. We've had three meetings. Really excellent meetings. Other than that, the people involved wanted to make sure we didn't demand a great deal of extra time from them, because the coalitions seldom have extra time. We certainly weren't going to get resources from the coalitions, because it sure has been a tough one for the nonprofit coalitions. Escalating health care costs have really been difficult. The added burden of the surprises given by the insurance industries to coalitions around liability insurance has been a burden. And just the general difficulty of maintaining staff when in some coalitions you can't afford a cost of living raise for staff, but as all good volunteer organizations, volunteers always have another hour or two to devote to something they think is beneficial. I think that's where we are with this. The coalition area representatives are on our committee are David Allred, Neighbors West-Northwest, Sylvia Bogart, Patty Lee, and Amanda Fritz from Southwest Neighborhoods, Inc., Ross Mond, Lind Bauer, and I coordinate the committee. I'm also from East Portland neighborhoods. Eugene Muir and Susan Hamilton from Central Northeast Neighbors. And today Allison Stoll, the executive director, will be here on behalf of them because neither of them could be here. Janet was going to be here and is ill and could not attend. It will be the only coalition not represented here today. And Allen Kran from North Portland Office Neighborhoods. So we also want to recognize that Brian Hoop of the Office of Neighborhood Involvement and Phyllis Oster of the Mayor's Office have been very helpful to us in getting things done that would have been very time consuming for us to do any other way. The goals of this effort during the entire year of 2004 are multiple and we wrote

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them down to kind of remind ourselves of all the things we thought were benefits out of the process we're going to use. We want to demonstrate the value of neighborhood associations to the city by raising the public awareness of who we are and what we do. We want to demonstrate the structure of the system by providing a mix of citywide and individual coalition and/or neighborhood association activities. We want to more fully engage the city council in public recognition of and support for the neighborhood association structure. We want to maximize the public exposure of neighborhood associations and coalitions as an organizing and outreach resource. We want to demonstrate the social, racial, ethnic and economic diversity of neighborhood associations, their leadership, and their members. We want to illustrate the varieties of ways in which neighborhood associations structure provides opportunities to influence public policy and to improve public accountability for elected officials. We want to illustrate the variety of ways in which neighborhood associations affect practical improvements and build local community relationships. And we want to build public support for strengthening the role of neighborhood associations as the fundamental method of public involvement. We have some themes we've put together. The themes are not meant to belittle boxes of activities we do each month, but the themes are ways of reminding ourselves all the ways in which we connect to the variety of interests and groups and activities in each of our neighborhoods. So we have a list of the monthly themes. This month is neighborhood associations, our role with government. We're pleased to be here today. We're going to start some brief presentations to city council on the 31st. That will be part of that ongoing effort. Next month is neighborhood associations and the environment around us. That will involve parks and open space and environmental protections and tree planting, all of those good things. What we're going to try to do is use these as themes for media information, try to get columns and other kinds of information in newspapers, on websites and wherever else we can put it. With that, I want to introduce individuals from our committee who will be telling you about their involvement. I also wanted to point out that in the back of your packet there's a drawing by Scott Bello of our initial guests at our rose festival float, and Scott didn't want me to publish that, but I thought it was -- it was certainly something I'd be proud of, so I wanted to pass it on.

**Katz:** It's darling.

**McKnight:** First presenter is David Allred from Neighbors West-Northwest and he'll talk to you about what there going to be doing.

**Katz:** Are you going to have an opportunity to have everybody stand up and introduce themselves from where they are? Are they going to come and talk to us?

**McKnight:** You're going to have one person from each coalition because of the time limitation.

**Katz:** Excellent.

**McKnight:** I think Lee Perlman is here, Amanda Fritz is here there both on the committee.

**Katz:** You run the show.

**McKnight:** That's always problematic, but we'll see.

**David Allred:** Your honor and commissioners, my name is David Allred. I live in Goose Hollow, 1674 Southwest Montgomery Drive. I had a couple of comments about what I do and why -- what I'm doing on this committee. I think we've all heard the saying that the wealth of a city is its citizens. And in Northwest Portland, where I live -- or where I work, and in the coalition where I live, we have some of the oldest and most active neighborhood associations in Portland. And today in the Neighbors West-Northwest coalition we have 10 vibrant associations with hundreds of involved citizens who give their time and efforts to help make Portland the best city it can be. In my role as a planner on the staff of Neighbors West-Northwest, I help the citizens in our area deal with land use and planning issues. Portland, as we all know, is experiencing very rapid growth, and in our coalition we have seen the redevelopment of the Pearl, the construction of major transportation elements such as the light rail, the West Side Light Rail, and the streetcar, and the creation of a whole new neighborhood out of former forestland in Northwest Heights. In each case,

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active citizen involvement has made for a better result. Better buildings, better trains and streetcars, and better communities. Our neighborhood associations have worked directly with developers and with the city staff and commissions to refine projects, to avoid mistakes, and to enhance the results for our city. Think of your own experience where you live. Local residents, who are there every day, know the conditions on their block and in their neighborhoods. Their knowledge and their efforts, in partnership with the city, is essential for the health and wealth of our city. In this anniversary year, our neighborhood associations will partner with the planning bureau in a program to enhance our communications and cooperation with long-range planning projects. We will also continue building our cooperative relationships with the development review staff, and with the other bureaus of the city. My job with the committee will be to help coordinate the electronic dissemination of our 30-year banner and of our activity calendar throughout the city, including hopefully a web link with the city's website. In conclusion, show the flag and share the wealth. Thank you.

**Katz:** Thank you.

**Alan Cranna:** I'm allen cranna from overlook neighborhood association, 2414 n wygant. I work out of north neighborhoods services office. I'm a representative from aarp. And north community, we're doing a bunch of activities in time for 30th anniversary. It's april 24. Our biggest thing is the interstate max line, opening may 1, which everybody is excited about and can't wait to happen. The next thing is a month-long arts festival in st. Johns. We have the latin community festival. And we have -- we're taking over the overlook house from city parks, which is a big event in north Portland, and especially in overlook, because we're looking forward to it and proud to take over the house. People are proud we're doing it. We're having the completion of the remodeling of the john james grade school remodeled. We had a fence out in front that didn't look very attractive, and we got community money together and have a new fence up there. Looks attractive on lombard. And we have the st. Johns parade coming up and the children's arboretum, a hidden asset in north Portland. Last year 300 people showed up for the celebration of it. We're going to do it again this year. Then we have the cathedral park jazz festival under the st. Johns bridge, another big draw in north Portland.

**Katz:** And you forgot the big one tonight.

**Cranna:** What's that?

**Katz:** St. Johns/lombard plan.

**Cranna:** Yeah. That's on my schedule, too. Thank you.

**Katz:** All right, thank you.

**Sylvia Bogert:** Good morning. I'm sylvia bogert, director for southwest neighborhoods incorporated. I've been with southwest neighborhoods for almost 24 years, and it's been my privilege to work with hundreds of volunteers that have accomplished many wonderful projects with the cooperation and partnership of the city of Portland. Rarely do volunteers ask or receive recognition for the work they do in the neighborhoods. I have often heard council members remark that their favorite day of the year is the mayor's spirit of Portland awards. Get ready, because this committee is planning an entire year of celebration. Neighborhood associations are bursting to share their success stories with you in order to demonstrate the value they place on public involvement and to encourage new folks to get involved. Also serving on the committee from southwest, as bonnie mentioned, is former planning commissioner amanda fritz and past president of southwest neighborhoods incorporated patty lee. As many of you know, patty lee knows how to throw a great party. And amanda is a wonderful community organizer. One of our volunteer duties is to organize a huge 30th birthday party to celebrate neighborhood associations. The party will be on saturday, june 19, at noon, outside city hall. Mayor Katz and former governor neil goldschmidt has agreed to participate in the 30th birthday party for our neighborhood associations. We're asking to have fourth avenue closed for the party and also hope to use the park across the street. This will

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be a public party, complete with cake and music and the citizens of Portland. Neighborhood associations and coalitions will display presentation boards, highlighting their accomplishments, and passing out outreach materials. It will be a rose festival-sanctioned event, publicized through rose festival publications and announcements. You're all invited, mark your calendars, it will be a party.

**Katz:** June 19.

**McKnight:** I wanted to introduce scott, first of all. Scott is from southeast uplift. You saw the logo on the front page. That logo is a modification of something that came from a brochure probably in 1974 or 1975 that was published by the then office of neighborhood associations. And when we discuss that in the committee, we all thought it looked fine, until we noticed -- until we didn't notice scott's co-representative, mark, from southeast uplift noticed that it was all houses and no people. So mark drew in the people. And it's really the core of why we're here, because neighborhoods aren't buildings, they're people. So I wanted to pass that on. Scott is also someone who came to our committee a little late, but was sure right from the beginning that there was no reason at all we shouldn't have a rose festival float. So one of the things scott will tell you about is the float. Scott.

**Scott Vala:** Thank you, bonnie. My name is scott vala. I live in the mount scott neighborhood association. I'm one of the representatives from the southeast side of town. Mark lakeman, also a board member of southeast uplift, is the other committee member. We both have many years of participation in our neighborhoods, and we've seen a lot of accomplishments and of course a lot of conflicts, which kind of go with the territory, but I think most of the people in southeast and mark and I as well see this as really a tremendous opportunity to celebrate the good things. You know, we kind of -- there's a lot of things that have been done very well with the help from you folks and the neighbors in our communities, and we want to work to celebrate those, bring those out. We want to promote all the good things that the individual neighborhood associations do as well as all of our citywide relationships with the city, the government, other neighborhoods, and everybody throughout the city. Mark as part of the 30th birthday is working on projects through the village building convergence. They have 12 community gathering places they plan to work on by the first part of may, and another thing he's working on at pushing as a major event is to set a world record of block parties in this city on may 30. So if everyone would mark that on their calendar. He's got the forms and everything from the Guinness book of records, and he plans to set a record and possibly even break it again in the fall when we have more block parties. Southeast Portland certainly has a lot of events planned for the summer, but my part of this, of this committee, is the float committee. The grand floral parade, a lot of people asked me, why would you want to be in the grand floral parade, huge corporate event, and everything, but we see it as a way to bring people together for one function and one possibly event. The publicity and exposure is just tremendous. I mean, after all, this is the number one event for the rose festival. And it's an opportunity we feel to show people in the city of Oregon and all across the country our pride in our city and our neighborhood system. And on top of all that, we really think it's going to be a lot of fun for everybody. And that's why a lot of us are in it, because we want to have a good time, too. We're looking at a community float and I'm going to have to contradict bonnie, I will not take credit for the drawing you have there. I did not make that. My daughter did that, and it is a very rough sketch, I agree, but the idea we've come up with is kind of like a float that would have our -- like a healthy neighborhood, so to speak, our vision of a good neighborhood, having fun, interaction, kids, families, houses, whatever. We've come up with a lot of ideas, including kind of seven homes or houses representing the different coalitions. Our plan is to have each coalition do their own particular one, to -- to join in the fun. We kind of want to show kind of unity throughout the city on the float. And we also hope for the float to live beyond the rose festival as well, by making it something we can use later. Each module possibly being used in the birthday party for outreach and

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an information booth in the coalitions, passed around to community events later in the summer, and then donated to other community organizations after we're through using it, as well as any other thing on our float. It's going to be volunteer-built. I think it's going to be a really good thing for everybody involved. And, you know, I wouldn't have thought a few weeks ago that this would ever happen, but with help from Bonnie and this committee, and the Rose Festival Association it really will happen, I think, and I hope it's going to bring back some of the things that the Rose Festival is all about. I'm really looking forward to it.

**Katz:** Thank you, Scott. Thank you.

**Alison Stoll:** Good morning Mayor Katz and Commissioners. I'm pleased to be here today. I'm sorry that Susan Hamilton and Eugene couldn't be here. Susan is on vacation and Eugene had to work. As you know, neighbors love to have a great celebration and have a party. And Susan and Eugene are two great party planners. So one of the things that is very dear to our coalition's hearts are youth, and we were one of the only coalitions in the city. We have a high schooler serving as one of our board members from Madison South Neighborhood Association. Her name is Kezia Stewart and she also won the Spirit of Portland award this past year, and we're very excited to have her on our board. So Susan's part on the committee was to bring in youth into the celebration, and one of the ways that we thought we could do this was with having our children from different schools carrying banners, relating schools and neighborhoods together in the Junior Rose Festival Parade, which happens to be the oldest and largest children's parade in the United States, which is really an exciting event. The event is on Wednesday, June 9, at 1 p.m. in the Hollywood District. There are lots of neighbors that do a lot of neighborhood volunteer efforts with this parade. We started with a cleanup and pickup before the parade ever gets there, and there are volunteers at the parade being like parade marshals, making sure everybody's happy and having a good time. We're very excited about that. The banners will be made by youth to carry in the parade. Everybody that participates is going to get a certificate, a 30th birthday certificate. So we're really excited about this event for our coalition and we look forward to seeing you all there.

**Katz:** Thank you.

**\*\*\*\*\*:** Thank you.

**McKnight:** We again appreciate the opportunity to be here today. I wanted to tell you that we're going to leave at the end of this year --

**Katz:** Bonnie, grab the mic.

**McKnight:** I'm sorry. We're going to leave at the end of this year. We're hoping to leave some products of this year effort. Lee Perlman is kind of leading the charge to put together a history. There are bits and pieces all over town as far as I can tell, and probably in a lot of boxes, closets, and people's homes. We're going to try to identify where they are, compile them, develop an archive, and at least an inventory of where those sources are. We're going to stress the history of neighborhood associations in our birthday party, because we're stressing 30 years. So we're going to do everything we can, and Amanda Fritz and Ernie Bonner are hard at work on it, to identify people important to neighborhood associations over the years, whether that's staff people, public officials, or citizens in those associations. We're also going to start on the 31st of this month presentations in the communications section of each council meeting from two participants. They will start by being coalitions and will end up being neighborhood associations. Each of those opportunities will give you a one-page kind of summary. I was going to say white participate. It isn't that important. It's a summary of the neighborhood association or coalition who's involved, the kind of people who involved, and we're going to equate the hours at the end of each of those times \$10 an hour, and give you a value, give you a finite budgeted value of what we give to the city every year. Those presentations will start on the 31st. Sylvia and Glen, the coalition chair from SWNI, will both be here, start at that point, add the coalitions in, and each neighborhood will do that. We're going to run over. There's 95 neighborhood associations and we don't have 95 council meetings, which

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you're probably glad about. There's not 95 council meetings left before the end of the year. What we hope to do is personalize each of the neighborhood associations, give you a sense of the personalities that we believe they have, and give a sense of the differences among us that illustrates how we can come back together and do work for the single city. With that, we all appreciate the opportunity, and we'll go back to work. Please. As we send information to you, if you see something -- if you want to come help with painting the building for the float, do it. If you want to - I know commissioner Francesconi's been involved in the children's parade in the past. If he wants to be involved in that particular part of the children's parade, terrific. Any of you who want to get involved in the things we're doing, we welcome it.

**Katz:** Thank you very much.

**Leonard:** 30 years I wasn't in the legislature, but I was one of the first members of the concordia neighborhood association and was elected by them to represent them to the northeast coalition of neighborhoods, which I was an active member of, and really was kind of the basis for my future political activity. When I got elected here, I always had concerns that the neighborhoods didn't have the tools they needed to adequately service and bring people in to associations. So we started the trial project out of kenton of a neighborhood service center where we bring services that are based in the community. We work with the neighborhoods to pass an ordinance, the entire council did, to give the neighborhoods a tool that we've locked to deal with misbehaving liquor establishments. I think it's going to empower neighborhoods more than they have been in the past. Having said that, I will tell you that literally one day I was a member of the Portland fire bureau, where I was required to make instantaneous decisions and the next day resigned, became a member of the city council. I've learned that those skill sets don't transfer readily as the head of the office of neighborhood involvement, and I have taken those polite suggest -- suggestions that I might want to be more inclusive to heart. As a result i've committed and been attending every monthly chair -- coalition and chair meeting and have asked jimmy brown to come with me. I'm committed to, while still focussing on providing better services to be a lot more collaborative in how I go about doing that, because there's nobody on this council that cares more about neighborhoods and the rights of average people than I do, and that i've done anything to confuse that message, I deeply regret, because that is not where I come from, that's now how I feel, and I appreciate what you do.

\*\*\*\*\*: Thank you.

**Katz:** Thank you, commissioner.

**Francesconi:** The good things about these council sessions, is they're recorded, too.

**McKnight:** I know.

**Francesconi:** The one thing I just wanted to say, I appreciate your emphasis on celebration. We do need to celebrate. You picked the right day to make the presentation, too. The other thing I wanted to add is, it's good to see -- you know, I think that we build relationships by working together on specific issues, too. So here you're talking about working on the environment, but I also -- which is terrific, and you have a terrific track record in that regard, but I also appreciate that in october you're focusing in on relationship between neighborhood association and our local businesses, and that is very, very important right now. For all the reasons that you know then in september you're also focusing in on neighborhood association and school partnerships. That is also so critical right now. I also wanted to congratulate you on that.

**McKnight:** Thank you very much.

**Katz:** All right. Regular agenda, item 248.

**Item 248.**

**Katz:** This has been introduced as the other one by both myself and commissioner leonard, and i'm going to shift this over to him.

**Leonard:** Thank you. Our superman police officer, officer meyer, is here today with really a quite innovative project that he has initiated. Officer myer has been so involved in trying to reduce crime

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in his area that I commented to his boss, rosy, that I wish we could clone him. Rosy reminded that she had only the energy to supervise one officer myer. He's just done a phenomenal job coming up with programs to reduce crime, to reduce vandalism of cars. And this is just another one his ideas that he needed some help on with respect to waiving fees and those kinds of things, which we are -- the mayor and I are absolutely thrilled to cooperate with him on. So i'm going to open it up to officer myer.

**Jeff Myers, Portland Police Bureau:** Thank you very much, commissioner. Good morning, mayor and commissioners. My name is jeff myers, a senior neighborhood officer for the Portland police bureau and the cities downtown. I've come today to ask you to consider an amendment to city ordinance to accommodate an alcove abatement pilot program in the city's downtown. It entails an 18-month period of time, surrounding five downtown neighborhoods, and involves a waiver of permit fees to abate permanently criminal activity at these locations. It's a collaborative effort between several of the city's bureaus to include the Portland police bureau, Portland bureau of developmental services, Portland department of transportation, Portland fire bureau, Portland office of neighborhood involvement, and the Portland city attorney's office. To begin, i'd like to give you a little background. These alcoves, which i'll describe in just a moment, we at the police bureau get a number of calls for service at these locations on a routine basis. And two forms of calls that we get are radio calls for service to come and facilitate movement of criminal activities from these alcoves, or in many cases we get letters, such as this you see on your screen, signed by community members surrounding request for assistance from police on a chronic problem. The first photo is typical of what we describe as an alcove. It's typically a fire door that's inset that gives cover and some anonymity to criminal behavior that happens there. As you can see, there's graffiti and there is quite a mess on the floor at the entry, typically evidenced by alcohol abuse, as you see the beer can here and wine bottles and also a plethora of drug activities evidenced by the needle here. Another type of alcove we see, this is another business in the downtown, it looks relatively innocuous, but behind that trash dumpster the owner often has individuals going in there and are involved in drug activities as evidenced by the needles actually -- and the syringes -- thrown on the roof of the business, but as well as he's greeted many mornings by human excrement on the steps which he routinely has to clean off. The bureau of departmental services graciously allowed me to work on three locations as a test project. This was the first at 1532 southwest morrison. It's a jewelry wholesale business, and it has a stairway that leads down off the sidewalk to one of these fire doors. The next-door, neighboring business, is evidenced by a letter i'll show you, and also reports by the neighbor, this is an ongoing problem he reported to the police bureau over a several-year period, and his concern was the -- certainly the appearance of the graffiti, and you see down below in the left hand lower corner of the photo some of the evidence of the alcohol, drug abuse. There was feces, urine, and a lot of criminal activity that he indicated had gone on for years in the surrounding neighborhood as represented by individuals coming up from this location and hanging out and throwing further trash and things in the neighborhood. Now traditional law enforcement methods are that we go in and, as you see where there was graffiti, we bring an abatement team in and actually clean the graffiti. Then we go and actually make contact, as I did in this case with the owner, and had him clean it. As you see, just a day after he cleaned it, already evidence of incursion back into the alcove. We sign a trespass agreement with the owner of the property that facilitates us on his behalf to make contact and enforce trespass statutes. But as you well know, because of budgetary constraints at the jail and throughout our system, the trespass citations have proved to be less than effective because we don't have an ability to, at our discretion, jail anyone anymore under these circumstances. So quite often what happens is we give out a number of citations over and over, and what we're really doing is sending the message that there's no consequences associated with this behavior. It became obvious to me would be to erect a gate to prohibit activity. Originally when I had bids for this gate, working with the owner, the bids came



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out to about \$1500. We were able to ultimately find a vendor that was willing to do this gate for \$585. The next problem that arose was in order to facilitate putting this gate up, it would cost \$1525 some odd dollars in permit fees from the city to accommodate a \$585 gate. Bureau of departmental services, very gracious in working with me on three of these locations, and ultimately waived the permit fees. As you can see, this is taken out -- well after this gate was erected. You see no more trash. And what's interesting was the response from the business owner after we abated this problem. What he indicated in his letter was southwest 16th and morrison was attracting street people who gathered to drink and use drugs. Bear in mind this is the neighbor complaining for several years. They left behind needles, extra meant and trash. The odor was foul. Because the stairwell was located across from a bus shelter the shelter itself was used as a gathering place. It looked so bad in the morning that I would pick up the trash there first thing so as not to scare off perspective tenants. He indicates next that we did install the doorway that blocked the stairwell, and that we were able to accommodate this through a waiver of some fees. And his end remark was "as a result of the removal of the stairwell as a gathering site, the entire corner of southwest 16th and morrison has become remarkably cleaner, quieter, and I think safer. I no longer have huge messes to clean up in the area and for that i'm very, very grateful. Mayor and commissioners, I have with me today representatives from the bureau of departmental services, pdot, the city attorney's office, bureau of departmental services on behalf of the fire bureau, and I have representatives from the community at the two locations you saw on this presentation, citizens that have the businesses that we're actually working with, as well as a member of the company that actually constructed that first gate, if you have any questions.

**Leonard:** A year ago I would have said, we don't need to hear from them, we can just pass this, but today i'm saying we should hear from all of them.

**Myers:** They're certainly here among the audience. It's at your direction.

**Leonard:** I would like to hear.

**Katz:** Jeff, thank you. Let's put the lights -- why don't you bring them up. Let's put the lights on.

**Francesconi:** One --

**Sten:** One question. It makes sense and it's good work. I didn't notice on your list of partners housing and community development, and i'm wondering if you've had a chance to talk with the organizing groups working with homeless people these days. Obviously this is criminal activity, which is different, but I hate to get this misinterpreted as sort of another attack on people who are sleeping where there's no place to sleep.

**Myers:** Certainly, commissioner Sten. That's a very good question. I want to emphasize this is only one of about eight pilot programs we have up and running in central precinct. It's really more or less a comprehensive plan dealing with a convoluted problem within a broken system. Certainly your concern surrounding potential displacement is certainly at the forefront of what we're doing, and we actually, in the other pilot programs, have addressed that to a major degree surrounding working and referring in the other programs to social services to indeed try and help by changing a behavior and applying services and resources to bring to bear with people that are having problems.

**Sten:** Thanks.

**Myers:** Jeff joslin I believe is here from bureau of departmental services. Allison is here from Portland department of transportation. Mike from one of the business. Why don't you come up, mike. Mary from basco is here. [inaudible]

**Katz:** I'm here, but the other boss.

**Myers:** Certainly. Commander Sizer, if she wishes to address it as well.

**Katz:** Thank you. Who wants to start?

**Jeff Joslin:** I'll be brief. We welcome this opportunity to participate in this project that is clearly going to add safety to sic problem areas in the neighborhood. I think the -- early on in this

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discussions about how -- how to approach this procedurally, bureaucratically, we talked about the prospect of waiving the process completely for design review. Ultimately we decided that we didn't want to substitute one visual problem for another, so in the interest of both equity and environmental consistency we decided to go ahead and continue to use the design review process as the mechanism for reviewing the specific requests. The other reason this is a positive is because each of these -- the majority of these cases are going to have a fire life safety issues associated with required egresses. This will allow a typical notification process to various potentially affected agencies, who will then be able to respond accordingly.

**Katz:** Thanks, jeff.

**Michael Caruso:** Hi. My name is michael caruso, I have the leaky roof pub and grill, and one of the businesses that has one of the problems with the syringes to the point where there'd be thrown on the roof. Excrement in the alleyway, behind the trash cans, and I haven't been talking about officer myers, and I would appreciate any help I could get from the council and/or the services available to us.

**Katz:** Thank you. Anybody else?

**Saltzman:** Can I just ask a question. On your particular property, i'm not sure how this gate would work. Would it go behind the dumpster? Would you install like a -- some sort of a gate behind the dumpster or in front?

**Caruso:** Close that in and open it up with two doors, and allow the dumpster to be pulled out, close it back up, and lock it again.

**Saltzman:** So basically some sort of a gate across the entire alley?

**Caruso:** Not across the entire alley, just the area that -- that we own.

**Saltzman:** Ok. Thanks.

**Katz:** You can, go ahead.

**Mary Hellman:** I'm mary hellman from basco at 1411 northwest davis street. We were the first alcohol area that you saw there. That also happens to be our fire escape. If they were at work, there was a fire, we'd be opening the door on to whoever is laying there. And whatever trash is in there. But I appreciate any help you can give us, too. Anything will help. It's such an ongoing problem.

**Katz:** Thank you.

**Hellman:** We're also looking at having a gate put up in that area.

**Katz:** Thank you.

**Alex (?):** Mayor, commissioners, working with officers myers we've been involved in this program and we see the merit. This is certainly something that pdot has an interest in that we can provide some service with minimal impact to us, but provide public safety, and we're very excited to be a part of this program.

**Katz:** Good.

**Art Hendricks, Office of Neighborhood Involvement:** Mayor, members of the council, art hendricks, crime prevention program manager with office of neighborhood involvement. I want to say that we're in support of officers myers' projects and have been involved in a number of collaborative projects with him. William warren, the crime prevention coordinator for that area, will work in partnership with officer myers to identify future sites. We often get complaints about these same types of thing and think this is a useful tool to resolve this livability issue.

**William Warren:** William warren, office of neighborhood involvement, crime prevention program administrator, located at neighbors west-northwest coalition. I can tell you that this morning before I came down to -- to speak with officer myers and mark hendricks, I was at a meeting of the knob hill neighborhood association and told them about this for businesses that wish to participate. Folks looked up and said, we want to know more about that. I said hopefully at the free crime prevention workshop held on saturday, april 3, at neighbors west-northwest that they would be able to speak with officer myers and other members of the police bureau and myself as to the disposition on how

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council votes on this and as to whether or not this would be something they could partake in, because as you well know throughout the entire city businesses are impacted by individuals who make inappropriate use of business property. I ask that you support this. I've been with officer myers out in the field and have seen these things firsthand.

**Katz:** Thank you. Commander, why don't you come on up. He's one of yours. [inaudible]

**Kathryn Beaumont:** Mayor and council members, i'm kathryn beaumont with the city attorney's office. I met with officer myers and conferred with jeff joslin and others in the bureau of development services, and took his ideas and translated them into ordinance language. This is essentially an 18-month pilot project. It does not effect a permanent change in the code. I'm here to answer any questions you might have about the ordinance language.

**Katz:** Thank you.

**\*\*\*\*\*:** I didn't come prepared with a lot of things, other than I wanted to --

**Katz:** Rosy, identify yourself for the record.

**Rosie Sizer, Portland Police Bureau:** Commander rosy sizer, center precinct. I want to soak what commissioner leonard says about the innovation and collaboration that officer myer has exhibited in this project. I think this is a real winner for lots of folks. And I hope that it results in a more livable downtown core as well as the reduction in crime rates, especially property crime rates in the target area. I think it will.

**Katz:** Thank you.

**Leonard:** Rosy, you want to comment on having more than one jeff myers under your command?

**Sizer:** No. I think you did that relatively well.

**Katz:** I didn't need to ask jeff, because he thought of it even before I did, to begin to track the crime rate so that within this 18 months, breaking down all of the crime elements, to see -- to see whether this has had some impact. So he had already thought about it, actually started a chart for us, did some history on it. So we'll be able to see the results. Jeff, good work again.

**Myers:** Thank you, your honor. And commissioners.

**Katz:** All right. Anybody want to testify on this?

**Katz:** Marc, we'll start with you.

**Marc Jolin:** Good morning, mayor, commissioners. My name is marc jolin. I'm the staff attorney for the homeless law project with the Oregon law center. I'm here today to just present the perspective of folks living on the street. Based on my experience working with them. I don't have any doubt that there are problem alcoves, and that a project like this may be necessary, but there is going to be a secondary effect on a large number of homeless people who use alcoves as a shelter of last resort on any given night. During the snowstorm that we had this winter, I went out in the evenings and the majority of people that I saw were huddled in those very kinds of alcoves to get out of the weather. As you know, there is a process going on right now to develop a plan to end homelessness. And part of that process is bringing together all of the stakeholders, including the police and the downtown business association, advocates, homeless people themselves, to try to find creative solutions, creative policies that balance the competing interest of these different stakeholder groups. It seems to me that an alcove abatement project is the kind of policy that ought to be rolled into that planning process. And we're not talking about delaying it for a long time. It would be a matter of months. But it would give the full breadth of stakeholder groups to think about how it's currently crafted and see if there aren't ways that it might be tweaked, I guess, to better balance the interests. My concern with the way that this is set up now is that it creates a very strong incentive for businesses, both that are having problems with their alcoves, and business that aren't having problems with their alcoves, to put up fences. And I think that may be something that could be addressed through an additional period of review with other groups casting eyes and having been part of the conversation for this project.

**Katz:** Thank you.

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\*\*\*\*\*: Thanks.

**Mike Dee:** Howdy. Mike dee, liberation collective, 133 northwest sixth, Portland, Oregon. I wanted to comment today on the waiving the fees for design reviews and other required commitments. These fees you're waiving, we had a presentation on this ordinance, and it didn't talk anywhere about the fees that you'd be waiving. We're talking about waiving fees for a type two design review and any related permits to installing these gates. And so i'm wondering, since the reviews are still going to be done, where the funds will be coming to do that, and then what happens to the funds that often go towards doing that. So that wasn't presented. It wasn't on file in the auditor's office either. Also, stuff that wasn't on file was the maps that -- of the areas affected. The building regulations, the zoning codes that will be affected needed to be changed. And I think we have a lack of information in the documentation, also in the ordinance. It didn't list a number of the groups that officer myers is working with. So that makes it difficult for the public to double-check the information. For example, I went to the bureau of development services yesterday and asked for information on the alcove abatement pilot project. After going to three different floors, they sent me to yet a fourth and fifth different floor, different offices. No one seemed to have any information on this. They did give me some names, but those people were out. If this is a project and it's written up and well documented, it shouldn't be difficult for someone to be able to pull out a flyer or something like that for me. I think we have a lack of information here. I think it's too soon to make a decision on this. I don't see any signoffs of any neighborhood associations in the affected areas on the documentation here. I think it's -- I think it's a great idea. I understand the opportunity to create a better community, but I think it's -- it's -- this isn't quite the way. One of the projects that officer myers worked on was a community garden, and he felt the way to help the community was to get rid of the garden. That's not the kind of community that i'm looking for. I'm looking for a community where people work together, I think a community garden, for example, is an excellent opportunity to bring the community together. But anyway, back to the gates. I think -- oh, ok. Had a business on third and burnside. You might have heard of it, the liberation collective. We had gates there. They were already put there. This didn't stop the opportunity of any crime activity that you might have -- you might be referring to, of any potential garbage or people sleeping there. In fact, if you still go down to, you know, second and burnside, third and bush side, you might even see people there tonight. Well, maybe not tonight, because now that will -- I just jeopardized their sleeping space.

**Katz:** Thank you.

\*\*\*\*\*: Anyway, thank you.

**Israel Bayer:** My name is israel bayer, north kirby. I want to touch on three points. I think this could be a great plan, but I think that we need to look at it as a full community. I think the target areas that are going on with this ordinance, the neighborhood associations outside of these target areas are going to be affected a great deal, because what happens when you displace people who are homeless, which I think this ordinance will do ultimately, neighborhood associations in inner southeast and other areas in the target, that this ordinance is targeting, will have to deal with the problems that the downtown precinct is dealing with. So I think that the answer, we need public restrooms, we need a multitude of things to deal with these and short-term solutions. The neighborhood associations haven't been filled in on this. There's a 10-year plan to end homelessness, the right to sleep campaign, and the homelessness working group. As i'm aware of, none of these forums have been notified of this ordinance and what the effects will be. So I just want -- I just want to be here today to say that I think this ordinance should be discussed more as a community.

**Katz:** Thank you.

**Susan Pearce:** Good morning. I'm susan pearce, 3142 southeast 25th avenue in Portland, 97202. I'm a member of the hosford abernethy neighborhood association board and also a member of the

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southeast step lift homelessness working group. This issue hasn't been discussed by either of these groups. I only just learned this yesterday, so we've not had a chance to discuss it, however I reference those groups as a point of knowledge on some of the issues here. I well appreciate the problems, issues, that were described by the officer. We have the same problems. Our businesses in southeast Portland have the same problems. However, every time there is a program, such as the sit live program that was enforced in downtown Portland it doesn't -- it solves the problem for downtown Portland, but does not solve the problem, it merely shifts it across the river to inner southeast. It doesn't go away, it just changes places. People are still looking -- people who have no roof over their heads for any number of reasons, in many cases through not -- not through choices of their own, are still looking for places to sleep, places to toilet. So i'm asking you not to be hasty in making this decision, but to spend time, take time, and allow time for thoughtful debate, transparent discussion with the groups such as neighborhoods, not just the northwest Portland neighborhoods, but other neighborhoods who will be affected, which is all over the city of Portland, along with groups working closely on the homelessness problem, such as affordable housing now, sisters of the cafe, street routes, and the other usual suspects. This may ultimately be part of the answer, but I think we need to involve everyone and look at it more carefully. Thank you.

**Katz:** Ok.

\*\*\*\*\*: Good morning, mayor, city council, neighbors. I agree that the --

**Katz:** Identify yourself for the record.

**Richard Koenig:** My name is richard koenig from buckman neighborhood. Thank you. I agree that the underlying problems have to be addressed, and they haven't been. And one of the consequences of not addressing the underlying problem is the attendant cost. As officer myers noted, it's going to be quite costly to put this thing to rest using the methods that he's talked about, unless he can get some waivers, but i'd like to highlight the problem by proposing these two amendments to myers' program. In this beautiful city of roses, there's just simply no excuse for street people to wake up and then try to escape reality. We have a lot of roses here. I think they should be required to smell the roses at least every day or whenever they feel inclined to escape reality with drugs and alcohol. There's just simply no excuse for that kind of behavior. As a second measure, I believe that every provider of meals to homeless should require that those they feed agree not to move their bowels unless they can an open restroom. Now those are the only two kinds of ordinances or measures that should be adopted into this ordinance that will solve the underlying problem.

**Katz:** Thank you.

**Koenig:** When you make it so that people can't try to escape from reality, when you make it so that they can't move their bowels, then you'll have the situation covered.

**Katz:** Thank you. Anybody else?

**Moore:** That's all who signed up.

**Katz:** Anybody else want to testify? Officer myers, is there anything that you want to respond to that you heard that you feel you need to respond to?

**Myers:** No, your honor.

**Francesconi:** Actually, I have two questions.

**Katz:** Come on up.

**Francesconi:** I don't know if you can answer these questions, because I don't think they're directed at you. So it will make maybe one the other staff people. A legitimate question was asked about cost, and I think that is a very fair question. Somebody will have to address the issue of cost. The second issue is the question of displacement. It seems to me that high-targeted areas, they're highly impacted areas, such as the inner southeast side should have the same program. So I guess I -- those are my two questions.

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**Myers:** The first I think would be best answered by jeff joslin with the bureau of departmental services. The second I can actually maybe respond to your satisfaction in that all these programs that we're working on in the central precinct, the groundwork has certainly been well laid and we're working the success of these and they can be readily replicated in other locations based upon decisions certainly higher than me surrounding their effectiveness and their application to other locations. So if that answers it. I mean, they can be replicated at your discretion or others' discretion.

**Francesconi:** I guess my request, and I think the commander is still here, is to look at this, and as you're testing whether it's effective, look at the other highly impacted areas and start beginning coming up with a plan about how we're going to potentially help other areas. You don't need to respond.

**Joslin:** Jeff joslin, bureau of developmental services. In terms of costs, the associated costs overall are going to be a function of how many of these reviews we have coming in over this 18-month period and that cumulative loss of fees and cost of providing staff. It could be as many as -- a few as a couple dozen and perhaps as many as 100 over the course of the next 18 months, according to officer myers, depending on how successful he is in encouraging various property owners with problem sites to participate in this process. The basic intent is to remove the primary disincentive to these private property owners improving their property, so they would be bearing the real construction costs, we're just talking about the waiver of the fees. Where that money will come from ultimately, I suppose you'd have to say would come from the general fund. Any difference between funds, fees generated, and funds we require, typically from that source.

**Katz:** I tell you what, since we're working on the budget now for 2004-2005, i'll review that to make sure that there are funds within the categories to cover the potential costs of this program. Ok?

**Joslin:** Thank you.

**Katz:** In fact, we shifted some money over to b.d.s., not necessarily to design review, but over to b.d.s. for land use review. We need to see whether there can be any other shifts occurring. Thank you. Any other questions? Let me respond -- no. Let me just respond generally to this shift from one neighborhood to another. You know, we do -- we are a city of a whole, and we have measures all over the city that deal with problem -- we call them neighborhood hot spots. And missions occur in those neighborhoods. They're all over the city. And those -- once a mission is done in northeast, we see the impact in other neighborhoods as well. So it's unfortunate that we can't solve all of our societal problems, but if you -- it's like a balloon. If you press it on one end, it pops up on the other. And downtown seems to be the -- the place, in close downtown, close to southeast, seems to be a place where these shifts occur. And the downtown especially for all of the obvious reasons, but services are there, the public parks are there, people are there, and so we try to deal with those hot spots in all of our neighborhoods. If this works, makes sense, and we have the fees to cover it, and in fact this is probably well worth making sure we have the resources to cover it, we ought to extend it to other parts of the city. Thank you.

**Leonard:** Somebody just handed me a note, a question for jeff. Do we have an ordinance currently that allows for fee waivers under certain conditions? I mean, again, this was passed to me.

**Joslin:** Yes, we do.

**Leonard:** And so why do we need to do this instead of just using that?

**Joslin:** Eighths fee waiver that's based on -- it's a fee waiver that's based on individual economic demonstration of need.

**Leonard:** I see. So a different set of criteria?

**Joslin:** Right.

**Leonard:** Ok.

**Katz:** Ok. Roll call.

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**Francesconi:** There's four issues here, four lessons to learn, but there's an important role for government. I've been a little surprised, though, since being here how we're going to solve every problem. I heard a new one today -- we're actually going to force people to smell roses. That's beyond our ability here. But on the serious four lessons here, one this is community policing. Officer Myers, you're to be terrifically congratulated. This is an example of community policing in action. And this is what we need and this is what we value. The second is, you know, it's tough for a small business owners to make it in this economy. There are advantages to being downtown in the central city, but there are disadvantages. And alcoves are not part of our homeless system. To shift this burden to a private property owners, who are struggling to make it, it's not fair. Three is we do have an -- and it's not over yet, it's only getting worse -- the issue of homelessness, given the absence of a safety net at what's happening at the state and at the county. And so we do have to take advantage under commissioner Sten's leadership to use a \$7 million that's come in to this community for homelessness to help expand the shelter network, but also to create more low-income housing and perhaps to fill up some of the vacancy rates with low-income, 10% vacancies in some of our apartments, at the same time we're forcing people to live in alcoves. We have to redouble those efforts. The fourth lesson is the city united, we're waiving fees in order to accomplish a very important purpose. And we have to be very careful, because we have to exercise more constraint in our budget in order to be able to do this, but we also charge the Lincoln boosters who built a world class track and field, that was opened this past Saturday, \$100,000 in permit fees when they raised \$2 million to get a world class facility that our schools and our young people deserve. So there is a pattern here that I didn't -- that we have to examine about how we're going to encourage other efforts to keep families and to support community policing as well. So thank you for doing this. And we have a little more work to do. Aye.

**Leonard:** Well, I have been a very supportive partner of commissioner Sten's various strategies to address homelessness, and I will continue to be. I think that's really important work. And I -- he can count on me to be a partner with him in whatever effort, strategy, we might develop. Having said that, I do agree with commissioner Francesconi, that the issue that we're dealing with here of possible criminal activity and certainly some of the things that are left in alcoves, needs to be addressed. And, you know, officer Myers, I've told you before, and I'll tell you again, that I wished we had public servants that came from your mind-set, of trying to identify problems, come up with solutions. I mean, I'm very impressed. And I'm very grateful that Jeff, you know, replied in kind with the same kind of thoughtful, creative, solution that this ordinance reflects. This is a great work. And it's the kind of stuff that makes Portland a better place. Aye.

**Saltzman:** Well, this is a good pilot project. I want to commend officer Myers for devising it, and running through all the hoops to get all the other bureaus on board here. I think some of the legitimate concerns expressed about impacts on adjacent neighborhoods, impact on homelessness in general, are the type of issues that can be aired in the broader context of an 18-month pilot project. We'll learn from this. But it's important to do it. I mean, you're not going to learn by just sort of looking at the concepts, having big discussions about this from a global level about impacts on homelessness. I mean, let's get examples on the ground and see what the impacts are. These are issues that need to be dealt with, and you've come up with a great community policing solution and we ought to go forward it. I think the impacts -- the fee waiver issue is an issue, and I'm glad that Mike Dee raised that, and I'll be looking forward to see what is the cost impact as we consider whether to extend the citywide or extend this pilot program in the future. Aye.

**Sten:** I'm going to support this for a couple of reasons. I mean, first I think it is good community policing, and it's a very good way for property owners to work to solve a problem. If any city is recognized for a long time, that the built physical environment has an impact on behavior, both good and bad, it's Portland. I think this fits right into what we've tried to do for a long time, which is trying and design a city that encourages the right approaches. So I am going to support it. The

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other reason i'm going to support it is that the council's absolutely accurate that the entire council has been very aggressive and supportive these last couple months in trying to call people together and basically say the situation with homelessness is getting worse, and we need to do more. We've gotten quite a few million dollars in very competitive processes to help, but more than that we're trying to think how we do things and what is the next phase, because the homeless problem is a disgrace in this country that's several decades old, and the strategies aren't working, period, and so we have to do more. That having been said, we've worked for a long time to create the crossroads group, composed of homeless people themselves, and I think it's a very interesting experiment that's working well. The other is this blue ribbon commission. And the third is the working group from southeast on homelessness. I think it's kind of unfortunate, although i'm not getting worked up about it, that none of those groups kind of got into the loop on this, and those groups include my office, because it just creates a sense that maybe they would disagree with it. I'm going to vote for it, because kind of the point person, i'm going to go with the conclusion that this makes sense, I would just prefer to be able to say that because we looked at it with those groups rather than having to go on my judgment. It's a minor issue, but it's one in the same way that Portland has succeeded focusing on the built environment in a way that's proactive and supports community, we've also succeeded in making these outreaches in a timely fashion. In this case it didn't happen, but I don't think it will change the result. I think we have the conversation in the forums we've created. Aye.

**Katz:** Officer Myers, thank you for your work. Thank you for your work on larceny, auto theft, and all those other livability issues in your jurisdiction, which is the northwest/southwest area, especially the work in goose hollow. Greatly appreciated. Aye. [gavel pounding] all right, 249.

**Item 249.**

**Katz:** Let me say a few words, and then i'll turn it over to commissioner Sten. In the fall of 2001 we began to really look at reviewing the land use and the patterns around the rose quarter. We spent a lot of time looking at the memorial coliseum. This effort has been going on for many years. It had had extensive public involvement and a lot of analysis about how do we turn the area around the rose garden inside out to connect with neighborhoods as opposed to be so insular. We also thought through, what are our options? The memorial coliseum is a beautiful building. Hopefully some day it will be on the historic register. It should be. We can continue using it for what we use it for now, but it will cost a lot of dollars to meet the maintenance needs of that particular building. The funds for the memorial coliseum are dedicated funds. It's a special fund. It isn't general fund and can't be used for anything else that everybody on the council here would like to use it for. It's dedicated primarily for the maintenance of these facilities. The fund is getting smaller and smaller for a variety of reasons. The idea of a future use for the memorial coliseum has raised the issue of the use for the park. You're going to hear about it today. I spent with a group of citizens several -- probably three or four evenings in the last couple of months brainstorming what the uses ought to be and should be, with a lot of very creative people. And we came up with ideas that all of you could get very excited about, but the one that kept coming up to the top was the notion that you're going to hear today. The issue that we had to face was, ok, how do we finance it, what's the economics of it, because we don't have the resources to maintain it or operate it. It's going to have to be self-financed in terms of the operation of it. And how -- and how do we get other people in the community, other institutions in the community, interested in participating with us, and is it -- is it doable? What we really need now is an economic feasibility of the use of a facility for a project that is a major, major recreational, major athletic training and recreation complex. I was in the american leadership forum class one where part of our outdoor-bound experience was followed by thinking through projects for the city that we would want to get involved w. I at that time was interested in mentoring young women. Earl Blumenauer was interested as branding the city of Portland as the sports capital of the world. We did the mentoring of the women's project, but the more I think about how the city has developed in terms of bringing the strength of Nike in the



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community, the strength of adidas and columbia sportswear, the role of the health scientists center, he probably was on the right track and ahead of his time in identifying one of the issues -- one of the areas that we certainly can brand ourselves. So after all of these evening meetings, we called them -- we just sat and talked and thought through ideas. No idea was a bad idea. This one continued to rise to the top. You know that this council -- and I feel very strongly about not taking down this building. It would be much easier if you wanted to begin rethinking this particular geographic area, to take the building down and build whatever you want to build, but it is a lovely architecturally special building in the city of Portland. It is also, as you probably will hear today, a memorial for our veterans, which is very important. In the conversation with our veterans in the past has been, whatever we do with the coliseum, you will have a very prominent place in its architecture and its design. In fact, many of the veterans said that, if you do anything with it, we might even want to consider a memorial that's more distinct somewhere else. Now I don't know if there's a unanimous feeling about that, but the point is that this council is committed, and I'm personally committed, to make sure that we don't ever, ever forget why this building was built. In the memory of all of the veterans who worked, many of them passed away, died, for this country, many of them are here in this audience. So we have to think about the future of this building. It could very well be that after we finish all of this we make a decision collectively that we leave it the way it is. There are other ideas, but this one keeps coming up to the top. A lot of work has been done, a lot of private resources have been placed in the design and in the thought of it. And commissioner Sten and I have had conversations about this, and an interest in beginning to take that next small step jointly with the private sector to see if this is economically feasible, if it makes sense, who would our partners be, and what would it actually look like. Before I turn it over, let me add one more thing. I know that there is a desire on the part of residents in southeast to turn the Washington high school this into a community center. This is not a community center. And the two are not in conflict with each other. I need to share that with you. And I know we're going to hear some testimony on that. Please listen carefully to the ideas that are going to be presented to you, to see whether this is in the conflict of the future with Washington high school for the southeast neighborhood. Commissioner Sten?

**Sten:** Thank you, mayor Katz. I've been captivated myself by the idea of a public athletic facility at the memorial coliseum since a team of private folks put this up. I've thought, you know, this really to me could be kind of two things that I think are critical. One is the kind of public facility that is very hard anywhere in the world -- hard to find anywhere in the world, and could be in a lot of ways like a waterfront park several decades ago, where we do something large and for everyone. Some of the things I've cared a lot about, if this is a world-class athletic recreation facility, can we do it with fees everybody can afford, and can we make sure that people can't afford any fees, have full access to it? Make it that kind of place. I don't think it's overstating this to say, if you believe at all, as I do, that much of our future economy is attracting creative people, building a climate in which people want to live because they have choices and jobs, I think this is the kind of facility that ought to symbolize what Portland's all about. You know, a place where an active community can go and work out. I love spectator sports, but this is a community where can you do more spectator sports because everybody's out doing their own thing in the summer and other times. This would be that kind of facility. We need to take a different approach. You'll hear from ohsu today to encouraging people to be fit and to work out and do those type of things. One of the crisis that's going to hit our budget and I think every budget in the next few years is health care. One thing you'll hear about today is the more you do wellness programs, the more you have places where people can come and focus on these issues, the better. Obviously this is a grand vision that I think just about anybody in the abstract would say makes sense, so it really comes down to is it just a joke to talk about in these economic times, to doing something kind of large and for the public good. And I have spent a lot of time and worked with my staff on this, and have been hesitant, up until today, and I'll just talk to

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this why to spend even the coliseum funds money, the money used to study these pieces, the spectator facilities fund, to take this further, because if you can't say with a straight face we might be able to pull off an athletic recreation complex, then why should you do it. Two things have come along. One is that doug obletz, his team, and folks at the city, have come up with an idea, a combination of federal and state tax credits that are available to restore historic buildings, which this certainly is, do energy efficiency, and do economic development. It would be tricky, but I think it's possible. That's what the study will figure out. The sec is the salvation army has announced, and I think people know this, that they're going to put \$80 million into some community in this area, and basically the area is a small section of the northwest to build a major facility, which actually happens to look a lot like the mark drawings. So I think this community would be absolutely remiss not to go after that opportunity, not to say to the salvation army, are you kidding me, we have a memorial coliseum sitting right here, an active facility, and have a whole way to look at these issues. I think, though, and who knows if that will work, who knows if that will make sense, but having those conversations and making a proposal makes sense. In addition to the bigger picture, we ought to be thinking as this as a veterans memorial complex, because you may have a nonsalvation army center, done with tax credits, but also a lot of land around the coliseum. You probably would have to search hard and wide up the west coast to find a more vibrant real estate market with a more lackluster center in the middle of it than all the stuff up and down lower broadway. You could find more abandoned stretches of real estate, but not in a town that's got the kind of development going on that this town does. We need to do something to spark it, at least the thought of sparking around the sports facility, around wellness, people getting active on the transit hub, I think could be very wonderful. My sense is that our chance to spark the imagination of all the creative industries that do sports in this town is going to be much better if we can take this next step and have a more solid game plan. Two things I did want to speak to also. On the issue of the southeast community center, I think we can design a southeast community center and a regional facility that work together. Certainly that's within the realm of imagination. I also can understand why some people would think that we cannot. What I see this next phase of work in doing is answering that question. I really want to encourage people to not try and answer that question until we've had a chance to really take a look and do that. If you look at the crock facility in san diego, it features facilities that I guarantee you no neighborhood is going to want, like huge state parks for kids, like things that are not typically at a community center. So I think whether the two work together remains to be seen. It is possible they may not work together, but it is also possible they might. What I see this next phase as doing is giving ourselves six months, something like that, to really dig in and try and answer those questions. I'd really hope people would allow us to work with you to try and answer them before either side answers them for sure, because I think we just -- we just don't know. But I think that whether they work or not really comes down to two things -- programming, do you have complementary programming with unique draws to both sides, and funding, enough funding to do both. I'm not ready to move forward on the mark unless we can answer the question how it works complementary with the Buckman or Washington high school community center. That's my commitment at this point. It won't take a lot of debate, but I did after some more conversations this week veterans groups draw up an amendment to the resolution to make explicit what I think every council member has already said many many times that the role of the veterans in this -- in this movement forward needs to be central. And so what I did was -- karla has copies if anybody in the audience would like them -- is add a whereas, which is whereas on January 8, 1961, memorial coliseum was dedicated to the advancement of cultural opportunities for the community and to the memory of our veterans of all wars who made the supreme sacrifice to preserve for us the inalienable rights of life, liberty, and the pursuit of happiness. End of quote. That's the whereas. If you jump to the resolutions section of today's document, I added, be it further resolved that the city council directs city staff to work closely with local veterans group to ensure

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that concrete plans for a revised enhanced veterans memorial complex are both developed and implemented as an essential feature of any future use of the memorial coliseum. Just to make explicit what I think council has said all along.

**Katz:** Ok. I'll take a motion.

**Leonard:** So moved.

**Saltzman:** Second.

**Katz:** Any objections? Hearing none, so ordered. Let me just add one thing that I forgot to mention, and both commissioner and I neglected to mention that this is a partnership. The private sector has to step up and put the same amount of money on the table before we even proceed. So if there's not interest in the private sector, this isn't going to move forward. All right. I have a list of people who want to testify.

**Hank Ashforth, Ashforth Pacific:** Good morning. Thank you very much. Hank ashforth, c.e.o. of ashforth pacific located over in the lloyd district. And I think we've got a short powerpoint presentation here that francesca is going to present to you. I'm got comments and other testimony from fellow members of the marc citizens advisory group that we've put together, actually has been together for over two years now.

**Katz:** Hank, let me ask you, is this linn and bernie, fred, all these -- i'd like to bring them all up.

**Katz:** Some are in the audience, absolutely.

**Katz:** Ok.

**Francesca Giambetti, Ashforth Pacific:** Thanks. My name is francesca giambetti. On behalf of doug obletz, who couldn't be here today, i'm going to give you a brief preview of the marc project. Starting with an overview of the project objectives, which are to restore memorial coliseum's landmark status as a premier sports venue. Strengthen the community by developing a large-scale community recreation facility to serve kids, families, adults and seniors of all income levels, who live in Portland's close-in neighborhoods and the region as a whole. To create a world-class training and competition facility, to serve local, regional, national, international competitions. Develop a state-of-the-art sports medicine center to promote health and wellness in the region. Whose tourism and the local economy by attracting regional, national, and international events that support the facility as well as local hotels, restaurants, shops and services. And finally to collaborate with the private sector to create a successful project. The program as it stands to date includes a large aquatics center has a 50-meter competition pool with diving pool, a 25-meter pool, a regulation-size ice rink, flexible court space for basketball, volleyball and other flat floor activities. Two fieldhouses and a 50-foot-high climbing wall. In addition there's the opportunity to introduce a number of other facilities into the marc, including things like a youth center, the ohsu health and wellness center, we'll we'll hear more about, skateboarding park, indoor track, as well as a youth tennis center, which based on some community input we're now looking at placing those facilities on top of the city's parking structures across the street from the existing marc. Clearly there's a lot more work to be done on the programming side of things. If this project works forward, we'll work with the community to continue to identify where the needs are and also work with the parks bureau and other facilities to ensure that the facility does not -- it complements rather than competes with any of the existing or planned facilities. The marc would be promoted as a convention center for sports. We've worked with a number of sports organizations and developed an extensive list of event opportunities for local, state, regional, national, and international competitions that range in sports from basketball to track and field, gymnastics, hockey, even extreme sports, like the x-games. And as you know, the facility is in a remarkable location to serve the region and also attract these national and international competitions, with its proximity to the convention center and the rose garden, immediate access to transit and proximity to the downtown core. There really isn't a facility of this magnitude in an urban center anywhere in the united states. So this is truly a unique opportunity. The plans, as they exist today -- first of all, the building itself

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is well -- well designed to meet this adaptive reuse. It's essentially four columns supporting the roof structure with a glass curtain wall and the seating bowl is an independent structure, so leaves a clear span box that we plan to build into, with essentially three levels of facility space. At the lowest level is the aquatic center with a 50-meter pool. You can see here the 25-meter pool, the aquatic park, the regulation size ice rink. At the main entry level, off the plaza, is where the flat floor space is that can accommodate the basketball and volleyball, a number of other sports. It's open to the competition facility below, and there's a 50-foot-high climbing wall. Sorry about that. And then the top floor includes the two field houses and some additional court space, and then, again, the climbing wall that extends up into the top floor as well. And this is a computer rendering of the building, and also a concept plan here, of course we'll work with the veterans to develop a true design for this, but this is the idea of bringing the veterans memorial up to a more prominent location up to the plaza. Of course maintaining the building, which in and of itself will continue to stand as the veterans memorial as well. There's a number of emerging opportunities that have surfaced recently, including the potential for some new partnerships with ohsu and the salvation army and kroc initiative. Promising capital funding sources with a combination of new market and historic tax credits, as well as the kroc initiative, as well as new operating income sources. The marc is poised to develop some strong partnerships with a number of organizations that exist today. Everything from like self-enhancement inc., to pova, colleges and universities, the parks bureau, veterans, of course, and the two new emerging opportunities with ohsu and the salvation army and kroc initiative. Ohsu is interested in exploring the opportunity to incorporate a regional sports medicine and health and wellness facility into the building, including two centers. The first being the center for health promotion and sport and science, which includes a sports medicine research clinical care and wellness facility. The second is the acronym awesome, the Oregon collaborative for complementary and integrative medicine. These centers would be incorporated into the existing exhibition hall, which to date hasn't been programmed. It's about 48,000 square feet. They could be using any portion of that space. The ohsu would then have direct access to the marc athletic facilities and interface with the marc users and athletes training and competing in the marc. You can see where the exhibition hall is. It's under the plaza level and connected to the lowest level of the marc facility. The kroc initiative, sort of mentioned, the joan kroc passed away last year, and one of her final philanthropic gesture was a \$1.5 billion donation to the salvation army to develop 20 to 30 community centers across the country. And the prototype for this is a facility that they funded in san diego recently. And as it turns out the goals and objectives of the marc and the kroc are an excellent match. The facility we're proposing for the marc is quite similar to that that exists in san diego. Here you can see virtually of the all of the centers in the kroc center are included in the current proposal for the marc, the exception being that the kroc center also has a strong arts component. If this project moves forward, we intend to look into incorporating some of that into the building as well. The key funding objectives for the project are to secure substantial funding commitments from nonpublic sources, find alternatives to the general obligation bonds a key capital source, and to make the project self-sustaining from an operating perspective. The costs are summarized after -- we had howard s. Wright construction do preliminary cost estimates for us, and as proposed the marc itself is \$80 million. Addition of \$2 million for the veterans memorial plaza, \$3.5 million mo the parking, \$3 million to add the tennis above the city parking garages, and \$10 million to convert the exhibition hall into the ohsu facility for a total of just under \$100 million. We're looking at a number of funding options that we'd like to explore further in this next line of work, including the new -- a combination of new market and historic tax credits, capital and endowment funds from the kroc initiative, corporate and donor underwriting for competition facilities, city funds from the coliseum reserve fund and urban renewal, federal foundation grants, lottery funds, and potentially the capitalization of ohsu and other tenant rent. There's a number of potential operating income sources, including the obvious membership dues. The two opportunities

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come from lease revenues from ohsu and endowments from kroc estimated to be \$40 million. We're here to get the city's support to move forward on a six-month scope of work, including refining the building program with public input, including collaboration with the parks bureau, update of concept plans, develop further development of the project economics, including a business plan, capital finance plan, and economic development benefits. To analyze the historic landmark opportunities to determine whether or not the historic tax credits can be applied, and to prepare the proposal for the kroc initiative. So just to summarize quickly, what we're proposing here is a large-scale community athletic and recreation center, a world-class convention center for sports, able to work with the Oregon convention center and the rose garden to attract local, regional, national, and international athletic competitions. A living veterans memorial, and a project that embodies Portland's healthy city ethos. This is a big idea with many public benefits and the opportunity to build amazing partnerships. And given all that we'll hope you'll agree it's a project worthy of further consideration.

**Katz:** Ok. Let's put up the lights. Are you finished?

**Giambetti:** I'm finished.

**Ashforth:** Our advisory group has put together a letter and I thought i'd read that into testimony for you. "i'm pleased you are considering the conversion of the memorial coliseum into a recreation complex as a preferred option for public reuse of the coliseum. The marc advisory group, along with several other community-spirited volunteers, organizations, have worked diligently over the past two years to develop the proposal that you just saw, which upholds the value of what we think makes Portland a great place to live, work, and play. The decision put before you today is an important one. A yes vote supports healthy, balanced lifestyles by providing large-scale community and recreation center to serve kids, adults, seniors, families, of all income levels, who live in Portland, in Portland's close-in neighborhoods, and throughout the region as a whole. Programs that the marc will include, but aren't limited to, swimming, diving, hockey, indoor soccer, basketball, volleyball, rock climbing, tennis, lacrosse, and other general recreation. A yes vote allows Portland to attract regional, national, international athletic competitions. Many of the large sporting events that are currently out of Portland's reach due to inadequate facilities. The marc will be designed as a high-caliber training center for recreational athletes, amateur athletes, and teams, as well as world-class competitors. Each year thousands of athletes and visitors will arrive in Portland to compete at the marc, and patronize local businesses, cultural institutions, and regional attractions. A yes vote preserves and enhances the memorial coliseum as a fitting veterans memorial. The existing memorial gardens now nearly invisible in the lower level of the coliseum will be expanded and relocated to a position of prominence in the entry plaza of the marc. A yes vote strengthens our communities through public/private partnerships. The marc advisory group has identified a number of potential partners including the salvation army, ohsu, and companies -- and other companies that make up our billion dollar sports industry cluster. The marc also provides opportunities to create links between Portland parks recreation programs and the Portland public schools and Oregon's universities and community colleges. As an aside, I would like to call our attention to significant private contributions and in kind donations that have been made and actually exceeded \$200,000 to date, allowing this marc proposal to move forward in its current status. A list of the contributors is also attached to my letter here. A yes vote supports the city of Portland's sustainable development initiatives, as an adaptive reuse project the marc takes advantage of existing infrastructure and public transit. It also preserves a historic landmark while allowing technological design advances in energy, efficiency, water conservation, indoor air quality and other green measures. Lastly, a yes vote continues the legacy of the memorial coliseum, built for and by citizens of Portland, the marc honors the original intent and purpose of the building to serve the community at large. The marc advisory group stands firmly behind commitment and looks forward to working with the city council and other project partners to make the memorial athletic recreation complex a reality.

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Quick additions -- as to the inner southeast community center option, we do agree this is a key issue, absolutely. And it should be included as part of the study, no doubt. We're already talking to parks and rec about this. And probably most importantly, we don't think this is an either/or options.

And part of this study should most definitely look at the inclusivity of both. So finally, in closing, we're only asking here to provide the funds for the study. I want to certainly make that clear. And a proper and responsible study for the marc that, quite honestly if it reveals that the marc doesn't make it, then we should mothball the marc, or what have you, and move on. The time for -- is now, and we are looking to you, the city council, to provide the leadership on this important opportunity for Portland. It's an important opportunity, as I say for Portland, our veterans, ohsu, our sports industry, and most importantly the people in this community that would use this facility. The marc is calling for your leadership. The private community support is there. And we're ready to fall into place the next move is yours. Thank you.

**Katz:** Thanks, hank. All right, let me bring, if they're here, linn goldberg, director of ohsu's sports medicine program, bernie fagan Oregon and director of the Oregon soccer academy, jeff goodman, president of Oregon swimming, inc., drew mahalic, director of the Oregon sports authority, and jay issac. I don't know if all of you are here. Raise your hand, if when I called your name, you're here. All right. Let's see if we can do this in two minutes. Ok?

**Bernie Fagan:** Good morning. I'm bernie fagan. I reside in the alameda district of northeast Portland. Good morning, mayor Katz and city council.

**Katz:** Good morning, bernie.

**Fagan:** I'm here on behalf of the affordable youth sporting opportunities that the marc can offer. My specific sport is soccer. I came here in 1980, played for the old Portland timbers. When the timbers folded in 1982, so did i. And since 1983 i've been involved with youth sports, youth soccer, on the collegiate level at warner pacific college as the men's soccer coach. I've been doing summer camps in the Portland metro area since 1983, starting off with the fryer soccer camps. Now they're under my name. I've been involved with special olympics soccer here in Oregon, special olympics international as a soccer director. And finally started a club soccer program six years ago, which has about 300 members. So my life has been around, really, been involved with youth. One of the things that is -- lack of facilities and high costs can be a stumbling block for many families. I believe the marc can bridge those grasp. In closing, I believe that the -- what better way to promote health and fitness in our community than providing a facility for all ages and abilities. Thank you.

**Katz:** Thank you.

**Linn Goldberg:** Mayor Katz and members of the city council, i'm linn goldberg, professor of medicine at ohsu, and i'm pleased to have the opportunity to express the views of the Oregon health sciences university in the matter before you. With lifestyle factors accounting for an estimated 400,000 u.s. Deaths each year, and estimates of unhealthy diets and physical inactivity, will soon be the major cause of death in america, this proposal I think is geared for the future. Specifically relevant is the fact that the centers for disease control reports that Oregon is one of the states with the highest levels of obesity in the united states. It's the intention of the Oregon health sciences university to explore efforts of establishing a center for health promotion and sports science at the memorial athletic recreation complex known as the marc. It will be designed to be a research center of clinical care and wellness with a mission to developing the understanding of the relationship between lifestyle habits and health. It would allow for wellness techniques disseminated throughout Oregon. Ohsu has emerged as a national leader in cutting-edge behavioral techniques that have been implemented in the city already among Portland firefighters and student athletes throughout the Portland public schools. Ohsu's recently completed flame study demonstrated the high level of cardiac risk factors that include a lack of exercise and unhealthy eating habits among Portland firefighters. With flame, firefighters improved their exercise and dietary habits and not

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coincidentally there was a significant reduction in injury claims. This type of intervention should be available to all city employees, and especially police officers. With our atlas and athena programs, student athletes not only improve their nutrition habits, but also decrease drug use and drinking and driving. We would like to rent a portion of the marc to perform community-based research, but enhance the marc with an important clientele, as well as provide wellness in the sports medicine facility. I provided several copies of selected results from our research involving the Portland firefighters and adolescent athletes, as well as senate bill 1780, the anabolic steroid act of 2003. This was improved by senators Biden and Hatch, and if enacted would authorize \$15 million for for each fiscal years 2004 through 2009 for steroid prevention for a preference to athletes that use OHSU's atlas and athena programs. The centerpiece of the marc could result in long-lasting benefits, not only to the physical health of Portland, but its fiscal health as well.

**Katz:** Thank you. Go ahead. Grab the mic.

**Fred Milton:** Ok. Good morning. Mayor, council. I'm Fred Milton. I live at 4431 Northeast Ainsworth in Portland. I'm here today representing P.I.L. Sports and speaking in behalf of the support of the marc project. P.I.L. Sports is a nonprofit that I founded and I direct. We've been in existence for about 10 years. Our primary focus is girls junior Olympic volleyball. We have -- Mayor, you may remember I've spoken to you in the past about the need that we have -- had and still do -- and I want to compliment for staying on task on that. You were supportive then, and I appreciate that. The lack of affordable and accessible facilities is a serious and ongoing problem for us, and for the sport of volleyball in the development of young women in our city and in our region. Currently there are two gyms -- or two middle school gyms, and all of our high school gyms can't accommodate junior Olympic competitive volleyball, but they're not available to club sports. They're filled with current school-based activity. Therefore, as you might imagine, without that availability, our kids are not developed at an early enough age to be serious competitors in the sport. Subsequently, Portland, the P.I.L. Schools are at the lower end of competitive schools in the state. In addition, some of our high schools, three or four of them annually, have trouble fielding a single team of girls. And sometimes they will field one team, but not have enough for a J.V. Or varsity. The reason is not the kids. The reason is ours as adults who have not yet put to the table the facilities and brought to the forefront the expression of support of young women in sports.

**Katz:** Thank you. Fred, your time is up. I'll give you a little bit more time.

**Katz:** 30 seconds.

**Milton:** 30 seconds. The Women Sports Foundation, whom I work with, puts out some numbers on the value of girls involved in sports. Listen to a couple of these. 82% are less likely to be involved in substance abuse -- or excuse me -- 92%. 80% are less likely to become pregnant. They are three times more likely to graduate high school. And their achievement levels are higher and they have increased self-esteem and body image. I can envision the coliseum accommodating the regional Columbia Empire regional volleyball, which has 252 girls volleyball teams. By the way, we have almost no boys, because there's no facilities, but a 252 girls volleyball teams, multiplied by 10 to 12 girls per team, you're looking at 2,000 kids potentially in that facility over the course of probably four-day tournament.

**Katz:** Thank you. I think we got the picture.

**Jeff Gudman:** Good morning. I have motivation for two minutes because the meter on my car parking is about to run out.

**Katz:** Don't look at me to waive that fee. [laughter]

**Gudman:** Good morning, Mayor Katz and council members. My name is Jeff Gudman. I'm here to represent Oregon swimming. For over 40 years I've been involved in swimming as a competitor, volunteer, and member of the board of Oregon swimming and U.S.A. Swimming. I'm currently the vice president, national administration for U.S.A. Swimming. In Oregon there are currently over 5,000 competitor swimmers. In Oregon and Washington, 15,000 competitive swimmers. With this

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large number of participants, there's always a demand for indoor facilities to hold practices and competitions. Within the state of Oregon, there's an existing and growing need for 50-meter pools with a statewide population of 3 million and only nine public 50-meter pools throughout the state we're talking approximately 333,000 potential users per pool subject to geographical considerations.

A 50-meter pool is proposed within the marc, along with the adjoining aquatic facilities, provides greater facilities as compared with the 25-yard pools at the Portland southwest community center and the matt dishman community center, both fine facilities. Local, regional and national competitions represent a huge influx of athletes and visitors to any given facility in the surrounding area. For example, a local meet, two-day event, with over 600 visiting participants and attendees, can provide an economic impact of over \$80,000. The national championships is a seven-day event, with over 2,000 participants, not including families, having an economic impact of over 1.7 million on the local and regional economy. Currently the seattle/federal way facility is the only facility in the northwest capable of holding such a competition. Thank you.

**Katz:** Thank you.

**Paul Falsetto:** My name is paul falsetto, and I reside in the woodlawn neighborhood in northeast Portland. I'm here on behalf of the american institute of architects, Portland chapter, as a member of the historic resources committee. I'm going to make a big statement here, but I think I can back it up. I can say with great confidence that the memorial coliseum is probably the city's most important building of the postwar period. No small thing to say, I know, but it has been deemed national register eligible by the state historic preservation office, and usually you have to wait 50 years before you receive that sort of status. And this building at 44 years has received that. It's received great interest by the national trust for historic preservation. I'm proud to see that i'm preaching to the choir here, so i'll say no more about that, but of all the options that have been reviewed over the last couple years, my committee feels that the one ha shows the -- one that shows the most promise is the marc. We're particularly enamored with the idea that the building will remain in public use and in a manner befitting its original intent. We're also interested in the spirit of the structure as well. And we feel that the marc offers this potential. Frankly, I don't know of any project like this in the nation, and I say that in a positive way, while other cities tend to destroy their entertainment heritage, because they can't fathom any other options, Portland again lives up to its reputation and shows them all how to do it through a process of creativity and collaboration, and the result, the result is a building that will be transformed into the marc. The historic committee looks forward to partnering with the city and all parties involved toward this very end. I thank you.

**Francesconi:** Can I ask you one, quick technical questions.

**Falsetto:** You bet.

**Francesconi:** Do you know if we qualify for historic tax credits for that building if we remove the bowl that was part of the original historic designation?

**Falsetto:** A good question, key question. I've talked with the tax incentive officer in salem, and they make the determination on what's significant, what needs to remain. And he's told me, and the marc group, that the essence of the coliseum is the bowl and the box. They would like to see a sense of the bowl and then of course in the outer envelope of the box remain. The marc people are interested in having their very creative teams of architects and engineers look at that. But that's what they're going to look for.

**Francesconi:** Thank you.

**Drew Mahalic:** I'm drew mahalic, I reside on southwest sunset drive in Portland. Today i'm here representing the Oregon sports authority to express our full support for the marc as the preferred option for public reuse of memorial coliseum. The Oregon sports authority is a private nonprofit organization designed to enhance the Oregon's economy and the quality of life through the attraction of sports events and franchises. Recently we've attracted the 1999 and 2003 women's



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world cup for Portland, the 2000 ncaa women's regional basketball, and the upcoming u.s. Figure skating championships coming in january. We know from experience in the sports of event business that -- that it is facility driven. Events are consistently awarded to cities with the best venues. That's why we're so -- such a strong proponent of the marc. It would serve as a state-of-the-art convention center for sports. And it would offer the flexibility to attract countless regional, national and international sports events to Portland. Examples, as you've heard, would include world, national, and ncaa championships in swimming, diving, gymnastics, volleyball, wrestling and others. Cities have long recognized the economic benefits that come along with sports events who are arrive from out of town and make significant contributions to the local and regional economy. Examples would be a world swimming championship could conceivably produce a \$25 million economic impact in Portland. A volleyball championship could produce a \$3 million economic impact. This is why the sports authority is so excited about the potential opportunities presented by the marc. We offer our full support and assistance in attacking major sports events to Portland. And we really feel that this is an opportunity for all of us to reach for the stars with our feet still on the ground. The risk is minimal. And the benefits could be extraordinary. Thank you.

**Katz:** Thanks, drew. Jay?

**J. Isaac:** Mayor, commissioners, good morning. I'm j. isaac with the Oregon arena corporation, one center court here in Portland. As the city's partner in development of the rose quarter area we've worked with the city to identify development opportunities in the district. The future of the memorial coliseum must be resolved as a first step towards effective planning and then development of the rest of the rose quarter. While many questions remain concerning the best use of the property, it is clear that the coliseum has reached the end of its useful life as an arena. The rose garden, the newly-expanded convention center, and expo, have already taken most of the events that the m.c. use to host and can accommodate all of the m.c.'s remaining business. The rapidly-escalating maintenance costs and operating losses have already cost the city and Oregon arena corporation millions of dollars. And those losses increase each month. We believe that the marc idea was the best public adaptive reuse idea that came out of the public study. While we have many reservations about the concept, including financial feasibility and the size of the facility, we believe that the opportunities for funding that have surfaced recently should be explored. We believe the marc's group move toward a mixed-use approach, which includes retail elements, is a positive change, and we're still hopeful that the retail concept presented can be incorporated into the final plans for the district. We applaud the group's incorporation of our idea for replacing the original memorial with a memorial park at the commons level and encourage them to explore our idea of creating a veterans center in the park, which can serve as a fitting tribute to the sacrifices our veterans have made. It is clear that whatever decision is made concerning the m.c., it is time to create a more visible, accessible, and fitting memorial to our veterans. Finally, we urge the city to recognize that we have postponed the necessary major capital repairs to the m.c. for as long as we can. Further exploration of ideas must be of a limited duration. We have already begun to discuss with the office of management finance alternative arrangements concerning the interim use of the facility, saving the city a great deal of money. We believe that the marc group should be allowed a short period of time to demonstrate the financial feasibility of the project. And I have a gift for each of you from mo cheeks. It's one of the magic rubberbands. Wear it on your wrist.

**Francesconi:** All right.

**Issac:** And we have -- since he started wearing this, we have won four straight. So it works.

**Katz:** J., is he a smoker? Because this is a technique that's used in smoking clinics, that when you have a desire to smoke, you snap the rubber band.

**Katz:** No. He uses it for wins only.

**Katz:** Oh. Thank you. We'll wear it. It's been fun watching the team reborn itself.

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**Isaac:** Isn't it? Very nice.

**Sten:** J, are you willing to guarantee a win against the pacers tonight?

**Isaac:** If you guys keep those on, how can we loose? Ok, thank you.

**Katz:** Let's open it up for public testimony. Thank you, everybody, too your patience. As I said, a lot of work has gone into this for many years and we needed to give people a chance to talk about.

**Katz:** Two minutes, everybody.

**Delance Duncan:** That's being rather scottish with my time.

**Katz:** I forgot to put my green on for you.

**Duncan:** I'm de-lance duncan of east Portland. Been a resident, taxpayer for 38 years. I'm in an area called columbia ridge until I was annexed. I'm here primarily to talk about the coliseum and the exodus of championship events for high school students. You may or may not realize, football championships are no longer held in Multnomah stadium, civic stadium, or p.g.e., whatever it's going to be called. It's gone to the university of Oregon. The basketball tournament is no longer here. It's back in eugene. In 1967 there were 13,000 people at the coliseum when david douglas defeated jesuit in the championship match. It's gone. It won't come back, i'm sure. The wrestling, which i'm involved with for the last 50 years, and is -- is i'm afraid leaving Portland. The memorial coliseum. We can't afford it. A good, professional basketball player makes four times what it would cost with one basket. That's what they get paid. We can't afford it here. It's going to a new event center in salem. And it's not only for Portland kids -- and the coliseum's been a nice place. We bring everyone in the state of Oregon here. All those wrestlers from the little towns to the big towns. Friends came to the tournament this year and said, it's a small town event. Nyssa was here, their mayor, superintendent, burns was here. Crater high school out of medford, roseburg, big contingents. They're not going to be coming back. It was in corvallis for a number of years. And all of a sudden it left for various reasons. It's been here in Portland for 28 years. I hosted it at david douglas for nine years. It brought a lot of money in 28 years into the Portland area. But i'm sure those hotels/motel, food industry people up around the coliseum are going to wonder what happened? So while we're looking to bring people in the front door, close the backdoor, because they're getting out.

**Katz:** Thank you.

**Leonard:** Can I ask, is your testimony that if we do the marc, we'll attract those event back?

**Duncan:** I don't see wrestling going there. We can't afford it, randy. It's become too spendy.

**Leonard:** Ok.

**Duncan:** It would be nice. We've had world competition in the sport of wrestling. The russians, the turks --

**Leonard:** I'm a little confused, if you're arguing we should do the marc or should not based on what's happening.

**Duncan:** Well, I don't know what to say on that, because I don't want to counter what -- but I don't know where swimming -- private swimming program has made in this area of Portland. And we had good -- most state championship swimming teams come from david douglas. It's great.

**Leonard:** The scots?

**Duncan:** Yeah.

**Gil Frey:** My name is gil frey from milwaukie, Oregon, working on trying to preserve the coliseum now for over 12 years, because I met with the group when they met at the coliseum to discuss the rose garden, and -- and brian parrot was there. And he's one of our famous tennis players. And he said, when you -- when you host something that's really substantial, you need two facilities. This is what's hand now when we have the u.s. Championships ice skating championships coming to Portland in the year of 2005. That is a big deal. And part of that deal was accomplished by the local very strong ice skating club and their leadership that helped bring this to Portland, and it's a big deal. And one of the big reasons why it's coming is because of the

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coliseum. The one drawback that I see with the marc, that's big and huge, is that it calls for the gutting of the arena. And that's what we need to save, because there are so many things that can be done to this coliseum, and so many of these goals of the neighborhoods and the -- and the kids could all be done at the coliseum. It doesn't have to be torn up. It doesn't have to be ruined. And the memorial walls are very fine just where they are. They are the final burial site of these veterans, and they gave their lives. Since i've been working on this in the last 3 1/2 years, some of the people have died. Dale thomas is one of them. He was at the wrestling championships. And his funeral was within the last week down in corvallis. Another was tom desylvia, a great coach of the jefferson high team. He's passed away. These people have been honored down there at the coliseum as veterans, and we need to preserve the arena bowl. We could do so much with this marc, we don't need to destroy the coliseum, we can leave it just the way it is. We don't need to spend \$2 million to honor veterans.

**Katz:** Thank you.

**Harley Wedel:** Good morning. I'm harley wedel representing the veterans as best I can. Due to the perceptions based upon past city treatment of the veterans and their monument to lost comrades, relatives and friends, any action taken by the council at the present time needs to resurrect a degree of trust and confidence. Hopefully that can be done. Whether or not you've heard about the veterans' position, they would prefer to see the coliseum remain as it is. If you go ahead and come up with a plan to do something else, we think that monies being set aside to study it, there should be a fixed percentage of that money devoted to the memorial itself. After all, it was established as a memorial. It's something that when veterans go down there, look at the walls, they can still hear their comrades. You may not hear them yourselves, when you go down there, but we do. We find that's a very, very proper location. It's not properly set up. It's not well known or anything of that nature, but i've held services there, one for putting up the pow/mia flag, and last year I got the gaudalcanal veterans get the area down around the wall for their memorial service. The memorial service down below the ground level was perfect, because it was quiet, up on the top level it's very noisy. So if there's any -- any concerns whatsoever about the place being used as a memorial, it should remain pretty much as it is, at least on the outside. Now I don't know what your plans might be, but hopefully you can come up with something that really will get the veterans interested, but it's going to take a lot of work on the part of the city council and whoever is involved in the decisions as to what should be done at that location.

**Katz:** Thank you.

**Katz:** Two minutes, everybody.

**Mike Dee:** Can't read it. Whatever. Mike dee, liberation collective, 133 northwest sixth avenue, Portland, Oregon. I think it's a great idea that's y'all want to do something with the memorial coliseum. I think it should memorialize or represent the veterans that served, and that's a great thing. I'm concerned that it maintain its historic landmark status and I agree that we probably don't need to spend \$100 million, \$200 million, \$200,000 -- we might have to spend a little money on this on this. Tearing apart the building might not be a good option. I think we should make sure it's affordable for people to use. I appreciate you mentioning that, also, commissioner Sten earlier. I would also caution us switching resolutions at the last minute. Probably not a good habit to get into, but that's ok. Move on. Ok. I'd hold off -- it was hard to tell on the pictures or not, but I wasn't sure if there were tanks, armed soldiers, I might think twice about that. You talked about naming it -- or i'm sorry -- talked about using a ray and joan kroc initiative. Part of that initiative, do you have to name it after that? I might be incorrect. Somebody can answer that. We heard about different organizations being involved in it. One of them was ohsu and they talked about their cutting edge and how they -- they wanted to get some federal research dollars. You know, that they -- we've seen their cutting edge, the Oregon -- regional primate center, and I don't know, are they going to be testing on humans at this center? I don't know. That's a concern. Oh, and they were

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also listed as someone contributing to the lease or the rent. That's public taxpayer money that they would be contributing most likely. And so that's just us paying for that. It's not really fair to list them as a rent pair. They're having deaths in the construction there. Are they going to be involved in the construction here, are the same companies? Ok, real quick, I hear the buzzer there. Then the list of contributors, it's all people who have some stake in this thing. It's a concern. If these people were unavailable to this process, that would be greatly appreciated. Thanks.

**Katz:** Ok.

**Susan Pearce:** Hi again. I'm susan pierce from inner southeast Portland. I'm here at this instance speaking again for myself, although I know that the members of the hosford abernethy board generally agree with me on the following issues. What we've heard today is really exciting in terms of development of a regional and citywide facility -- sports facility and use of a site that honors the veterans. I'm certainly not here to do battle over the veterans, and certainly not with hank ashford since i'll be sitting across the table from him in another committee later on this afternoon. But I do want to come down on the side of keeping that inner southeast community center on the table. It's easy -- it's all too easy to see the two in competition, although i've been hearing otherwise, and I appreciate that. The -- a sports facility at the coliseum site is not going to take the place of the needs of the inner southeast Portland, both in terms of sports facilities and meeting facilities. So I -- I just want to be sure. I appreciate your words, mayor Katz, and your words, as well as an email that you sent me in response to an email I had sent all of you, and hank ashford's assurances that will stay on the table. I just want to make sure that we're keeping your feet to the fire.

**Katz:** A footnote, I keep notes when issues rise up, and I wrote myself another note because of what I said at the meeting when we looked at the Washington high school building.

**Pearce:** Great.

**Katz:** Not forgotten.

**Steve Hoyt:** Good afternoon, and thank you for the opportunity to testify. My name is steve hoyt, and i'm staff at southeast uplift. On behalf of the 20 neighborhood associations and the southeast uplift coalition area, I wanted to respectfully urge the council that before it initiates reuse of the memorial coliseum as envisioned in the marc concept, that it first honor previous city actions to readdress the dearth of open space and recreational opportunities for inner southeast Portland residents by creating a community center at the Washington/monroe high school site. The city and community have identified a number of -- through a number of policy and community actions the need for inner southeast, the parks 2020 vision plan, the council at your february 18 meeting with the resolution, the kearns action, target action committee of 1998, and the Washington/monroe project advisory committee did a splendid job of demonstrating broad based community support for the community center in inner southeast, and also i'd like to bring attention to in january of this year, southeast uplift convened 50 neighborhoods from 50 neighborhood organizations in the southeast neighborhood coalition area who selected as its top priority for 2004 the development of a community center in inner southeast Portland at the Washington/monroe high school site. And in closing i'd like to say that regardless of the potential benefits and risks of the marc, the magnitude of the project and its financial demands are self-evident, and undertaking the marc southeast uplift respectfully asks that the city council address the city's longstanding commitment with its requisite monetary demands to building a community center in inner southeast Portland. Thank you.

**Katz:** Thank you. Folks, two minutes.

**Lily Witham:** Mayor vera and gentlemen of the counsel, my name is lily witham. I'm a buckman resident, also on the board of the community organization. I've heard today several people say that there's no link between these two projects, and I sent this email to all of you thursday, march 4. Dear mayor vera, I was stunned to read in yesterday's newspaper that you and commissioner Sten are asking the salvation army/kroc fund to build marc. That money is earmarked for community centers in low-income areas. Furthermore, matt dishman community center is about seven blocks

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from the coliseum and serves the same area. Just two weeks ago I sat in a city council meeting and I heard you and all the commissioners vote 5-0 in favor of an inner southeast community center and agree that the inner southeast community center would be the next community center funded. Not even two weeks later, in 2-5 of you are breaking your word to us. I hope you will do the right thing and give us our community center. In response from rich rogers, from erik Sten's office, I won't read the whole thing, because there's not enough time, but says, if we're unsuccessful in our attempts to create a partnership with the salvation army, it's almost certain that those funds will not come to Portland at all, but will instead go to other communities elsewhere in Oregon. You know, I think this is an amazing idea, but I don't think this is the time for it. We have incredibly high unemployment here. We have real budget concerns in this city. We can't -- we can't put people in jail, criminals, hard-core criminals. We can't put them in jail because we can't open the jail. We can't open a brand-new jail. We don't have the money to run it. And i'm very concerned about the funding of this. I don't think that this project meets the specifications of the kroc funds. I heard earlier you would get \$40 million. If you got that, that leaves \$60 million. You know, I like to see you guys work just as hard for us, in our little community, and our community center, as you do for this big fancy project. And you know, I don't have presents for you guys, I don't have a powerpoint presentation, but, you know, we've been there for a long time and you've promised us for 20 years now that we'd have this community center, and I think that -- that the marc is going in the wrong direction.

**Katz:** Thank you.

**Mary Anne Schwab:** Commissioners, mayor Katz, mary anne schwab with the sunnyside neighborhood association. I've been they're liaison to the Washington/monroe advisory project, and i'm currently on the Portland public school trust with requests for proposals. This is putting us in a very tight spot. As you know, the school district wants to get the most they can out of the sale of this property. We have out of state developers ready to jump in and make a gated community. Blind to the fact we don't have a grocery store over there, and the other infrastructure that we need, blind to the fact that we're feeding 325 to 340 people a day at st. Francis dining room, and our children with clothes, we closed Washington/monroe back in 1980. I was chair of the inner southeast coalition there and helped start reach. We're aware of housing. We've been working with reach for years. When we closed the school, I was happy it was still in the public sector. No, I don't have a big glitzy proposal for you today because money doesn't define who we are. We've been hard workers. You have as many people working on this as you have roses in the rose garden, and our thorns coming out on this. To me, this is saint patrick's day, like we're looking for a kroc pot of gold at the end of the rainbow. That's not funny. We don't have the money to do this. We're begging you to buy our 4.5 acres. And we can wait. I can jump in that pool when i'm 90 just as easy when i'm 60, but we have to freeze that land, still respect the memorial coliseum, and if we really want a memorial there, let's stop it being a memorial, let's vote yes to anymore wars, because this is tragic, absolutely tragic, that we have to divide ourselves with a river. We want some attention in southeast Portland. Thank you.

**Don McGilvrey:** Mayor, commissioners, i'm don mcgilvrey from the buckman neighborhood. Sitting here this morning, I feel like i've lost weight.

**Leonard:** Join the club.

**McGilvrey:** Obviously the memorial coliseum needs to be renovated into an appropriate use. But there's -- just by watching the presentation, there's an obvious conflict, both in use use and funding with the other proposal that you support, which is the inner southeast community center and swimming pool. Fords, they both -- they are a mile apart. So again, the people are going to essentially -- there are some attraction to both the same people anyhow. Obviously the scale of the marc is significantly greater than the inner southeast, and through that I think you can create the separation, but then you can get the conflict of funding. In other words, basically it's going to take a

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levy or a bond essentially to build the inner southeast community center, and if the same vehicle is used to fund the marc center, it's going to delay the creation of the inner southeast community center at least 15 years. So therefore this feasibility study becomes extremely important relative to the -- to the -- to how -- you know, to the inner southeast community center. In spite of what mayor Katz statements about the extensive community involvement, the public -- the only thing i've heard in the last year about this was the public hearing that was held last june. That was not -- at the last minute that was changed from a hearing to an open house, and I have not heard anything with regard to public process since that time. And in this feasibility study I do not see any broad-based public involvement process, and there's been a public involvement past course in this city for the last year.

**Katz:** I was referencing all the public involvement in 2001 and in 2002.

**McGilvrey:** Well, again, that was before the inner southeast --

**Katz:** All right. That was the point. It's been worked -- people were working on it and looking at it for years and years.

**McGilvrey:** But our community center --

**Katz:** I understand. I understand that. I understand all that.

**Susan Lindsay:** Mayor Katz and commissioners, i'm susan lindsay, chair of the buckman community association and also chair of the Washington high school project advisory committee. As you know, I was here exactly one month ago when you unanimously agreed to support parks and the school district moving forward on the Washington high school plan. What you don't know about me is I tend to not stick my nose in things that really aren't my business, but when I read in the "Portland tribune" that the funding and building of the marc would mean that parks would no longer need to build the Washington high school site, well, then it is my business. Despite what you've said had your opening remarks about this not being a community center and does not preclude the long-planned Washington high school plan, it certainly seems to include the same elements for ours and parks' comments are deeply disconcerting. Since you've mentioned the connection between the two projects, let me say that Washington high school is not flashy, it's not exorbitantly expensive, does not threaten to create huge public debt or large, unwieldy operating expenses, and probably most of all it's not developer-driven, but it has been an idea of the taxpaying citizens of the inner east side for decades. At the risk of being accused of not being visionary, the citizens of this city deserve fiscally responsible community centers in our communities and do not drain the public's willingness to vote on key revenue issues. This is not simply a question of what to do with the coliseum. The building is beautiful. It is a direct architectural memorial to our veterans, and of course it must remain. Nor is the idea of the marc wrong. Who wouldn't like something that promises to do so much for so little cost to us all. But let's get real. What this is about is where's the money coming from? Like it or not, we have finite resources, and while it is easy to include the kroc money in this discussion, it's not been granted yet, and may come with tenable strings. If it's regional, where are our regional partners? Vancouver, beaverton, gresham, lake oswego, why aren't they participating in this funding discussion? This city has signed on to developer-driven plans before and the results have sometimes hurt us deeply financially. This must not occur again, nor must Washington high school fall victim to this flashy one-stop workout center. If you can guarantee to me that the marc and Washington high can both be built and operated without significant cost to the taxpayers, without the risk of Washington high having to adapt or dummy-down its designer programming due to the marc, I would probably be its biggest supporter. Let's see the numbers.

**Katz:** That's exactly the issue. Thank you. All right, anybody else?

**Saltzman:** I have some questions.

**Katz:** Just a minute.

**Francesconi:** I'd like parks to come forward.

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**Katz:** I want parks. Who's going to represent parks? Come on over. And, hank, are you the -- why don't you come on up just in case there are questions with regard to -- and dave logson, you'll be on, so be prepared. Parks, you have a question?

**Francesconi:** What do you think? I mean, you've been referred to a lot. And I appreciate commissioner Sten's office including you. What do you think? Tell us what your view is on this.

**Robin Grimwade:** First of all, i'm robin, the manager of planning and development with the parks bureau. I think what's pertinent here for me is first of all to share with you some experience, which I think is very relevant to this proposal. And I bring to this city as a newcomer extensive experience in the management of sporting and recreational facilities of a scale and complexity such as the marc proposal. I also bring experience with venue planning for the sydney olympic games and the issues that arose out of the olympic venues on community-based facilities. Finally, extensive experience in the adaptive reuse of buildings into multipurpose facilities. There's no doubt that the marc presents an interesting concept to the major building for the city of Portland. The concerns that parks has is the business concept as it currently stands. Experience has shown that many of these sporting facilities rely on a community composition component within their business structure to survive. For example, the sydney aquatic center, similar facilities of the size and scope proposed in the map, needed and derived something like 6,000 visits, community visits, per day to keep the viability of a center alive. So what we would be encouraging people to think about is that if this concept is to go forward, that we look very seriously at the business components that are contemplated at the moment within the marc proposal. We look very carefully at the operating losses. Experience also shows that the loss of community recreation from these facilities compromises their financial viability. In turn, we must also be mindful that Portland has a very limited market, and in terms of community recreation we are competing for the same users. And if we lose the users from community centers to the marc proposal to sustain the marc proposal, we will affect the financial viability and the number of the facilities president the tendency to date to focus on the Washington/monroe site. Finally, my experience and my suggestion would be that the impact would be across the entire city's community recreation complex. So those things need to be thoroughly examined. It's absolutely important in my mind that we look at the impact upon the city's investment to tate in terms of its -- to date in terms of its community if the decision is made to go forward on a feasibility study. I think there is an opportunity to modify the business concept, and parks would encourage and hopefully be welcomed to the table to play a very active role in that if the proposal goes forward. It is truly a regional facility, and I think we should encourage other parties within the region to participate.

**Janet Bebb:** Janet bebb, Portland parks. I'll just add briefly to robin's comments, that at parks and recreation, we are in the recreation business. We certainly support sports at all levels, from the smallest child up through professional sports. So we're in sync with the advocates here who have said there are a lack of facilities and that we are interested in professional sports and supporting our athletes. That said, to date the city has taken a conscience decision to have decentralized centers that serve neighborhoods. If we can consider the marc as a truly regional facility and keep our concept of neighborhood-supported community centers, I think that be a win-win. That is not an easy thing to do. As experts in this topic, we would be happy to advise on this, but there's no easy solution to that. Let me just say that our -- our operating cost recovery is something we think we take very seriously in our community centers. Aquatics drives our cost recovery. If we lack in aquatics component, we will be coming to you asking for consistent money for smaller centers and operating support. So those are our kinds of concerns.

**Katz:** Thank you.

**Sten:** Can I ask a question?

**Katz:** Yeah.

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**Sten:** We all agree there's lots of -- i'm -- there's huge needs for more facilities. You know, I mean, all the championships going on other places, and all the sports, neat stuff, and particularly adult leagues have a hard time getting into our public facilities, because as I support, prioritizing them for kids during the hours people want to play. It sounds to me like the real issue is not could we use the space aggressively and attractively, it's can you make the programming complementary enough that your revenue doesn't get drained. Is that what you're really saying? Because people are going to swim at the marc and pay to swim there rather than paying to swim at matt dishman. It seems to me that the issue becomes -- I should -- I regret -- i'm looking at susan, trying to paraphrase something she said before, but she speaks for herself very with, but the issue in southeast is less, as I understand it, that it has to be a certain size to meet the community's needs, it has to be a certain size to meet your standard that it be self-supporting. So it seems to me that the issue really is one of revenue, and not -- not can the community use this many facilities. That's what I really am hoping this next phase will dig into, is actually quantify what you different revenue impacts to be on different programming. I hope you figure it out, because the last thing we want to do is walk away from opportunities and needs, opportunities being the funding ideas out there, and the need being something to do with the coliseum, because we're not willing to dig in and see if we can't make that work.

**Bebb:** I'd like to respond to that. One of the issues is that it takes a lot of experience to be able to break even or recover operating costs from people playing basketball of any age. It also takes a lot of experience to run professional sports venues, which have a high competition across the country. So with the idea that we have a fixed amount of people and they pay very little, and they should pay very little to use public recreation facilities, how do we distribute those people and serve them?

**Sten:** But do you agree that you could serve more people -- forget parks. Parks can serve more people, self-enhancement could serve more people, ywca, ymca, could serve more people. Is that accurate?

**Bebb:** I think that is. Whether those facilities can run at an operating cost break-even is a serious and different question. Because --

**Sten:** I don't know of any park system that runs break-even.

**Bebb:** Right.

**Katz:** I have a question of hank. Hank, this resolution -- I mean, the work will only proceed if there is a dollar for dollar match from the private sector. Has that been pursued and where are you on that?

**Ashforth:** We've certainly talked about it, absolutely, with a number of the larger and smaller private -- you know, private industry folks. And I think the word kept coming back, is we're there, we want to see where the city is on that. And I think they're in turn, as I said in my comments, waiting if leadership on -- you know, a definition from the city before they're there. We're confident -- doug and I are confident that there's some there, as we've already shown you that there's \$200,000 has already been put up to this date as far as -- towards what really is a public facility. I mean, you think it might go the other way, if it was certainly a private one, you'd see private investment first, but in this case we have both, or hopefully we'll have both.

**Saltzman:** Can I follow up on that?

**Katz:** Yeah.

**Saltzman:** The language in the resolution requires the match to be dollars, not in-kind services, because you can't pay a consultant with in-kind services.

**Ashforth:** Uh-huh.

**Saltzman:** So how much -- you gave us a sheet here that talks about contributions and in-kind services estimated at \$200,000.

**Ashforth:** Right.



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**Saltzman:** Roughly what's the breakdown between in-kind versus monetary? Just if you know it roughly.

**Ashforth:** I'd be -- well, we have the in kind services certainly are from those folks to date that have -- you know, architects and engineering services. Certainly hard to estimate.

**Saltzman:** But you understand that this \$200,000 is new money, and as I recall the schedule of six months, it takes the city at least a month to do an r.f.p., consultant selection process.

**Ashforth:** Right.

**Saltzman:** So if you're going to come up with \$200,000, private money, it has to happen pretty quickly.

**Ashforth:** We will hit the streets, as we already have. You know, I --

**Saltzman:** We have to have the money in hand.

**Ashforth:** I understand that. I understand that.

**Saltzman:** Ok.

**Francesconi:** Just two questions, hank. Do you favor using tax increment financing from the lloyd district for this project?

**Ashforth:** It currently is not in the budget. It's going forward to p.d.c. right now, but if it is available, certainly, I see it as a -- as an option. I also see certainly the Portland new markets funds as -- of which i'm a part of -- as being a possible solution.

**Francesconi:** Quick follow-up on that. You'll be advocating through the committee for tax increment financing for the marc?

**Ashforth:** Yeah. As I said, we're into the budget process right now, and there's no line item that includes this. But I would advocate, as i've advocated for many of those line items on the budget. This is significant. There have been a renewal district that includes the coliseum and convention center, absolutely.

**Francesconi:** Ok. Then the second, last question, so, you know, my question isn't about the 200,000 for the study. My question is about the almost 100 million for constructing it, plus the estimate of between 1.7 to \$2 million to operate it.

**Ashforth:** Right.

**Francesconi:** Do you have any commitments of a significant nature of private sector money that's willing to pony up on the construction and the operating side of this?

**Ashforth:** I think we could -- yes. We've had discussions. And I -- of interest. Numbers, I can't tell you specific numbers, no. As far as the operating goes, this kroc initiative is something that -- with the \$40 million endowment, I think that would provide significant funds on interest alone to operate this thing. And cover, you know, any operating losses, if they were to occur.

**Francesconi:** Thank you.

**Katz:** Though let me just add, we would to look at it with and without those resources.

**Ashforth:** I agree, absolutely.

**Katz:** Those are not a given factor.

**Ashforth:** Exactly. As I said on this we need to responsibly shine the light on this to see if it works. Yes, it's a huge idea. It's a huge idea for Portland and \$100 million is a lot of money. There's no question about it. But I think through this study we will see, if it's responsibly done, if in fact we can create a facility that includes kids want to go come for a dollar as well as international athletes that want to, you know, to show that they're indeed world class. And to me, with your help, we can see if this is truly a viable option.

**Katz:** Ok. Thank you. Dave, come on up. Tim, do you want to come up as well? Questions?

**Saltzman:** I just want to follow up. I mean, this is a huge idea, and I think the first litmus test is going to be the commitment of other people's money to this. That's why i've insisted that there be a dollar for dollar matching basis for this next phase. I really want to make sure we adhere to that. And that's why in-kind contributions at this point no longer matter. Tell us about how long it will

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take to get an r.f.p. On the street. Have you set up an account yet to receive this outside money so we can determine how much we'll actually spend on this next study?

\*\*\*\*\*: Commissioner, the way I would answer that question --

**Katz:** Identify yourself.

**Tim Grewe, Chief Administrative Officer, Office of Management and Finance:** Tim grewe. We will set up an account today, and track contributions as they're pledged. There will be no dollars expended out of that account until such time as we've complied with the city council directive. What may go on is the same work dave has been doing, in terms of identifying potential private funding sources, coordinating with members of the advisory board, assisting the city in exploring those funding options and those types of work, but that will be a staff cost versus a new cost.

**Saltzman:** And it isn't an intent to do an r.f.p., hire an independent financial consultant?

**Grewe:** Yes.

**Dave Logsdon, Office of Management and Finance:** Dave logsdon, spectator facilities manager. This phase is three components. The first component, we would want to certainly focus on the kroc initiative, focus on the revised programming for the building, address the issues of the southeast community center, and come out of that process with a revised building program, go through the cost estimating for that, and that would be really the essence of that piece. The next piece would be the business plan. And we would certainly go through the r.f.p. Process for. That we're thinking that the first phase, integral to the essence of the project, that we would need doug's involvement there, and we may propose more of a source for that piece. Beyond, where we have the economic and business plan work, which there are many qualified firms to do, we would plan the r.f.p. Process for that. The third and final piece of this initial set of work would be to take the cost, take the business plan, and develop a sound and financable -- you know, finance plan for the project. So we would want to have three separate pieces to this next set of work.

**Saltzman:** All within a six-month --

**Logsdon:** All within six months.

**Saltzman:** Ok. So, again, getting back to the cash question, pledges must be in hand before the city actually commits to expend its share of this up to \$200,000.

**Grewe:** I think, commissioner, we'll find out very quickly whether or not there's an interest among private firms to match the city's \$200,000. I would hope that would be within the next couple of weeks that we'd have the opportunity to explore that.

**Saltzman:** Ok.

**Leonard:** I have a question.

**Katz:** Go ahead.

**Leonard:** The \$200,000 is expended from the -- is it called the spectator fund?

**Logsdon:** Spectator facilities fund.

**Leonard:** Spectator facilities fund. What's the balance in that now?

**Logsdon:** The cash balance is between \$6 million and \$7 million.

**Leonard:** Is this the same fund that subsidizes the operation of p.g.e. Park?

**Logsdon:** Yes, it is. The fund includes the city's interests and activities over in the rose quarter, which includes memorial coliseum and, you know, the business relationship with the trail blazers, and includes p.g.e. Park. So it's -- it's for both of those.

**Leonard:** And right now we are kind of in limbo with respect to the beavers?

**Logsdon:** I think that's a fair statement.

**Leonard:** And i'm trying to be polite about that. And am I incorrect that we need to subsidize the repayment of the bonds out of this fund?

**Logsdon:** Yes. The last year and a half or so, as p.f.e. Has not made their license payments, we've had to use the other funds in the spectator facilities fund to make sure we meet our debt service

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obligation. So we have been drawing money out of the spectator facilities fund due to the nonpayment by p.f.e.

**Leonard:** What are we projecting to pay out of the fund if we don't get somebody to step forward to run the stadium at some profitability?

**Logsdon:** Pretty much about only costs for p.g.e. Park, because we've had a business model where, you know, there's a private operator, covers all the operating costs, maintenance costs, of the facility, our cost is just about only debt service, and it's about \$1 million per year that the fund needs to contribute to pay the bonds that were, you know, issued to rebuild p.g.e. Park.

**Leonard:** So we're drawing down on the \$67 million at the rate of about a million a year, if we don't get somebody --

**Logsdon:** If we got no money from an operator, that would be the rate.

**Leonard:** Do I dare ask where we're at on that?

**Grewe:** There's currently discussions between the league and the banker involved, which is teachers, on the league potentially purchasing the team.

**Leonard:** Ok.

**Grewe:** We're checking the status of that deal daily. We're hopeful that will go through, but until we see something in writing we're not going to bank on anything.

**Leonard:** Ok, thank you.

**Grewe:** If that deal were to fall through, we'd be back talking to council to talk about avenues to bring revenue into the stadium. Knock on wood, I hope we wouldn't be caught in a situation where we were not getting any -- we are at risk. It was never contemplated that the arena fund would have to subsidize p.g.e. park. That's as a result of the outcome of the business difficulties of p.g.e. park.

I'd like to clarify the money we're using for this purpose, and have been using to explore options for memorial coliseum is coming out of the balance that was allocated for memorial coliseum. And the reason I want to make that important statement is, it does have consequences in terms of the amount of money we would have available to do improvements to memorial coliseum should we not find an alternative use.

**Leonard:** Are these dollars restricted? I heard earlier that we obviously can't use them for normal general fund programs.

**Grewe:** No.

**Leonard:** Can they be used for things like community centers?

**Grewe:** I'd have to -- commissioner, I'd have to take a hard look at that because of bond covenants and those type of things involved. The fund was designed to be utilized for major spectator facilities. At this point that's defined as -- excuse me -- defined as memorial coliseum, the rose garden, and p.g.e. park. But I'd have to go look at the specific wording and see if there's a window like that that might be used if it were a spectator type of sporting facility.

**Leonard:** Ok, thanks. I'd appreciate that.

**Francesconi:** Just following up, isn't the performing arts center, aren't we also subsidizing that out of this fund, in addition to p.g.e. park?

**Grewe:** Thank you, commissioner. There's a peril agreement called a visitors development fund, which arose out of -- the city financed the expansion of -- excuse me -- the expansion of the convention center. That agreement is a part from the regulations covering the arena fund. They're two separate elements. In the v.d.i. agreement there's money coming from the lodging taxes, if it's available after debt service, that goes to subsidize the operations of the -- of the performing arts center.

**Francesconi:** Ok, thanks.

**Grewe:** So it's somewhat parallel, but apart.

**Katz:** It's separated. All right, thank you.

**Grewe:** You bet.

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**Katz:** All right. Roll call. As amended. Go ahead.

**Francesconi:** Well, everybody is trying to do the right thing for the city, and the marc is an exciting proposal that offers a lot of potential, especially in the area of branding Portland with our industries and sports apparel. So it would be a nice thing to have. In fact, it would be a wonderful thing to have. A baseball stadium would be a wonderful thing to have. But we also have to figure out how to pay for these things. And one of the reasons we've already spent \$660,000 studying this, \$400,000 from the p.d.c. Study and another \$260,000 from the dolly study, is because we wanted to make sure this was adequately analyzed. And to spend another \$200,000 of taxpayer money, however you count it, at a time when all we have to do is wait and see if the kroc proposal materializes, doesn't make much sense to me. What also doesn't make sense, the private sector partners that want to step, I think they know where we are, and there's not a competing use right now. It was different when there was a competing proposal. So do the private sector partners that want to step up and put some money into the operating and into the construction, we're here and we're ready to talk, because it does offer some potential, good potential, for our city. I can't justify putting more public dollars into this now on top of the money we've already spent. That's number one. Number two, is there is a way that the marc can work without killing, not only Washington high school, not only dishman, not only gabriel park, not only the next community center afterwards, which should be probably in northwest Portland, but it's going to mean that we get into extreme sports that could have an indoor venue, regional class skateboarding, including shows and competition, regional aquatics, rock climbing at a truly sophisticated level, perhaps ice hockey, I don't believe those activities would compete, but hank, what frankly -- i'm trying hard so that both of these can work together for the good of the city, but I was frankly chilled a little bit by the second objective in the slide presentation that we had here today and by this letter dated march 17 on alternative uses for memorial coliseum that I would like to quote from. The decision before you is an important one. A yes vote supports healthy and balanced lifestyles by providing a large-scale community recreation center to serve kids, adults, seniors and families of all incomes who live in Portland's close-in neighborhoods. That's our community centers. I mean, that's dishman and that's our community centers. The reason this is important is because the study we already paid for shows an operating deficit of \$1.7 to \$2 million. Now, hank, maybe i'm quoting it inexactly, so I trust hank and I admire him, so I must be quoting it inaccurately so i'll back off that statement, but it shows there's a substantial operating cost to this. We wanted to do the right thing at the p.g.e. Park, but the market didn't bear it. Before we get into this more, we need to know that the market will bear it in a way that doesn't drain the families out of the community centers. And I think we can get there without spending the money frankly. And this last part is also sensitive. But I don't think we have a better developer or a firm than shiels and obletz and doug obletz. And we've entrusted one of the most important projects that will really help our city in terms of jobs and housing in the downtown transit mall and light rail among the transit mall. And shiels and obletz are doing a terrific job, but I think the way we need to proceed on this is we need a national r.f.p. that costs very little money. We don't need meetings in small little group meetings, we need a national r.f.p. that goes out into the sports business and sees what we can attract in in terms of this national talent to address the issue of the marc. That's the way to get into this. We open it up. And that's the procedure that we should follow. And, you know, I really would -- you know, politicians are sensitive when it comes to this, quote, vision thing, but I -- I just believe that the vision of keeping families in our city is so important right now, that I want to help on the marc, but I want to focus my energies and my attention on the community center that we made a 17-year commitment to, to the citizens of inner southeast. So for all those reasons, I must vote no.

**Leonard:** Well, the argument made today by the proponents of the marc is compelling, indeed. It is a vision that I think obviously is exciting to hear about. But I did grow up just a few blocks from matt dishman, then known as knott street community center, and it was the center of activity for the

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kids in my neighborhood. Having said that, you know, when ohsu came up and talked about flame, well, i'm one of the few firefighters that benefited greatly, let's say, to be conservative, by that that study of firefighters. So I know it's a life-saving program. Intrigued by that. But I think we need to -- there's something we haven't talked about yet, and that is what is the highest best use of the land in terms of producing revenue for the city in creating jobs. I am not convinced that this proposal can create revenue for the city. I'm more convinced it actually will require a subsidy by the city in one form or another. I think this is a valuable piece of property at our city at the intersection of all of our light rails, on the river, and i'm not convinced this is the best use of that property. It's also very important to me that we not just keep our commitment to build the community center in inner southeast, the Washington highlights site -- Washington high school site, that we be able to keep our commitment, that we we're not committing to somehow delaying that community center. Since i've been here i've worked very, very hard to try to live up to the concerns I heard in my last election, and that is downtown is downtown, our neighborhoods are separate, and there's no connection between the two. And my commitment to try to fix that is to deliver services in neighborhoods. By doing anything that threatens community centers in neighborhoods is not the right message to send. And though I would love -- I was intrigued with many of the things that I heard here today, I just can't get myself to the place where I can -- I can support the marc without sending the message that the southeast community center won't be built or at a minimum be dramatically impacted by going on with this process. No.

**Saltzman:** Ever since I was approached by doug obletz and others supporting the concept of the marc, probably going back to the summer of 2002, I was always told that what they really needed in order to garner substantial private sector support is a clear signal from the city that this is our preferred option. This resolution today, and our commitment of up to \$200,000, probably couldn't speak any clearer to that effect. I do believe the marc is a visionary idea, and it's led, spearheaded by one of the most visionary in the city of Portland, who does have a proven track record of success in doing good things in terms of urban living, commitments to downtown, adaptive reuse, but I still think the challenges are daunting, nevertheless. I think this study, going this next step, the study, should give us the final answer, the final answer in two regards. The outcome of what the feasibility says itself, but more telling will really be whether we get the private sector dollars to even get to that point, because this next several weeks I think will really tell us the extent of whether the private sector support is there, now that they know this becomes our preferred option. Loud and clear. That's going to be interesting to see. I think that the -- you know, as to the southeast community center and the marc being mutually exclusive, with all due respects from what i've heard from my colleagues, from parks and recreation, I go back to what dr. Goldberg just said, obesity is reaching epidemic proportions in this nation, in Oregon. It's going to quickly eclipse smoking and heart disease as the number one cause of -- number one cause of death. We need to grow - - look big and grow the pie in terms of people to remain healthy. What I see in the marc and southeast community center are all vitally important to combating in number one epidemic. I'm willing to take the next step, but then we will have to make some tough decisions. Maybe the kroc initiative, or outcome with that determines that for us, but i'm willing to go the next step. Aye.

**Sten:** Well, you know, we have a problem on our hands as a community, with the coliseum. It doesn't go away. I think we have what I think could be a signature idea, a project, however you want to say it for the city of Portland, and since the early conversations came along, and the studies we've done to date were to look at all the possible uses of the coliseum, and the idea now is to hone in on the best idea and see whether or not it can work economically, and make what will be a hard-nosed decision, and has to be, because in this conversation it's been absolutely crystal clear to anybody listening that the marc project will cost a lot of money and the city doesn't have flexible resources to put it into particularly. So it's only going to work if things come together, but to not take a run at it doesn't make sense to me. The idea we should say to the salvation army, we want to

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you put \$80 million into this community, but we're not willing to spend a nickel to show you what you'll get for that money is, I don't know even where to start with that. Doesn't make sense. If you want somebody to like you, you recruit them, go after that. We need to show them that community is serious. To say to the private sector, keep funding our problem on the coliseum, despite we haven't been able to make a move doesn't make sense. We have to say we would love to put this facility here. It's a lot more than just a community center. A community center is a terrific thing, but it's got the ohsu wellness piece, a whole thing we're trying to do, that I think could show people what this community is all about, and I don't fear it, because if it doesn't work we should walk away from it, but if we walk away from it having not made a significant effort at it, i'm not interested in being on the council that then votes to knock down the coliseum, because that's what's coming next.

We can give all the platitudes we want, but it's either knock it down or put in a costco, are the two things in place, other than the marc. Haven't heard anybody champion either of those approaches on this council. We ought to take a run at this. Everybody throws this salvation army like -- it's something that came out of the blue. I don't think anybody expected it, but it's a very, very real opportunity, and because we've done the work on the marc to date, we actually have the opportunity to be in the right place at the right time, maybe, show them this could work, marry the idea of a beautiful veterans memorial that fits the bar that it should fit. I grew up close to the coliseum, went to -- name your first concert, first basketball game, the high school tournament, all these things I went to for the first time at the coliseum, and I didn't interact with the memorial. There's a great opportunity to make it a memorial that people know about and make it exciting. I understand why people are skeptical, but my commitment is if at the end of the day we have a viable plan for the marc, a long way from there, and it knocks out the Washington high school, I will take away my support. We need to make two things that will work together, but in a community that is vastly short of the kind of facilities it needs, where an adult person cannot play basketball in the evening at a public facility because there's not even close to enough, to say that we're not going to attempt to do a world class facility because we can't envision a scenario under which we have a world class facility for the region, to draw spectator events and a city caliber facility on Washington high school just doesn't make sense to me. Frankly, I think you could have a Washington high school center that really served the neighborhood needs better if it didn't have the 100% requirement, which has now been placed on it that it get enough traffic into the neighborhood to be self-supporting it, period. I can envision a scenario, where in turn for getting \$80 million we agree to put money into the Washington high school community center. That might be a good trade. You might think that this plan had a viable plan for funding the Washington high school community center. You would be wrong. There's nothing in this budget, nothing proposed on how we're going to do that yet. Let's figure out how to do it and tie these two things together and say, we can do both, we can better than that, we can knock each other out. That's enough from me. We've made mistakes as a community. You have two choices when you make mistakes. One is hunker down and never make another one. The other is to learn from the mistakes and try again. Of course, we're talking about p.g.e. Park and some of the things that have happened. The lesson from p.g.e. Park would be misread if the lesson is this community, which is known for trying things, making connections, going to places, trying to get things done, decides it should never try anything again because p.g.e. Park failed. What it shouldn't do is make unrealistic assumptions on the revenue. At the end of this six-month period we need to make a hard-nosed decision, we need to learn super the mistakes we made, but shouldn't cower from trying, because this is the right use of the coliseum, a very, very good thing that I think will define Portland once again. Aye.

**Katz:** So you sit in the mayor's seat and you're responsible for making sure that we do things that are financially sound, fiscally responsible, and deal with the infrastructure of our city. Yes, p.g.e. park was remodeled. It's a wonderful civic stadium. It wasn't the market that made p.g.e. park fail. It was poor judgment by the private sector in terms of the cost that they paid for a team and the

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kind of debt that they took out. That was their decision. Not ours. That bad business decision drains a fund that's primarily there to deal with the major sports facility of this community. So I watch that fund being drained. You know that the memorial coliseum needs major rehabilitation. It has a lot of issues that we need to deal with. And the question that you're faced with is do you continue draining a fund, knowing that it's being drained for the park as well as having to pay for a rehab of the facility with not a terribly bright future. One of the lessons that I personally learned, and one of the lessons the city should learn, is that if you replace an existing facility like we replaced the memorial coliseum with the rose quarter, you better figure out what the future of the existing facility is, and don't think that you can support both in having them both viable, economic enterprise. Major lesson. So that's the dilemma. And that was the reason we brought people together to begin thinking about some ideas. A digital center. A design center. A hotel with possibly a casino. Restaurants. A garden. I can continue, because a lot of very smart people had some very wonderful ideas. And then came the big box. And I know there are people that would like to see the big box, but when that idea came to me -- and Costco, or Home Depot was on the top of the memorial coliseum -- you can imagine what my decision was. That's not going to happen while I'm here. If you want to build big boxes, we'll have places, but it ain't going to be the memorial coliseum. Big ideas are not easy. Big ideas are not easy. Opportunities come to us, such as the potential -- and I underline the potential -- of Kroger money. Opportunities come to us by surprise. One day a phone call came in, and they said there's a possibility that Portland could -- could -- meet the criteria that the Kroger foundation might want to establish for the development of a center. That made it easier to think through the next steps. If the Marc proposal is a great idea, and I think it's a wonderful idea for this community, the sports capital. If not of this country or the world, at least the Pacific Northwest. Then we ought to take a look at it. And we ought to take a look at it in true partnership with the private sector. Commissioner Saltzman is right, it's not new money they sunk in developing the idea. It's new money. It's on a quick time line. If the private sector isn't interested then this idea will fall by the wayside, and then we'll have to make an even tougher decision about what the future of the memorial coliseum is going to be. Because taking tax money -- taxpayers' money out of a fund that funds police and fire and parks is not acceptable. It's going to have to come out of a sports arena facility that's funded through ticket tax and parking revenues and other -- and other venues. So, yes, this is a big idea. Yes, it's risky, and yes, we're going to take that first baby step to see if it makes some sense on moving ahead. Aye. [gavel pounding] ok, let's move on. 250.

**Item 250.**

**Katz:** Ok. Commissioner Francesconi.

**Francesconi:** Well, I just -- I appreciate the cooperation of police, parks, and Harry. I want to that Harry ahead of time. We want to do two things here. We really -- we're going to -- preserve people's constitutional rights, but we also have to give parks and police a tool to protect our kids and families. We haven't had a chance to explain to you what's developed since we haven't had this tool, but it's significant. And so because of, again, good community policing work here, that we're going to hear about in a minute, which means all of us, not just the police, but, mark, I want to thank you ahead of time, I think what we're doing here is constitutionally protecting the rights of people to use our parks as they should for protests and public places -- in public places, but not at the expense of the safety of our kids and families and other park users. So go ahead.

**Rosie Sizer, Commander, Central Precinct:** My name is Rosie Sizer, I'm the commander of central precinct. Good afternoon now.

**Katz:** I'm sorry.

**Sizer:** I've been asked to lead off to frame the issue, and I've brought with me Officer Craig Dobson who works central day shift, principally the downtown area that encompasses both waterfront park and Pioneer Courthouse Square. Portland has a wonderful and very well-used park system. We also

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have some public safety problems in our parks. In some parks we have more public safety problems than in others. I've been a police officer for almost 20 years, and i've worked my patrol experience is mainly in north and northeast, and central precincts. I've witnessed chronic and acute problems, public safety problems, in peninsula, irving, dawson, holiday, waterfront, pioneer courthouse square, the north park blocks, and in couch park. The public reaction to these public safety problems has been manifested in angry community meetings, calls for service through the bureau of emergency communications, complaint to the police bureau, complaints to the mayor's office, and i'm certain complaints to commissioner Francesconi's office. The problems that we address range from the mundane to the very serious. From minor rule violations that lead to the degradation of the public space and its amenities, like climbing on statues, skateboarding where it's prohibited, and denuding leaves out of trees, to major crimes to include drug crimes, assaults, sexual predation, especially against children, pedestrian robberies, and even occasionally murders. Park exclusions have been an incredibly useful tool for Portland police officers and other park officers as defined by the code. They are especially useful to those officers to ascribe to the broken windows theory, that if you take care of the little stuff you're less likely to have big problems in the park. We call it order maintenance on livability issues. We like to address issues that the community thinks are important and thereby we try to ensure that the parks stay maintained and well used. I believe that the park exclusion process is necessary. It's in fact critical. It makes up for some of the deficiencies in the criminal justice system, which we hear in countless news stories has its own share of problems. Craig will talk very briefly about what he's experienced, particularly since the loss of the park exclusion ability.

**Katz:** Before we get to the professional work that he's going to share with us, would you tell the council, I know, but i'm not sure the council or the public knows, why you're bald.

**Craig Dobson, Portland Police Bureau:** Oh. Why i'm bald.

**Katz:** Right.

**Dobson:** I have alopecia, an autoimmune disorder, which causes round bald spots on my head, and it's easier to shave my head so it's all uniform than it is to constantly receive questions on have I -- on why I have strange marks on my head.

**Leonard:** Are you suggesting I shave my head?

**\*\*\*\*\*:** No. Yours is uniform.

**Katz:** The lawyers always say, never ask a question when you don't know the answer. I thought the answer was going to be you participated in the fund-raising for children that the police -- that the police bureau currently is participating in.

**Dobson:** Unfortunately, I didn't get in on that.

**Katz:** I'm sorry. I thought that was the reason.

**Dobson:** No.

**Katz:** Otherwise I would have not have asked the question.

**Dobson:** Not a problem.

**Katz:** All right, thank you.

**Dobson:** I'm officer dobson, also with the Portland police. I've been a police officer for about 5 1/2 years. I've worked downtown since november of 1999. Our major problems within the parks, waterfront and pioneer courthouse square, south park blocks, north park blocks, has been number one drugs, number two alcohol, fighting or tumultuous activities, weapons, littering and skateboarding, are our major issues that we deal with on a regular basis. With our inability to address those problems with simply excluding these people rather than, say, giving them a citation, even if I give them a citation for dealing drugs or using drugs or using alcohol, there's nothing that stops them from continuing that activity within the park. And our problem continues to grow as we're unable to stop the activities, or remove those people that cause the problems within our parks. I guess i'm more here for the questions from you guys than anything.



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**Katz:** Did you want to continue? No, ok. Mark?

**Mark Warrington, Portland Parks and Recreation:** Good afternoon, mayor. Commissioners. I'm mark warrington, the public safety manager for Portland parks and recreation. All of us at parks and recreation work hard to keep the parks safe. We work with many different public safety partners, both government-based and community-based to help prevent crime, conflicts and to solve problems. To help parks remain safe, we have laws, we have rules. We explain the rules, we ask people for voluntary compliance with the rules, however when that compliance is not forthcoming, people refuse to follow the law, we need the ability to excluded them from the park in order to solve this -- the immediate problem. The ordinance before you is updated and improved. We will continue to work closely with the city attorneys, district attorneys, Portland police bureau and others to keep the procedures for this exclusion ordinance in order and train staff how to properly use this enforcement tool. It's critical police officers are able to exclude people to prevent their behavior. I invite you to come out to a swimming pool on a hot day or visit rose festival waterfront village, and you'll see just what I mean. In the case of park rangers, other park officers, including community center directors, it's essential that they have the ability to eject people when they're causing a disturbance and breaking laws in the facilities. Here are some examples of where we've issued exclusions. We've excluded drug dealers, drug users in different parks. Those folks that discard their used needles, cooking lids, stash their drugs in the grass, sometimes near where children play. We've had children pick up balloons of heroin before. Sometimes at athletic contests in community centers, or other sporting venues, participants run short on sportsmanship, and we have instances of intimidation, fights, and other behaviors we don't want to tolerate. Sometimes at our public swimming pools we have men who wear swimming goggles, and they get close to women under water, and ogle them. If they fail to stop doing that, when we ask them, we've excluded them. We've excluded people that are intoxicated, very disorderly, interrupting permitted events, like a group trying to have a wedding in a park. And as the commander said, the predatory concern on hot summer days, in our fountains, park fountains, where parents let their little kids wade in the fountains. We've excluded known pedophiles, watching them, video taping them while these children are naked or partly clothed. These right kind of things that we don't want to tolerate in parks. As a practical matter we, need to be able to exclude people who break these laws. In closing, I ask you to approve the ordinance. We absolutely need it. Thank you.

**Katz:** Thank you. Let me bring harry up to the desk here. Or you can talk from here. I know that commissioner Francesconi was going to bring this ordinance before judge haggerty made a decision with regard to this, and if you've read harry's memo of march 11 it clearly identification that sections of this ordinance isn't impacted by the decision, and in some sections responds to it. I want harry to share that with you, but more importantly I want the community who's out next -- next week, in a large demonstration on an issue that they feel very strongly about, to clearly understand what that haggerty decision really meant and what it didn't mean, and what tools our officers and the park team still have available, because the media that I -- that I review, and it's more than the newspapers, it's what's on the web, thinks that now is -- you know, y'all come and we can do anything we want, because we have a court decision. That isn't true. And this will be a wonderful opportunity for people here in the audience, those watching and listening to us, what it does do and what it doesn't do. So harry.

**Harry Auerbach, Sr. Deputy Attorney:** Thank you. Mayor Katz, members of the council, i'm harry auerbach from the city attorney's office. I'm going to try to be as comprehensive and yet as quick as I can. The first thing I want to say at the top is that there was nothing in the court decision that invalidated any of our substantive regulations. So that means that all of the laws that -- whether they were in the code or state law, or rules and regulations that we'd adopted for the parks, they're all in effect. And the judge was of the opinion that our -- our recourse through the criminal law was adequate to deal with them. Our practical sense, and I know commander sizer will support me in

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this, is that factually is not true, but nonetheless those sanctions are there, and if in the interim those are the tools we have to deal with them, people who commit criminal behavior in the parks will be dealt with through the criminal justice system. This ordinance, in its prior form, is simply a tool. No matter what else can happen to you, if you break the law in the park, you could be excluded from the park. What we've tried to do is narrow and clarify and respond to some of the concerns that the judge raised and other folks have raised to make the process fair and effective. And I believe, although since I wrote it I guess I may not be entirely unbiased on this, I believe we have succeeded in doing that. To start at the beginning, one of the things we're doing, simple things, to make the ordinance more understandable, instead of listening to the various folks are who can enforce the provisions, we simply refer to them as park officer, and in a separate section of the code we'll identify who the park officer is. That's something we're already looking at doing. One other introductory remark, and that is there's a perception, because of the particular fact situation in which this litigation arose, and in the way it's been reported publicly, that we unfairly use this tool to interfere with people's legitimate exercise of their free speech rights. That is a misperception. We don't do that. We know we can't do that. We have no intention of doing that. So to make it absolutely clear that that's not what we're about, we're going to add a statement to the first subsection of this provision that says that nothing in this section shall be construed to authorize the exclusion of any person lawfully exercising free speech rights or other rights protected by the state or federal constitution. But the point is that nobody who uses the park gets a free pass. If you're doing things that -- you know, if you're giving a speech and still chiseling a wall in the hole, you don't have to a right to do that, and we're going to deal with that. So then we narrowed down what was the applicable provisions of law. There were some concern raised that the ordinance was too broad because we -- it provides this remedy for any violation of state law and we've got 16 volumes of state laws and not all of them have anything to do with what you're doing in the park. In practice, that never was an issue, but in order to make sure that it -- it's not an issue, we limited it by saying that applicable provision of the law means applicable provisions of state law and these other things, basically we're talking about laws that apply specifically to things people are doing in the park. We also have closed another language loop by providing specifically that the conduct has to happen in the park that you're being excluded from. That was always our understanding. That's always the way it's been enforced, but somewhere those in any park -- that specific language wasn't in the code, it's going to be now. We are going to provide -- one of the things that we did add specifically in order to try to reach some of the concerns that judge haggerty raised is to add a warning provision. It had been fairly standard practice for our enforcing officers to try to get people, at least with the more mundane there are going to be exceptions. The exceptions are for any conduct that's punishable as a felony, anything involving drugs or alcohol, anything that has -- has resulted in damage to property or injury to a person. Any other situation in which it's impracticable to give a warning and for anything the person has been previously warned or excluded. We don't want to be in a situation where we keep people warning people about the same things, but we want people to have a fair chance to behave themselves without damaging others in the park. We're also changing the appeal process. For some time we've been interested in pursuing a stay, having a stay while a person was challenging their exclusion. Our limiting factor that the police bureau's tracking system wasn't set up to accommodate that. We've fixed that problem. So now if you get a park exclusion, you can go right down to the nearest precinct, file your appealed and having a stay. You can go back in the park without having fear of arrest until the hearing officer makes the decision. The code has always provided a discretionary power in the commissioner in charge of parks to permit a person to be in a park even though they have an exclusion. To grant a temporary waiver from some or all of the effects of the exclusion. We're retaining that and trying to give it a little bit of guidance by -- it's something that's not used very often, and i've now worked with several

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commissioners in charge of parks, and they have had some concern about how to apply this when it does come up.

**Francesconi:** Thank you for that right.

**Auerbach:** So we've tried to give some guidance in terms of criteria the commissioner can use in making that determination, such as balancing the need of the offense, and the need of the person to be in the park with regard to the speech content of the event. The appeal provisions now will be uniform with those that the code hearings officer applies in his -- in the other appeals the hearings officer has, that gives -- that -- since that will affect the stay, and you won't have the -- one of the problems we were having is making sure that we had a process available while there was still some meaningful -- while the exclusion was still in effect, so it didn't become moot. This will help solve that problem. And the hearings officer will apply the same standards. And then the one thing that we've added, in terms of increasing the sanction, is -- and this was an idea that officer Myers came to me with, was that the police had identified that there were -- we were having problems with repeat offenders, and so we've added a provision that if you get a second exclusion within a two-year period, your exclusion is for 90 days. If you get a third one, it's for 180 days. That's a summary of the changes. I can answer any questions that you all have about those.

**Saltzman:** I have a question.

**Katz:** Go ahead.

**Saltzman:** My only question was, I thought one of the tenets of the ruling was that -- or that the exclusion must be for a particular park.

**Auerbach:** Yes, that's correct.

**Saltzman:** I notice under here that the commissioner in charge is given the ability to combine one or more parks for enforcement purposes.

**Auerbach:** We're taking that out. We're discontinuing that practice. In your current exhibit a, and I'm going to ask you to amend the pending ordinance by substituting the exhibit a that we distributed this morning.

**Katz:** This is substitute to exhibit a, item 250?

**\*\*\*\*\*:** Yes.

**Katz:** All right. I need a --

**Saltzman:** I guess I'm confused, because my exhibit a says --

**Katz:** You've got the substitute in front of you? There it is.

**Saltzman:** Oh, ok.

**Katz:** I need a motion for the substitute of exhibit a.

**Francesconi:** So moved.

**Katz:** Do I hear a second?

**Saltzman:** Seconded.

**Katz:** Any objections? Hearing none, so ruled. [gavel pounded]

**Sizer:** We will be discontinuing that practice, and the exclusion will only be in the specific park in which the conduct occurred.

**Leonard:** So rosie --

**Sizer:** A couple of other pieces of information that didn't get covered. We're looking at 2200, 2300 exclusions issued every year. In terms of the recidivism factor we have found that about 10% of the people who we exclude are excluded twice within a two-year period. About 7% of the people who we exclude are excluded three or more times within a two-year period. So that would speak to that issue of the -- the 90- and 180-day exclusions. Then in answer to commission Saltzman's question of yesterday about the demographic information, and our sense was that the exclusions roughly mirror the demographic profile of the community, and we found roughly 77% of the exclusions were issued to white people, about 10% to african american, 2% to asian, 7% to hispanics. About 82% of them are issued to men. 18% to women.

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**Katz:** That's the 20/80 rule. Thank you. I want to thank the council. I know we're hungry and have other things, but I think that was very important. One for everybody to understand, and two to send the message that the haggerty decision didn't mean that you can go and not be excluded. We still have laws on the books regarding sidewalks and streets and need to keep that in mind.

**Warrington:** Your honor, we have two other people kind in enough to come and testify.

**Katz:** That's fine.

**Warrington:** We have our community center supervisor, nanette furman from mount scott community center, and also tom carollo was kind enough to come up to help us. And Mr. Lou Rawlinson may or may not be here, but he was invited.

**Katz:** Come on up. We have three chairs. Thank you. Stick around if there are any questions. All right. Who wants to start?

**Tom Carollo (last name?):** My name is tom carollo. For the past seven years i've worked for john beardsly of beardsly building development. Most recently now as his general manager. Prior to this I was a tenant operating a restaurant in the new market theater building. That building which john now owns. John also owns a building called the blagen block located at couch and northwest first. Both properties are within one block of waterfront park and bisected by burnside. Also on the board of the old town/china town association. I find the neighborhood suffers from a bad reputation, which i'm sure is not news to anyone. But I do continue to hear it from prospective office and retail tenants all the time, as reasons of why they won't locate their business in this area. The reputation is continually reinforced as these potential tenants tour the neighborhood. North of burnside, in the waterfront park, I often feel as an outsider, as I walk in the midst of the usual drinkers, drug dealers and campers, which seemed to have claimed this part of the park for their own. From my perspective, though the area's drug dealing is the real core and fundamental problem, which often spins off other problems. I see many familiar faces over time, that i've been there, who are calling the park their own, looking for a good place to earn a living. One can't but help see the frequent drug dealing. I'm not expert on this type of crime, but I do know that one of the best assets of a drug-dealing gang is the turf they're able to stake out. Their graffiti is evidence of this. Once in awhile I read the results of a gang war ending in violence. Take one of the drug dealer's best assets away from them. The police should have the ability to wage their own turf war on our behalf with the stroke of a pen. I'm confident this will have a positive impact on the quality of life, especially for our tenants, merchants and customers. Thank you.

**Katz:** Thank you.

**Nanette Nelson-Berman, Portland Parks and Recreation:** I'm nanette nelson berman, been with Portland parks and recreation for 25 years. I'm currently at mount scott community center. After the recent ruling we were emailed not to issue any exclusions. And an incident occurred on march 3 where I was very frustrated with an incident that occurred that I felt I needed to issue an exclusion. We had a gentleman who had followed a family from mcdonald's on 82nd into mount scott community center. The mom and her young son, 9-year-old boy, were participating in one of our homeschool basketball league programs. The mother remained in the gym while the son, her son, ran out to the lobby to get a drink of water. At that point he was accosted and approached by a man, a man that had approached them at mcdonald's. He attempted to convince this 9-year-old boy to go outside and play with him. The boy was very frightened, ran into the gym in tears. We can't help but think this man's intent was not really to play legitimately with this child, especially when he kept referring to the boy as a pretty thing. At that point we called the police. They responded. And the police officers and parks staff wanted to issue an exclusion for what we felt was inappropriate behavior. Due to that recent ruling we didn't and merely had to ask him to leave. My concern, of course, at that point was how do I explain to this mother that this man can return to the center and I can't do anything about it? I want to be able to protect our children who use our community centers and our parks. You know, rules are established to prevent the actions of a few

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from ruining the benefits for the many. There must be a way to enforce these rules or else the benefits to the community are lost and the safety of our citizens is compromised. Please give us the tools.

**Katz:** Thank you.

**Francesconi:** Your email to me and everybody else on that got attention and it forced us to move more quickly.

**Sten:** Nanette, one question. I'd heard concern about, that your son was on the ground dealing with this, with sort of the breadth of should be allowed to issue an exclusion. Under this any parks employee can issue an exclusion, and any employee of an concessionaire that runs a golf course. Is that too broad? I mean, should it be where an employee has to come to the director or somebody like that to -- I doubt this is the way it works in practice, but if you read it directly, you know, a part-time employee who had been working for you for a week could exclude somebody on their authority. Is that how you guys do it in practice?

**Nelson-Berman:** Typically it's a full-time parks employee who issues an exclusion. We have some situations, for instance in our summer pools, where we rely heavily on part-time. I think they need to be empowered with training.

**Saltzman:** I was concerned, too, about the groundskeeper on a golf course, or somebody that's a -- maybe even a pro can exclude somebody?

**Auerbach:** Mayor and commissioner, let me try and answer that. Let me start by saying that the vast majority of exclusions in practice are issued either by police officers or by the p.p.i. Security in the downtown parks. The reason that the ordinance is written to allow other parks officers -- officers to issue them is, number one, these are the people who are in the point of contact with the folks in the parks. They're the people who see the behavior and can attest to the fact that it in fact happened. It's their name that goes on it. They have to fill out the forms and potentially testify that it happened, and so it's -- it seemed more appropriate to have the person who witnessed the behavior be the person who issued the exclusion. I am -- I can say -- as far as the greenskeepers, i'm quite sure that we've never had a park exclusion issued by a greenskeeper. The concessionaires at the golf courses, however, are the people responsible for moving people through the golf courses. We don't have other people out there in a position to really do that. That was our thinking in writing it this way. If the council is uncomfortable with that, we can see if there's a way to narrow that that would still make it usable when we need to use it. I do know mark through his park rangers and his work through the bureau is very committed to making sure people know the use of this tool and that we don't use it in situations when it's not warranted.

**Saltzman:** I am interested in a little further exploration between now and the second reading or third reading, but perhaps there can be, you know, a few people at a golf course that have the authority to actually sign it as long as they have, you know, the employee who actually witnessed the behavior be filing an affidavit or on the form as a witness, but -- it makes me uncomfortable. Seems like we're -- parks rangers, golf course concessionaires, a pretty broad group, and I see tom lawsuit settlements that we enter every day in this city, and it just seems like we might be inviting more.

**Auerbach:** Ok. I appreciate that. I will just observe that we don't have a whole lot of people at the golf course. It's not like they're teaming with golf course concessionaire employees. There's a handful of folks.

**Francesconi:** I don't want to postpone this thing, so we have to craft language when we bring it back it doesn't postpone us anymore. That's what I don't want to do. So if it was something that -- I think it's important to leave it broad so that at these exclusion hearings, which we're elevating, because now we're not going to excluded anybody if they appeal it, they have the right to confront the accuser. It would be nice if people knew who had the allegation. I don't think we should

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change that. But the idea of part-time employees, or whatever it is, where it has to be approved by the supervisor, that seems like that's something we could do, isn't it? That wouldn't hurt the --

**Auerbach:** It is. I might suggest you might think about -- well, it is. You might also want to consider whether you want to do that by -- by just directing the bureau as to how to enforce it, but -

**Francesconi:** I'm fine with that if the council is. I mean, the idea, it's a legitimate question raised by commissioner Sten and forwarded by commissioner Saltzman. So if you have part-time employees, I mean the idea, they witness it, bring it to a supervisor, who has to sign off on it, makes sense to me actually.

**Nelson-Berman:** Let me follow up on that. The part-time employees, you were talking about the pool in the summer. There was a supervisor around so that that can happen and can happen quickly if you've got a situation that appears to be dangerous. Yes? No?

**Auerbach:** Fairly quickly. Most pools have what's called a recreation coordinator one.

**Katz:** If something is going on, and you have to find somebody at the other way somewhere, you've got a problem. You've got to draw exceptions for emergency situations. The park rangers, those are sort of our park law enforcement people. So I don't have a problem with the park rangers at all.

**Francesconi:** The park rangers have to be able to do it.

**Saltzman:** Are they full-time? Seasonal or --

**Katz:** Seasonal.

**Auerbach:** They're seasonal. There's a difference between part-time and full-time and temporary. They're temporary. I don't know if they're all full time, but they're seasonal.

**Sten:** My issue isn't whether somebody's part-time or full-time. Is it necessary for all employees, at all facilities, to have the ability to exclude, or is that from our operations standpoint, because I agree with the operations that you're trying to achieve, is that unnecessarily broad, because I mean this -- without getting deep into the legal issues, because i'm not a lawyer, it looks to me like this last statute, some other statutes i'm been concerned about in the past, generally lose when they're unnecessarily broad. I'm looking for areas where, you know, although it may not have been abused, the opportunity for abuse I see as almost none if a supervisor has to retroactively -- when we open it up as the range of people, nobody that works for the park bureau, can exclude you on their authority alone, with no oversight, it seems to me that we're opening ourselves up to a potential problem. Seems like a way to get around it. If not, that's why i'm asking the operational question, do you need every one of your employees to have -- according to the code, no the practice -- unchallenged authority to exclude at any time based on their judgment.

**Nelson-Berman:** From an operational standpoint there would be some challenges. At mount scott community center, we're open seven days a week. Not always on any given day well very a full-time employee on site.

**Saltzman:** Forget full-time and part-time.

**Sten:** You assume you have an acting supervisor. I regret saying part-time, because everyone's focusing on that, and that's not the question.

**Saltzman:** So there's always somebody in charge? We would have a designated supervisor, yes.

**Katz:** And I would just add, there needs to be exceptions when you've got an emergency situation, if you're going to write a rule that you're operating under, because sometimes you need to -- I used to be a lifeguard, and you need to move and need to move quickly.

**\*\*\*\*\*:** Yes.

**Katz:** And you can't run around looking for a supervisor. Ok, sir --

**Sten:** When I used to be a lifeguard, we'd kick people out of the session and go to our supervisor for permission to kick them out for the next 30 days. That's how it used to be when I worked in the parks.

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**\*\*\*\*\*:** Hasn't changed too much.

**Sten:** You could kick someone out, just couldn't exclude them.

**Katz:** I had the power to do both. [laughter]

**Auerbach:** Definitely we've heard the concern. I think between now and next wednesday we should sort out whether there's nothing we need to do textually or just deal with it on an enforcement basis.

**Sten:** Good enough for me.

**Katz:** I'm sorry. We had a private conversation. What did you say harry?

**Auerbach:** We need to work out on whether we should deal with it in the text of the ordinance or the enforcement.

**Katz:** There's a problem. If you amend it next week, it has to carry over for we're another week, and that was a concern.

**Auerbach:** There's more than one problem. Yes, I know that.

**Katz:** I think the council might be happy with a clear understanding from the commissioner in charge and from the bureau manager that there has to be some rules with the supervisor signing off under certain exceptions.

**Francesconi:** We need to bring something back in writing. The question is, is it an amendment to this or an amendment to the practice?

**Auerbach:** We'll talk with the commissioner in charge.

**Katz:** Excellent. Sir, do you think we forgot about you?

**\*\*\*\*\*:** That's ok.

**Katz:** Go ahead.

**Lou Robinson:** I'm lou robinson, the owner of australian's original store, located on the corn of southwest first and ankeny. And our front door is about 20 feet across from ankeny park. So for the last 15 years i've had a real clear picture of the problems that occur in the park, and that are ongoing. And I just want to speak up to support this exclusion effort. We have a lot of wonderful parks in town. I'm most associated with an kenny and -- ankeny and waterfront. What happens is that not only the locals, but the tourists come in and they go to these places, and they don't feel comfortable. And what should be a common area for everybody ends up being the domain of those who seek to come in and control it for their own personal benefit. And I really think that it's a shame, if we don't take strong action, to reclaim certain parts of our city. I've been in old town for 15 years. I keep thinking that that wonderful old area is going to change and it's going to be cool again. So I would appreciate the support in trying to make that happen with the -- I mean, we need more obviously than exclusion, but I think that is necessary. I also think that if you're going to have someone excluded from only one park for offenses, then you need to rename ankeny park as part of waterfront park, because they'll simply walk across the street. I mean, let's get them out of both places at one time. That's it.

**Katz:** Thank you. Thank you. Thank you all. Go ahead.

**Katz:** Go ahead, sir.

**Ed Johnson:** Good afternoon. My name is ed johnson. I'm an attorney at the Oregon law center. Before that I worked at Multnomah county legal aid, and the first time I became aware of this park exclusion ordinance was about five or six years ago. A guy walked into our office named scott reidel, and scott is a freeze model. He's one of those guys that stands motionless for long periods of time in public places. And he had a sheet of paper that was a park exclusion that said that he was soliciting in the square, and what he was doing was he was standing motionless on top of a newspaper box with his hat at his feet. And he was kicked out of three parks for 30 days. So we took a look at this ordinance. What I expected to see in this ordinance was that people could be kicked out of city parks if they created a safety risk. And so I expected to see a list of safety-related offenses that could lead to someone being kicked out of the park, but what I saw was an incredibly

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broad ordinance that would allow for someone to be kicked out of one or more parks for violating any state law, any city code ordinance, any park rule. And so we started to look at this issue. We learned that the city uses this thing pretty frequently. About six or seven people a day on average are kicked out of parks. And people started to come in to our office. We talked to dozens of people who were excluded from parks for jaywalking across streets, sometimes when they were closed to traffic, for bicycles, skateboards, shopping carts, for disobeying park officers, for littering, and we might argue about whether these create a safety hazard, but I think clearly, in many cases, they did not create any kind of safety risk. They were just routine, rinky-dink offenses that allowed for this very serious penalty of being kicked out of a park for a month. I think what judge -- we also represented the angie and teresa in the recent case that judge haggerty decided, and I think the new ordinance makes improvements. If it didn't have the impractability language, there might be a real benefit and solve constitutional problems. The ordinance also makes things worse, but doesn't address the main problem with the ordinance and judge haggerty's concern, which this is a serious infringement on people's rights, and there's pages of legal stuff to be said about that. There's reams of constitutional arguments, but bottom line is it infringes in a serious way on people's right to kick them out of the park. And therefore the city needs to take that action for serious reasons. And I would point to paragraph d in the warning section, mr. Auerbach has made a crack in that language of narrowing it to very serious -- i'm used to having the same amount of time as harry, I know that's not going to happen today, but just a few seconds.

**Katz:** Yeah, right.

**Francesconi:** We should extend the rules and give him more time.

**Katz:** I'll take care of that, but not the same amount of time. Finish your thought. Don't repeat yourself, but finish your thought.

**Johnson:** I'll try not to. And so the bottom line is that the -- while paragraph d, I think, would be a good starting point toward drafting an ordinance that listed serious safety-related offenses, that would address the concerns of the pool administrator who just spoke and the police officers, to continue to leave it open to all laws -- I mean, this applicable rule of law, having that defined as an applicable rule of law is completely circular. It hasn't been narrowed at all. While I believe that the city is approaching constitutionality in some areas, it's our feeling that if this ordinance is passed, it should be passed with the knowledge that it is almost certainly still unconstitutional.

**Katz:** Thank you. Good lawyers will debate that.

**Marc Jolin:** Mayor Katz, commissioners, i'm the staff attorney for the homeless law project at the Oregon law center. Ed and I co-counseled the the case that resulted in the judge's recent decision. We're here because we've made an open invitation to work with the city attorney's office to try to craft a more narrowly tailored ordinance addressing the kinds of concerns that the court articulated and that our client community has. And we're still open to doing that. I want to talk just briefly about the procedural due process issue, because although I think there are some improvements in this draft ordinance, it fundamentally isn't going to address the procedural due process issue. There are really two questions that a court's going to be concerned about in a procedural due process argument. One is the likelihood of an erroneous deprivation of people's liberty interest, and the second is if there's unequal enforcement or abuse of discretion in the use of an ordinance. We have that problem. We continue to have that problem in this revised ordinance, specifically one issue was named, that is that you've got this laundry list of people who can issue exclusions. Only some of whom are going to have legal training to interpret state criminal and traffic law, city law, county law, park rules and so forth. Those individuals are entitled to enforce any of those, interpret and enforce any of those laws under this ordinance. Now the second piece is that you haven't actually created a predeprivation hearing. All right? The critical, from my perspective, the critical issue is that the decision that a violation has occurred and the imposition of the sanction, the exclusion, is still made by the frontline individual. Any number of -- you know, any one of those people listed in



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the statute as being permitted to issue the exclusion, not only gets to accuse the individual of having violated the law, but gets to impose the sanction. Now it's true that if that deprivation is erroneous, we now have a system that allows the individual to stay -- to shorten the duration of an deprivation by going and getting a stay from the hearings officer, but the reality is that the exclusion still goes into effect at that moment. Then you have the question about the hearing itself. There's no standard of proof at all right now for the individual issuing the exclusions. So in the drug-free zone law it says you -- the officer who issues it has to have probable cause. There's no similar language in this ordinance. Nowhere is it specified how much experience the person needs to have. At the hearings officer level the -- you may recall judge marcus' opinion on the drug-free zone turned on what was the evidentiary burden at the hearings level. Now, you know, these are all things that can be fixed. These are all things that could be crafted into an ordinance that nonetheless met the very real safety and health issues that the folks who have testified previously are concerned about. I don't think it would create an ordinance that wasn't administerable or effective in achieving its objective. So I'd encourage you to not adopt this, give us an opportunity to try to craft something that's narrower.

**Katz:** Thank you.

**Sten:** From the law center's point of view, on the question you have about having exclusion before there's any process, are you having some kind of hearing before they're excluded, I guess to be blunt from two points of view, I mean I think -- I'm very sympathetic in still thinking about this to your arguments and I'm concerned this won't pass constitutional muster, and I'm interested in your idea of trying to find something that would. I'm not interested in the parks not being able to exclude the person on the site. Let's assume it's a serious offense, I think the parks employees have to have the ability to be excluded right there. Secondly, based on the fact that the abuses of it are going to be less often than it's an obvious issue, assuming we have the right list of things that you can go for, the cost of having those hearings to me seems to be more than the benefit. So I like the idea of -- of an easy, quick challenge, being available, but that's the place where you're losing me in terms of practicability from the -- from getting the intent of the exclusion ordinance. Is there any middle ground on that?

**Jolin:** Well, one middle ground is what you do in the drug-free zone case. I think arguably the city's interest in that is as compelling. And there the arrangement is that the individual is issued the exclusion and it doesn't take effect for a certain number of days. Giving that person the opportunity to appeal, if they don't it kicks in. Now the relevant point is that there's no reason that the parks official has to allow the conduct to continue. There's no reason that the parks official can't provide a lawful order to have that person removed from the site at that point. If they return, arrest them for trespassing. As you indicated earlier the park exclusion is a separate mechanism, has its own set of rules and own set of constitutional issues. You're not using the park exclusion to punish misconduct. You're using it to deter that person from coming back and engaging in misconduct again. And as such you've got to have a process in place that allows the person, not only to prove that they didn't engage in that conduct, but that they aren't in anyway likely to come back and do it again. So, I mean, you're always balancing the rights against the community's legitimate desire to create safety. Again, part of the reason that these things are problematic is because the scope of things that you can exclude people for is so broad. My clients have not been people engaged in drug activity in the park, they got excluded because they were sitting on a wall or because they violated essentially an unpublished rule about having a shopping cart in pioneer square. Your argument that you have a compelling interest in removing those people immediately would be stronger, if someone is engaged in violence, you would exclude that person immediately and not give them a predeprivation hearing would be a more defensible procedure. Tri-met with their exclusion procedures has adopted a model something like that. They just passed a new ordinance. They've got a distinction between offenses that create a health safety risk and ones that don't, like a fare violation. For the ones that don't they guarantee a predeprivation hearing. My point in being

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here right now is to say, we've been litigating this for a long time. There are fixes we can make to this ordinance that will make it more defensible and more fair, and we're open to doing that if you're interested.

**Katz:** Harry, you get equal time.

**Auerbach:** Well, let me respond to two things. One is the evidentiary standard and actually the hearings officer has de novo review. He needs to look at the evidence, whether it's in the form of the affidavits or live testimony, depending on whether the person asks for the issuing officer to appear. And make a determination, did the violation in fact occur. And when that decision is appealed, the test is whether there's substantial evidence to support whatever decision the hearings officer made. And I will put in a plug for our hearings officers. They are serious and thoughtful people who in front of whom I believe everybody gets a fair hearing. As far as narrowing the list of what we exclude for, we gave some thought to that. The problem is that we don't make rules that we don't need to enforce. I mean, the idea is if we have any of those we, try to weed them out. We make rules, whether they're park rules or in the code or state law, because the things that they prescribe are bad things. And in the park context, specifically they have a bad impact on the park. What we've tried to do in order to weed -- separate the more serious from the less serious is deal with it through the warning provision. So that a person who is engaged in a -- a minor offense like littering has the opportunity to pick up his trash and then not get an exclusion. If they behave they're not going to get an exclusion. If people refuse to conform their behavior to the rules, no matter how petty some people might think those rules are, we have an about in letting them know that that disobedience will not be tolerated in the park or else we start to lose control of all behavior in the parks. That's the thinking behind giving them a warning and giving them a chance, where it's feasible, to moderate their behavior and not have any exclusion at all.

**Leonard:** How is sitting on a wall an example of something that causes us concern?

**Katz:** You want to come --

**Auerbach:** Well, I'll let officer Dobson come and respond to that.

**Katz:** Come up to the mic.

**Dobson:** In one of the cases, they fell off the wall. And I guess the liability issue of who's liable for them falling off the wall if we didn't ask them to fall off the wall.

**Leonard:** I'm envisioning at the pioneer courthouse square there's the possibility to sit on something to sit on a wall with your feet on the ground. I guess the concern I have, are there attempts to find reasons to exclude people we might not just like because of their message or because of how they look, and then use, you know, this broad language that says if you violate any law or statute -- I mean, I think I'm sharing that concern. And I get the liability thing, but --

**Auerbach:** Let me take a run at that. First of all, again, we need to always look at the regulations -- the substantive regulations we have in place and see if they're appropriate. That's an ongoing challenge. If we have rules that -- that don't make sense, then we need to get rid of those rules. If we do rules and people aren't following them, then wherever possible we ought to give them the opportunity to follow the rules. We shouldn't say you're sitting on a bench, you're out of here. We should be able to say, look, we have this rule, and it could be a for a variety of rules, for the protection of the people, or structural or aesthetic let, it may be necessary to keep people off for that. I don't know.

**Francesconi:** Let me cut in a minute here. Do you want to finish your thought or me cut in? I was moving down the course of looking at if there were certain offenses that we wouldn't apply this way. I was asking Harry the same questions, but then I became convinced, why do we have the rules at all, then? We should get rid of the rules, but what I hadn't considered, and I'd like to talk about it after this hearing, is the idea of what you just said about different types of hearings, gin health and safety violations versus the other. We tried to get at that with the warnings. The other thing I really like is now we're not going to excluded anybody if they file an appeal pending it, but

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the idea of different standards for health and safety, maybe we don't even do that much, versus some other ones, is an idea we did not talk about. And so I would like you to talk with Harry about that idea. And I'll explore it by next week. We'll look to see. That one I'm interested in frankly.

**Katz:** Ok. So let me just say, that's all well and good and we need to make the changes that the council wants to make, but just want to let everybody know that means that it's another two weeks, and that maybe ok as well. Ok.

**Mike Dee:** Mike dee, liberation collective. I'm a survivor or victim of the former ordinance. Also the criminal trespass ordinance and disorderly conduct statute, all of which have had pieces overturned to be constitutional as a human rights, constitutional rights, inalienable rights were violated in those former procedures. I was just sitting in the park and got arrested. Anyway, I think that to have a stay is a good idea. I think the appeal needs to be something that people can do. We don't have the documentation, for example it depends on your forum, too president there are certain rules in making these forums. Not having the forum available, it didn't say, for example, someone can file an appeal by going to a certain location. I heard talk of going to a precinct. You might want to make it more like the hearings officer. Can they do it in writing, by fax, by mail, by a phone call? How can they file an appeal? Those are important things to know. And even if this ordinance hasn't passed the test of being constitutional, you might take a look at some of the other ordinances that you have out there, make sure those aren't violating people's rights. You brought up pioneer courthouse square. Yeah, that's a confusing place there. Is it a park or what's the deal there? If you're underneath a shelter, you're now in tri-met property. You know, you sit on something that looks like a wall, it turns out it's a piece of art. You know, there's rules on that. You know, it would be nice if that was a little more clear for people. As far as who can issue the exclusions, you know, just any employee, something like that, yeah, I think you're on the right track there, that that's probably not what you want. So I think it's important to be able to have the option to keep people from doing things in the parks that you don't want them to do, but also important to recognize their human rights and their -- their inalienable rights and make sure those are observed.

**Katz:** Thank you.

**Ed Agazarm, Voter Power:** Good afternoon Council. Edward Agazarm, I am the co-director for voter power here in Portland as well as the campaign manager for Life with Dignity. We do a lot of petition drives, signature drives and direct democracy participation throughout Oregon as well as mostly in the Portland area. My major concerns are that this list that you are expanding for who can issue the exclusion orders. I think it is your job to protect both the integrity of the parks as well as the constitutional rights for us to exercise free speech. Not to mention the public treasury with the law suits that can happen with the settlements that have to be offered. I want to offer to you my testimony that it's been my first hand experience that the Portland Police Dept are excellent police officers and they usually get it right. Like 99% of the time. However as you begin to go down to the subordinate officers, the park officers, the safety officers, security guards, the ?? shakers, now we're going to have golf course employees issuing exclusionary orders. This is scary because these people are not trained, they don't have the experience or tools necessary to make the decisions which are often very subtle. What can be lawful free speech and what can be a crime can sometimes cross. For instance, if you are impeding pedestrian traffic when you are circulating a petition to address government, are you committing a crime? If you set up a small table and posted a sign within the downtown area, are you constitutionally exercising your right to free speech, or have you committed a crime? These subtleties are often determined on the wrong side and this is what's resulted in the decision that's precipitated this hearing. It was issued not by a Portland police officer, but by some security guard. So these people don't have the training. You're giving them an awful lot of responsibility and I don't believe they will have the skills to execute it properly. We're going to end up back here again. We're going to end up dipping into the public treasury because we've made a mistake and violated somebody's constitutional rights when we

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shouldn't have. Those are my major concerns. I'm called out daily to talk with petitioners and police officers and these other security guard type people who you are giving this power to. It's part of my job every day to kind of mitigate these disagreements. I've trained my people to call portland police department because they are our best friends. They understand the law and they have the skills necessary. These other people your are dealing—I don't know how many drug deals are going down on golf courses, but you have to be careful about who you are giving this power to.

Free speech can be a volatile issue and I've often seen people that are issuing or attempting to issue exclusion orders are harassing a petitioner because they don't believe in that issue, they don't like the way they are dressed and they want to silence free speech. So please be careful. Haste makes waste, and get it right.

**Katz:** Thank you. Just for your information, the two other examples that you shared with us, we have specific code language that addresses those. It has nothing to do with this.

**Agazarm:** Yes and the code language is confusing. It's only the trained and experienced personnel of the police bureau that can correctly implement those. The language is particularly confusing to those people who are not trained in it.

**Katz:** We know that.

**Jamie Manuel:** My name is Jamie manuel. I work in Old Town/China town for sisters of the road.

I'm not here officially representing that organization today, but what I do want to do is talk about my experience working with people who are homeless in old town and their experience with the park exclusion laws. I have referred a number of people who have come to me with park exclusions to legal help. Many of the park exclusions that they've come to me with have seemed really strange, and that's why I referred them to legal help, and later on I would talk to them and said, the lawyer you referred me to, they got me to an appeal hearing, and they dropped the exclusion. And they're weird exclusions. People get exclusions for -- they were in the park and they spit on the sidewalk, so you get an exclusion under the offensive littering law, so they exclude you from the park for 30 days for, that or you're sitting on a statue that happens to be shaped bike a chair that used to be in waterfront, I don't believe that's there anymore. And so you get an exclusion for that. The lawyers came here and spoke about due process and their concerns over that. For the people that I talked to, it's not an abstract legal issue, because they have some fear of law enforcement, they have some fear of the legal system, and when they get the exclusion a lot of times they'll just roll over and accept it. They get this exclusion, they think, well, i'm not going to fight it because it won't do anything for me. And if there isn't some sort of automatic process for them to get a hearing, the same as you would get if you were speeding, you got a traffic ticket, you automatically get a court date. Then they won't challenge it, and they end up losing their access to public space that's are really valuable to them because they don't often have other places to go. I don't want to make this long. I'm not saying we shouldn't have a park exclusion law. We obviously should have some means of keeping the parks safe, but I think we need one that does follow some sort of due process so that people can be assured that they're not getting park exclusions that are unfair and that they're not being targeted.

**Katz:** Thank you. Go ahead. Good afternoon.

**Renata Hahn-Francini:** I have concerns about the definition of park officer. I think that the Portland police bureau has excellent trained people, they understand the law, they know how to interpret it, and enforce it. I think that everybody wants safe places. I have concerns about individuals who are not trained to interpret and enforce the laws making such a long-standing punishment. Specifically I am working with the homeless in old town as well, and I think they have very few places that they can be, spend the day. If we had day shelters for them all and there were problems with them, fine, I don't have problems with exclusions, but until that time, I don't feel that anyone other than a Portland police officer should be issuing an exclusion.

**Katz:** Thank you.

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**Agazarm:** I second that motion.

**Katz:** I guess the good news is I have two of you here from different worlds, congratulating our police officers for being well trained on this. That is the best news that i've heard today because quite frankly, between the city attorney's office and commander sizer, at least in the downtown area, because of sit and lie, we have made it very clear that the officers are going to be trained and they have been, and the fact that you are now sharing that information really makes me very, very happy. Thank you.

**Agazarm:** You're going to have other people who aren't trained.

**Katz:** Thank you. Well said. All right.

**Katz:** Ok. Harry, come on up here. Get away from your safe little table. Commander sizer, do you want to come back up in case there are issues that will come up? So what did you hear from the -- not only the citizens, but from the council that you think you wanted to begin to address?

**Auerbach:** Well, as you pointed out, mayor, lawyers can disagree and judges can disagree about what -- where the constitutional balance is in a lot of these things. I believe -- I feel fairly confident that the ordinance that we have before you is constitutional. Whether there are additional things that you might like us to tweak to make it better, I -- i'm willing to grant that --

**Francesconi:** Let me tell you what I heard. We're going to look at the supervisors and look at the issue of having supervisors in as many circumstances as we can. I didn't say all. Having to sign off on these. And then we're also going to look at the issue of kind of different standards, even more protection, though we're giving a lot, on some of the minor offenses as opposed to the health and safety. Those are the two issues.

**Auerbach:** Yes. We will look at that. I will point out -- yeah. Let me make two observations quickly on that. One, on those, by the time those minor -- more minor offenses result in exclusions, a person typically will already -- will also have violated the provision of -- that requires them to obey the directions of park officers. We don't want to have a system that encourages people to do that. But we will look at whether the -- i'll look at the tri-met thing and see if whether we can have a delay in the implementation of an exclusion for the less minor -- the more minor offenses.

**Francesconi:** That's the direct free -- drug-free zone.

**Auerbach:** We'll look at that.

**Leonard:** The issue for me isn't whether you're right or that issue is right, that's not my issue. My issue is that this be balanced and fair and not be used as a tool to exclude people that we don't like because of their appearance or what they're saying. That's my issue.

**Auerbach:** And I agree wholeheartedly with you, and we've been working with all of our partners who use this tool to try to make sure that they don't use it inappropriately.

**Leonard:** In other words, if somebody is appearing a certain way and spits, then we go, you're out of here for 30 days, that's an example of something I might have a problem with.

**Auerbach:** I agree with you, and I think the warning provision will help deal with that, and then training is the key to the rest. We need to make our expectations clear with the people who are --

**Katz:** Let me jump in on the training. What's the beauty of community policing is that it's community plus policing. And so I would suggest if it's all right with the commissioner of parks, that rosie identify police officer, I don't know if it's you or not, I don't want to volunteer you, but somebody who has been trained with dave or harry, I know dave has been training the officers in central, or had, is to train some of the parks people so that they feel comfortable and we don't get sued again, including the security at the park -- at the --

**Francesconi:** It's essential we do that. That was good testimony, and I appreciate that very much.

**Auerbach:** Mark does do that with his parks rangers, and we'll try to cross train everybody.

**Katz:** I'm talking about pioneer square. There's a lot of activity on pioneer square --

**Auerbach:** Yes. We'll need to visit with them some more. I don't know if --

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**Saltzman:** They have an annual -- the golf course people.

**Auerbach:** I don't know that I could tell you that a golf course person has ever actually issued one. It's just in case somebody takes a slug at somebody else on the golf course, we want to be able to deal with that on the spot. We can narrow that.

**Sizer:** I'm aware that Portland patrol incorporated has an annual in-service, so there's a great way to get them additional training that I think it's coming up in the spring, typically it occurs in the spring.

**Katz:** So in combination with our city attorney's office and with you, that would identify your officers that have been trained. And we need to continue training your officers, because there are shift changes in spring and summers coming, and we still have ordinances on the books.

**Sizer:** Which brings me to my concerns about the discussion i've heard today, and I certainly don't want to be in a position of having my officers enforce bad law. But i'm concerned by a couple of things, and one, the clock is ticking. And as the experience in mt scott community center indicates, there are bad things that are happening in the parks and we don't have a resource and a tool that we really need to have, and if the discussion goes on too long, we're going to continue to kind of languish without the tool. The other thing is, when I -- I hear discussion of this bifurcated approach to rules and processes, i'm a little bit concerned that the rules for us are going to be so convoluted, we're going to have trouble figuring out what to do. And because that occurs in the free speech area, often what officers do are stop, they call a sergeant, and then the sergeant calls a city attorney. And i'm afraid that that's going to be a necessity in the more mundane aspects of what we do, not having to do with free speech.

**Francesconi:** That's a fair concern. So you have to work with harry in this next week to make sure it's practical, administered.

**Sizer:** Finally, I just have the concern that I really think that with the other folks who are park officers, it really is a training issue, because if you don't have those people so empowered and so trained, we're going to need more cops, and there isn't a lot of budget for that.

**Leonard:** I'm just concerned, I keep hearing, we think this is constitutional so we're trying to write something to get right on to the edge of what is still constitutional. I just want to be really clear that that's not where I think we need to go. I think we need to go to a place that addresses the issues that the place identify, but not any further. As significant public safety issues.

**Auerbach:** I agree with that. And that has been our goal, is to do something that is fair, that meets the needs of the park, and that is administerable. And that's what we've tried to do.

**Leonard:** Ok.

**Katz:** Let me ask a technical question. I've never done this before. We can -- I can put, with the consent of the council, assuming we have a vote next week, make this an emergency ordinance next week, can't i, and take the amendments as you and everybody else prepares them, and then pass them on so that they would take place immediately.

**Auerbach:** You could do that.

**Katz:** Ok.

**Sten:** I would not assume that at this point.

**Katz:** That's why I asked.

**Saltzman:** With all respect to commander sizer, there's no point in us rushing something through that's going to end up being handed back to us on a platter by a federal judge by some very capable lawyers. Let's try to get this right, and if it takes more time, i'm sorry, but there was a way to deal with the mt. Scott situation, it wasn't the way we would have all preferred, but it got dealt with. So let's take the time to do this one right.

**Katz:** Well, maybe if --

**Francesconi:** Another way to approach it, I appreciate your approach, is to get the amendments done and then put an emergency clause on it.

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**Katz:** That's what I was referencing. But everybody needs to agree once the amendments are done that we have an ordinance that everybody can vote for, otherwise I need a unanimous vote on an emergency. So do the amendments, and then let's hope that we can have everybody's aye vote and then we'll make a decision collectively whether to put the emergency ordinance on or not. Ok?

**Katz:** Thank you. All right. This passes on to second. 251.

**Item 251.**

**Katz:** Roll call.

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

**Katz:** Mayor votes aye. [gavel pounded] 252.

**Item 252.**

**Francesconi:** I'm tired. We're all tired. It's late. We have to spend just a second saying this is a very good thing. It really should have happened sooner. But commissioner Leonard made it happen. This is a common sense thing, and we shouldn't make the applicants have to wait when we're fighting among ourselves between regulatory processes. So there has to be a quicker way to resolve this where it's really appropriate is for the small businesses, small contractors who don't get the attention sometimes that some of the larger ones. So this makes sure that everybody's treated fairly. And quickly and expeditiously. So this is a very good thing. And so thanks to the bureau managers, specifically Ray and commissioner Leonard. Aye.

**Leonard:** I wish last week while Ray and those were here would I have said something. But this is a testament to the leadership of Ray. This is a testament to the -- his ability to forge compromise and to bring people together. I'm just really -- nothing less than inspired by Ray at times in his ability to identify problems in a significant bureau in this city and come up with solutions, and bring everybody along at the same time. I'm very proud of him. Aye.

**Saltzman:** Good work. Aye.

**Sten:** I agree. Aye.

**Leonard:** And be able to work with me.

**Katz:** This -- commissioner Leonard, you and Ray deserve a lot of credit. This morphed over a period of time, and that occurred because people raised some issues, and it's to their credit that those issues were addressed, and I feel very comfortable voting on this one. Aye. [gavel pounded] all right, folks. We stand adjourned until 6:00. It will be a long evening. [gavel pounded]

At 2:24 p.m., Council recessed.

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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.

**MARCH 17, 2004 6:00 PM**

**Items 253 and 254.**

**Katz:** Good evening, everybody. I had wanted to greet you officially, I wish all of you happy saint patrick's day, and let you know, as I said a few minutes ago, we will not be voting on this tonight, and that we'll probably have another hearing and maybe even another one after that if we need it. For the council members, what I want to do after you hear the testimony is do what we always do, is to go around and ask you if there aren't any issues that you want our team to further explore or give our team some advice so that when they do come back, that your issues are dealt with. And then we'll take -- at that time we'll then take amendments. There's some amendments, one a technical one, one less technical, that the planning bureau wants to come in with. I'm going to allow them to describe it, and we have copies over here for the purpose of you to respond to it in your testimony. And when we adopt -- or before we formally adopt an amendment, you'll have the opportunity to testify to that amendment. That won't be necessarily tonight. I would like for you to testify on the plan itself tonight. So this is -- let me open it up by saying a few words, just a little bit of history. About four years ago I joined -- it was four years ago. It seemed like it was just yesterday. I joined with some residents of st. Johns to hear about their dreams and their hopes and their concerns about their community. I was moved by the passion, by their advocacy, and by a commitment that they had that they were willing to spend their own time and their own energy to begin to work some of these issues with us. And that's how the st. Johns/lombard plan started and that's what kept it alive during all those years. I don't need to tell you that st. Johns has a very unique history. It's a very unique place in our geography. It has a strong history. It has a strong sense of community. It is a metro 2040 town center, st. Johns is, and lombard is a metro 2040 main street, and that's one of the reasons that the community with pdot and the bureau of planning felt it was necessary to begin conversations to shape the growth and to manage the growth in st. Johns. It is coming. It will be here in even greater numbers as we in the city grow ourselves. So I hope that tonight, as we begin the plan and a hearing of the plan, is to hear from you and to hear how you hope it builds on your strengths as a community and addresses some of the weaknesses in the community that we need to address ourselves. I know one of the issues is the truck study, and I will have pdot respond to that when the time comes for them to do that. So what we're going to do is we're going to start as we always do with testimony from the groups that have been working with the city on this. And we'll have, in this order, st. Johns neighborhood association, robert plants, cathedral park neighborhood association, eric palmer, community association of portsmouth, pat updike, the citizens work group that stayed with us and worked through all of the hard work that all of you accomplished, bringing this plan forward. There's the north Portland business association. We didn't know if you were going to be here, but I understand a representative is here. And then sharon nasset does not have an official neighborhood business association tied to her voice and to the voice of others in the community. I want to ask her, after we hear the testimony from all of the groups that I just mentioned, to represent the stop the lombard plan and give her five minutes as well. So you -- so the names I just read, you all have five minutes. We'll start -- after that we'll do public testimony. We'll start with three minutes each. But i'll watch to see if the council fades on me or if I fade with



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the council after a long day and see what time it is. We may be able then to shift it to two minutes, especially if I get a sense that people are repeating the same items over and over again.

**Francesconi:** If any of you want to bet on who fades first, don't bet on the mayor. She'll be the last one standing, I promise.

**Katz:** But I want to make sure that we give everybody an opportunity to say their piece, and after all of our years of experience here you can say whatever you need to say in two minutes as well. But we'll start in all fairness, to everybody, in three minutes. Ok, enough from me. Gil Kelley, why don't you come on up. Then the staff that worked on this, Barry Manning, Marguerite Feuersanger -- did I say that right? No.

\*\*\*\*\*: It's ok.

**Katz:** Feuersanger, Marguerite. Come on up. And Gil.

**Gill Kelley, Director, Bureau of Planning :** Actually I think you gave a wonderful introduction, Mayor, so I'm not going to add much more than that other than to say the effort has been a partnership of the planning bureau and office of transportation at the behest of the community group that you referred to. We really started the effort and continued the effort with those partners. I'm very proud of the work that staff has done and the planning commission deliberations that have occurred here. The council knows that you recently had a briefing on this plan from staff and from the planning commission, so you could understand their recommendation. So we're not going to go into that in any great detail this evening, but I did want to allow John Gillam transportation to make a few remarks, to be followed by Barry to remind you of the highlights so that the audience is also clear of what you're taking testimony on this evening. Thanks. John?

**Katz:** Yeah. I think it is important that Barry give the many highlights, because I'm sure they're a lot of people who might be watching who don't know what this is all about, and would be of interest. John.

**John Gillam, Portland Office of Transportation:** Good evening. I'm John Gillam with the Portland office of transportation, and we appreciate the opportunity to be partners with the community and the bureau of planning in the development of the St. Johns/Lombard plan. The region 2040 plan identifies St. Johns as a town center and Lombard as a main street. What this means is that these areas should be well served by all modes of transportation and system improvements should be able to respond to economic development communities and enhanced livability. By all modes, we mean automobiles, transit, trucks, pedestrians, bicycles, and emergency response vehicles. And although there are general guidelines for transportation planning for centers, such as preparing master street plans for future local streets and identifying traffic congestion management solutions, we also recognize that each center has its own characteristics and issues that require special attention. For example, in Lents there's the issue of freeway ramps in the middle of a center creating congestion from nonlocal traffic. In Gateway, there are very broad multilane arterial streets that affect safe crossings for pedestrians and vehicles. In Hollywood the primary arterial cuts across a street grid causing strange appearing gaps. In St. Johns, it's truck traffic. The council will hear a lot of testimony concerning trucks. In all these other centers, successful plans were adopted because of the recognition that is important to accommodate all modes of transportation while addressing the special issues and needs in each center. We feel that the recommendations of this plan, along with the St. Johns truck strategy actions, referenced in this plan, provides a balanced approach to addressing the transportation issues of St. Johns and Lombard street. Being designated by policy as a town center and main street allow for funding through regional sources from Metro. St. Johns has received funding for both truck access and pedestrian safety improvements. The plan contains key recommendations compatible with and supported by other plans. For example, the plan identifies the need for a long-term solution to through truck movements in a town center, including the potential of constructing a new bridge for this purpose. The recommendations -- this recommendation is also contained in the city's transportation system

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plan and the regional transportation plan and the i-5 transportation and trade strategic plan partnership. Long-range plans are typically a snapshot of 20 years into the future, but the implementation of plans occur over a period of time. And this plan supports a sequential actions of logical steps to that end. That's the opening statement we thought would be helpful from pdot and gil.

**Kelley:** Thanks. Unless there are any questions, i'll ask barry to come up. Are you bringing rich or marguerite along with you? Ok.

**Katz:** Yeah. I'm going to ask the council to hold off on questions until after all the public testimony. There may be people that would like to say something and then go home.

**Kelley:** Ok, great. Thanks. While they're gathering here, as we mentioned I think at your briefing session, barry and rich and I and marguerite and others attended an open house in the community that was sponsored by the citizens committee that's worked with us all along. And we did have an opportunity to go over a number of these slides and other materials for that group to try to clarify, because there has been some misinformation out there about what's in the plan and what's not. So we were able to make a presentation and answer a lot of questions by a very well-attended -- at a very well-attended meeting, but I think it's important that barry and rich hit the highlights again this evening. Thanks.

**Barry Manning, Bureau of Planning:** Thank you for having us here to present the st. Johns -- recommended st. Johns/lombard plan. I'm barry manning, senior planner with the bureau of planning. With me is rich from the office of transportation. As the mayor indicated earlier it's been a partnership with transportation. We've worked with marguerite, and a couple of other people, troy daas from the bureau of planning, julia geeseler, and ellen wax and elizabeth reese. Just to make the list complete, there's been quite a bit of staff on this project overall. What we'd like to present to you tonight is just an overview of the st. Johns/lombard plan. It's a plan that balances just as a preface, it's a plan that balances a lot of different community interests and aspirations balances them with public policies and existing conditions in the community. I'm sure you'll hear testimony on a number of these issues, but i'm going to walk you through this presentation, if the slide changes here, through a brief background slides, then really hit the plan goals and development concepts. We'll talk about the land use implementation actions, which are changes to the comprehensive zoning map and zoning code. I'll turn it over to rich at that point to talk about specific transportation improvements that are proposed in the plan. Then he'll flip it back to me and i'll tell you about some other recommended actions in the plan as well. St. Johns is a town center, designated in the metro 204 plan. It's the rectangular shaded area there. Lombard is a street in north Portland, a main street designated in the 2040 plan, those areas are both shaded on this map. North Portland is a peninsula between the willamette and columbia rivers, for those who don't know the geography of Portland well. Lombard is a key critical arterial on the peninsula and links to the rest of the region through connections to the east and via the st. Johns bridge across the willamette. This plan's been a partnership with the community as gil and the mayor I think have indicated earlier on, was initiated by the community's desire to have us come out and look at the issues for the community and also our desire and need to update our comprehensive plan to conform more closely with 2040, but crafted uniquely for st. Johns and lombard. Just a few existing conditions, once again, this is a 2040 designated area. I don't need to say that again, but another couple key existing conditions is that st. Johns really does, as the mayor emphasized earlier, has a strong identity as a small town and formerly independent city. Has a very historic character and tradition of working riverfront. The plan seeks to, you know, enhance and build upon those key characteristics. We looked at some population and demographics for the area. The area has traditionally been a working class neighborhood, but it's undergoing some change. There's certainly an increase in college- educated folks moving into the this area. This is according to the 2000 census, by the way. But there's also a good number of ethnic minorities in the area. In fact, 14% of

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the population in the area that we looked at was considered themselves latinos. Housing income in the area does continue to lag behind Portland as a whole. There's a fairly large household size, which indicates typically larger family-type households. From a transportation standpoint from existing conditions, the street system's pretty well scaled to the character of the area, which once again small town character was a key phrase that we heard over and over again from people. Once again, John Gillam indicated the bridge is a key, so that's a given for many aspects of the plan. But it's generally well served by public transit. What we heard mostly from folks was the deficiencies are in pedestrian facilities to make a safe and comfortable pedestrian environment. We also did some research on market and economics. I should add, by the way, that this project also had the benefit of a t.g.m. grant that paid for an a consultant team to do design work, transportation work, and economics work. And their work is -- this plan is a result of some of their work and input into the process. I mentioned that, because we're talking about marketing and economics. One of the things we found through the process is that the area -- you know, currently there's some buying power leaking out of the area. There's goods and services that aren't being supported in the area that the community would like to see. There's enough buying power to support that. But with a relatively small population in the area, and lower incomes, sustaining a larger, broader base of retail in the area may be difficult. That was one of the things that folks told us in the community they'd like to see, is a better diversity of retail uses in the area and more offerings of goods and services. The population and income didn't look like they would necessarily support that broadening of those uses. A couple other key findings from existing conditions and economics, part of creating a strong market for St. Johns is -- rests on creating a positive sense of place in the community. And part of that relates to the design issues we'll talk about later. And one of the other key findings was that while we'll have retail growth in the area in -- and support for that will grow, buying power and the land analysis suggested there might be an excess of commercial space in the area relative to the population to support it. Just a quick note on plan process. We did a lot of public outreach initially, that's indicated kind of at the top of this chart. We worked very closely with a 12-member citizen working group. I'll get into more detail on that later. Through that whole process we developed a draft plan, which we shared with folks in May of 2003. After we shared that draft plan and those concepts with folks, we went back, worked with the citizen working group and refined that more, and released a proposed plan for planning commission consideration, public consideration, in August of 2003. That was considered by the planning commission in September, and certain elements were considered by the design commission in September. Planning commission deliberated. I think they took four sessions as well to resolve all of their issues and have forwarded their recommendations to you as of January 13. Just a quick note on community involvement. As I said we had a number of public events and opportunities for feedback. Those are listed at the top. We had workshops, neighborhood walks, which were very informative for the plan. Some urban design workshops. And other meetings and open houses for the community. We sent notification of those events initially very broadly to the community. About 12,000 postcards initiating the plan were sent out to folks in the 97203 area code, then tailored the mailings beyond to a more specific group of within the plan area and other specific parties building a mailing list. We worked very closely with the citizen working group, composed of six member representatives of each neighborhood and business association in the plan area. And six at-large members. We attended several community meetings, neighborhood associations, business associations, Optimist clubs, things of that nature just to get out information about the plan. We hosted a couple of informational open houses this year to provide people more information about the recommended plan. There's some photographs from some of those events. The results of a lot of those public outreach opportunities resulted in the ultimate urban development concept, which is the framework for the plan. I'll talk about that in a moment. These are a couple of products out of it out of those early walks and workshops. The walks map that you see on the lower left-hand side of the screen reflects

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many of the same proposals that you'll see in the recommended plan. A lot of the direction for this plan was set early on in the walks process. But we did ask people what they thought about different scenarios as part of those urban design workshops. The top right drawing is just a snippet, I guess, if you will, that we provided folks in choosing for their future in st. Johns. Out of that whole process we developed a set of plan goals. It was shared with the community at various public meetings. I'm not going to read them all to you, but a couple of key ones were enhancing the identity of the st. Johns and lombard area. The plan needs to build on that. Implementing 2040. Another one is fostering revitalized st. Johns and lombard street commercial areas. One of the key goals was to provide for revitalization of these areas. You'll see that through some of the housing recommendations that have come forward and some of the design aspects of the plan. A couple of other key goals were to provide opportunities for new housing in the area in a way that's sensitive to the area's existing development pattern, as mentioned before, provide for balanced multi-modal transportation, and taking advantage more, if you will, by unifying the area with safe and accessible attractive parks and open spaces. The north Portland area is blessed with parks. Finally looking to promote sustainable development practices in some of the key proposals, such as you'll hear about in transportation. After all of the community workshops that resulted in the urban development concept, which is really a framework for most of the plan's land use and transportation elements, i'm going to walk you through this urban development concept piece by piece, because it really relates to most of the implementation of this plan. As I said, this is as a result of walks, workshops, and give-take with the citizen working group in developing a condition sept for future -- concept for future development in north Portland. I'll break it out into two areas. A couple of -- on the screen here you'll see some of the key objectives in planning for the lombard main street. We heard from the community that we wanted it to be the main street for the community and support communities serving local businesses, yet we wanted to make sure we maintained places for auto-accommodating businesses in the area, so to make for a balanced proposal. We wanted to provide opportunities for housing, provide customers for those businesses in the area, but keep the scale of this development reasonable. Really fine-tune it for the st. Johns area. Another key was to balance pedestrian safety and comfort, and traffic flow issues, and to improve the design of new multi-dwelling development. So we -- this development concept seeks to create identifiable places on lombard, what we call the main street section, kind of the heart of the retail area on lombard. Community corners, key corners in the area with special development provisions. The partial main street area, which is an auto-accommodating area, and residential focus areas which we'll talk about in more detail here. The full main street area is what the community considers to be the heart of the lombard street area for the portion of the plan. The idea here is to foster pedestrian oriented commercial and mixed-use development in a storefront commercial type way, very similar to what exists in downtown st. Johns right now, or other key areas such as hawthorne or belmont. The neighborhood wants this to be their main street. We're proposing strategic rezoning that's shown on the screen we're. We're also proposing enhancements to the streetscape which rich will describe. In terms of land use to support that, we're making a provision to allow an increase in density to allow row houses primarily on the backside of the lombard block. When we get to the land use maps, i'll be able to show you exactly where that is located. Community corners are another key component of the lombard main street. These are the key crossroads on the main street. These are areas that the neighborhood wanted to see more urban-style development that provided neighborhood-friendly kind of uses. We're trying to promote pedestrian-oriented commercial mixed-use and residential development in these areas. To implement that we have a strategic rezoning of certain general commercial areas to storefront commercial where appropriate, although we've left some commercial general areas. As a tool we've provided an overlay, once again enhancing the streetscape and market area for business by providing some more housing opportunity nearby. The partial main street area is the area that we're considering most auto-accommodating, and those areas are

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indicated in these bubbles on the map. We're leaving the zoning throughout most of areas general commercial to accommodate a variety of auto-oriented commercial uses, but still think it's important to improve pedestrian crossings on lombard, even in this area. Rich will talk about that in more detail. Once again, improving the market area by providing more opportunity for more housing. A couple of key areas that came out of the walks discussion were the notion of residential focus areas on lombard. These areas are thought of as areas that can supply additional housing to help support once again businesses on lombard. They're located in those two circles that you see at the bottom in red. The idea here is that residential uses would be promoted in these areas, building on the existing character of the area or the existing zoning pattern in this area. And fostering more of a residential character in this area, or a mixed-use development character in this area. Without going into a lot of detail, this is an area you'll hear testimony about tonight I would expect. Staff did consider a number of different options to promote this residential focus area, and concluded to retain a commercial zoning on this, but a lower intensity commercial zoning, and provide a bonus to provide an incentive for the housing component in these residential focus areas. I'm going to talk about this in more detail later on, so if council has questions, please do ask them later on. Skipping to the st. Johns town center, this area is broken into three key places. The downtown st. Johns area, in pink and magenta, which is the retail and civic focus heart of st. Johns. The hillside neighborhood which exists between st. Johns and the riverfront. That's number three. It's kind of in beige on the screen there. And then the willamette river front, numbers four and five, which are really the two key areas right adjacent to the willamette river. There's two different components of that. Once again, some key objectives in the st. Johns town center was really to strengthen this area as the focus of civic activity on the peninsula, to support the community serving businesses, but provide quality design. Wanted to balance pedestrian safety and traffic issues. Recognize that the riverfront in st. Johns is a real key asset, both for the city and the community. Right now it's primarily industrial uses, but folks asked us to consider whether that was the appropriate future for this. We'll get into detail on that, but it's a key asset for the area. A couple more key features -- housing opportunity in st. Johns town center would provide -- enhance the market to support retail and the housing goals. And once again, we're looking to balance the town center and freight movement needs, and make adjustments to the -- the impacts of freight mobility through the area where it makes sense for the town center. In downtown st. Johns, once again, retail and civic focus area for the peninsula, primarily we're retaining the commercial storefront zoning on lombard street which exists today. In a couple of key areas we have neighborhood commercial zoning existing in st. Johns and we're providing a bonus to provide an incentive for housing or mixed-use development on those sites. The maximum heights in these areas are bringing -- are brought into line with the rest of the height limits in st. Johns in that he is years, so 45, in one case, 55 feet are the maximum heights allowed. That's designed to foster more housing and mixed-use development in st. Johns on sites that currently would not accommodate that. In order to enhance the area for the future, and in terms of making a -- and maintaining a high quality of appearance and design standards, we are recommending the planning commission's recommendation actually recommends application of the design overlay, both on commercial areas and in residential, and some employment areas in st. Johns. And in order to support and provide a market for businesses in the area, we're suggesting some strategic rezoning to allow row houses, small apartments, and condo infill development around the town center area. The next part of the town center is the cathedral park hillside. Once again, that's number three in beige. This area is currently a of single-family development, some housing, and some multifamily housing I should say, and allowances for higher-density housing. It allows for row houses and condo infill in this area. It removes the designation of r-h and applies an r-1 designation. It applies the design overlay to ensure that the quality of new development in this area is good and is an asset to the community. And also we emphasize better pedestrian connections between downtown and the river, the street network in this area is somewhat

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incomplete, and rich will talk more about that. The willamette river front, a couple of different concepts going on. This is the number four area that you see in the diagram to the right. This is north of cathedral park. The idea is to maintain an employment focus, but broaden uses. This area is partially employment uses now. Some of it is in the industrial sanctuary. Many of the uses in this area are more employment-related, I guess, if you will, than heavy industry, although the area does have heavy industry in it now. The proposal calls for a liberalizing some of the uses in this area to allow a broader mix, including offices and some live/work facilities in this area. In response to not only community input, but market demand. So we're recommending a strategic rezoning in this area. South of cathedral park, this area and i'm going to indicate it here, it's number five, and i'm circling that on the diagram to the right, is really well connected to the town center and offers a unique opportunity to create a sense of place at the river front. The area is currently home to industry. You can see that in the aerial photo, but in the long term this area might have a different set of uses. The plan proffers that in the future this area could include a broader set of more urban uses, mixed-use, and possibly using near the riverfront to help strengthen the st. Johns town center and create a relationship between the riverfront area and the town center linked along burlington street and other key streets to create a relationship here that strengthens st. Johns town center's connection to the riverfront and really takes advantage of that asset. I'm going to show the maps for the area. This is an existing comprehensive plan map for the area, and this -- dashed lines indicates the area that we're proposing changes in. The change comprehensive plan map is indicated right here. And this map indicates the areas where we're proposing changes to the comprehensive plan map. You can see that the riverfront is one of those key areas, right here, i'm circling it rh designation on the hillside is another area right here, as well as this small piece of industrial sanctuary. We've made adjustments to allow additional multifamily and apartment and condo infill development and allowances for row houses in the goldenrod color. Along the main street, we've made the adjustments to zoning, some strategic rezoning to commercial storefront in the dark -- in the bright red. And then to neighborhood commercial in the pink. And once again, the row house in the goldenrod.

\*\*\*\*\*: You might mention the downzoning on the hillside.

**Manning:** This area that i'm circling is currently planned for rh level development, which is the seven stories, about 120 units an acre is what that would produce under a build-out scenario. We're proposing to rezone that area to r-1, which is 43 units per acre, which is a significant change on the hillside. Four stories maximum in that area. We've actually got a provision in the plan, which i'll go into the plan district provisions here, to lower the minimum density in those r-1 areas to allow a little bit more flexibility for row house infill, which the community said it's fairly supportive of, particularly in this area, rather than just straight multifamily apartments or condos. We're trying to provide additional flexibility, particularly given the hillside location here. I mentioned the st. Johns plan district of the some of the key features is we establish height limits for the zones. I mentioned that we provided a bonus. That's what these two areas are indicating. 30 feet is the maximum height now. We're allowing 50 in some areas, and 55 in this area if the proposal includes some housing, so really trying to encourage that mixed-use development once again. At the riverfront there are currently no height limits and we're suggesting that we apply some height limits in the area north of the bridge, a 45-foot height limit and the area south of the bridge a 45-foot height limit with key view corridors retained at 30-foot maximum height. We do have a provision in this area to allow a 55-foot maximum height when projects are proposed and they go through a discretionary design review process. That's the only way that additional height would be available at the riverfront here. A couple of other key things in there is that -- well, I won't go over them now, but we're providing additional f.a.r. and height for those residential areas in st. Johns are mixed-use areas. We're applying a design overlay zone to build upon the quality of development that's in st. Johns and offer better quality of development in the future. We're applying it to the town center,

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primarily because it's a metro 2040 town center where we have more intense areas where we need to make areas compatible. The stein overlay can help minimize some of those conflicts, we believe. We're applying it to the commercial areas in st. Johns to help maintain and enhance the small town atmosphere in this area. We've got special desired characteristics and tradition statements that will help planners that are doing design review understand the characteristics that are desired in this area. We're also applying it to multifamily and multi-dwelling development in the r-1 and r-2 zones to make them more compatible with some of the existing development in the area. And as well as the e.x. zone which allows housing as well as industrial and employment uses. Along the main street we're applying a couple of overlay zones. I mentioned this earlier. At the community corners we're applying a main street overlay zone, a modification of existing zoning. It requires a corner building orientation and requires street-facing windows on the buildings at the corners. It prohibits parking at the corner to try to really reinforce the corner building orientation. In the main street corridor we're applying an overlay, as I mentioned earlier, that provides additional height as a bonus to provide an incentive for residential and mixed-use development. This main street corridor also includes design standards for r-1 multifamily residential development adjacent to and along lombard in response to some community concerns we heard at planning commission. At this point i'm going to turn it over to rich and he'll talk about transportation.

**Francesconi:** If you wonder why he was talking so fast, is because he made this presentation to us last week or the week before.

**Rich Newlands, Office of Transportation:** To support the urban development concept and land use vision for the plan area, we recommend a series of targeted system improvements. These recommendations were developed with three guiding objectives. First, provide a balanced transportation system that gives the community a full range of transportation options and maximizes access to and circulation within the town center and main street. Second, focus on improvements that directly support business viability, vitality and development. Third, respect the desired small town character and scale of town center and main street. In terms of system balance and supporting business vitality, a key transportation system issue is pedestrian crossings. While lombard and ivanhoe serve as important routes, the volume of track that they carry and the width also tends to carry a barrier that divides the community. To help make these streets more neighborhood oriented and functional the pedestrian environment improvements focus on crossing safety. To address this key issue, the plan recommends a series of curb extension projects to reduce crossing distance and improve site distance between drivers and pedestrians. Curb extensions also provide important benefits to transit service. Access to service is improved and delay at stops is reduced. As you know, Portland has extensive experience with use of curb extensions in a wide variety of situations, particularly in main streets and town centers. Where a strong pedestrian environment is desired to support business vitality in a true multi-modal transportation system. Our original approach to identifying the locations for pedestrian crossing improvements focused on creating a strong link with urban development concept, as well as providing good spacing between enhanced crossing locations. Because of concerns, onstreet parking impacts, and traffic delay, staff and the working citizens group revised the proposal. The revised proposal has reduced the total number of locations and spreads them out away from the signalize intersections. The plan also includes a series of design guidelines to minimize impacts of traffic flow and ensure public participation in the final design process. In addition, the plan recommends a new traffic signal at the intersection of ivanhoe and richmond, significantly improving pedestrian crossing safety and access to the new safeway site. And to reinforce the identity of key areas within the urban development concept, plan also recommends pedestrian scale ornamental street lighting. The st. Johns bridge is a major link. As a result, significant amount of freight traffic is routed through the st. Johns town center and neighborhood to reach industrial destinations, creating conflicts with the neighborhood's livability, a serious and longstanding issue for this community. The challenge for the city of Portland, how do

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we accommodate freight mobility so crucial to our economy and at the same time mitigate the negative impacts on the community. The designated freight route to the st. Johns bridge, shown in red, makes its way through the town center around the around the horn route. Areas shown in green are conflict areas. These include truck traffic going through the center of the neighborhood via streets not designated for freight traffic. Nearly everyone agrees that the ultimate solution is a new bridge, connection to u.s. 30. This will effectively remove all nonlocal truck traffic from the town center. There's existing policy in the transportation system plan, the regional transportation plan, that calls for study of this bridge. The st. Johns/lombard plan supports these policies. However, the new bridge is likely to take many years to realize given the estimated cost, current funding constraints for transportation projects, and the need for help from our regional partners, the state of Oregon, and our federal delegation to make this a reality. In the interim, pdot feels there are opportunities for both mitigating impacts of truck traffic within st. Johns and improving freight mobility. This is what the st. Johns truck strategy is all about. The st. Johns truck strategy was developed and accepted by council in 2001. The strategy consisted of of a balanced package of freight mobility that encourage the designated around the around the horn freight route by improving its functional efficiency. The pedestrian safety and traffic calming projects are designed to discourage truck traffic on nondesignated freight routes, such as st. Louis, fessenden, and mitigate safety issues on the designated freight route. It is important that we begin as soon as possible making increment progress toward solving this key issue. This is why the st. Johns/lombard plan supports full implementation of the st. Johns truck strategy to make the designated freight route functional two projects need to be completed. The first phase of the st. Johns truck strategy, which includes improvements intersections and structural upgrade of the bridge, currently weight restricted. Once these two projects are in place to handle the capacity needs of freight, then the other pedestrian safety and traffic calming projects to discourage truck traffic on st. Louis and fessenden can move forward. The st. Johns truck strategy has received a grant and the bridge has received a grant. It is important to note that there are other pedestrian safety improvements in the st. Johns/lombard plan that also have funding, but not part of the st. Johns truck strategy. These improvements will not wait -- will not need to wait for completion of the freight projects. To move forward -- for moving forward with the pedestrian safety, we recommend tc-6. This amendment will clarify the completion of the projects, make the freight route more functional. Philadelphia, ivanhoe, st. Louis, and reconstruction of the bridge are required first. You will probably also here testimony requesting additional design amendments to how the truck strategy should be implemented to meet the neighborhood's objectives. These issues are related to the design engineering elements of the freight and mobility project and pedestrian safety at the st. Louis central and lombard reno intersections. While the intent of these -- of these amendments is generally consistent with the design objectives of the truck strategy, without the necessary preliminary engineering resources available yet, their technical feasibility is uncertain. Another freight mobility-related issue is that lombard street, between the st. Johns bridge and i-5, is a route for overdimensional freight loads. Relatively infrequent cargo that requires a special permit and special operational needs. These include the movement of houses, electrical transformers and other unusual cargo. The designated freight route is impassable to these loads due to overpass obstructions. The st. Johns/lombard plan needs to acknowledge the needs of overdimensional loads in the designing of transportation improvements until Portland's master freight plan is completed. This plan will designate overdimensional load routes and design guidelines. The plan is anticipated to be completed next year. Non-of the transportation improvements recommended by the st. Johns/lombard plan, including the curb extensions are anticipated to interfere with the overdimension freight route. Until the guidelines and routes are established, staff recommends that the st. Johns/lombard plan also be amended to accommodate overdimensional freight needs as an interim measure until the freight master plan has been completed. Another key issue in terms of



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providing a balanced transportation system for all modes is the bicycle network. Lombard street is a designated city bikeway. The plan recommends adding bicycle lanes, shown in blue, to lombard street. This section of lombard was chosen for several reasons. First, there are no tradeoffs to the existing street cross-section. Onstreet parking and the same number of travel lanes that currently exist remain. Second, the section link to say the existing bike lanes at each end, improving network connectivity. Third, the section gets bicycles to cross the ports mouth cut, something the adjacent side cut routes can't do. These side street routes will not have bicycle lanes, instead developed as bicycle boulevards to provide for safe bicycle access. To improve vehicle access to the town center core, the plan recommends changes at the intersection of lombard and richmond. This improvement is designed primarily to enhance sight lines into the town center core for u.s. 30 traffic. This improvement also has the benefit of improving pedestrian safety by removing a sweeping turn lane into the core area that limits site distances around the corner. Adjacent to this corner is the james john elementary school. In addition redesign of the island offers the opportunity for new landscaping and art. Regarding vehicle access in terms of onstreet parking, the plan recommends reviewing current onstreet parking regulations within the core area to maximize overall supply. The river represents a major arguably under-utilized asset to st. Johns. Improvements to the transportation system can help the town center take better advantage of this asset by strengthening the street network connections between the two. By improving access, these connections are also important in terms of supporting development opportunities in the waterfront area. Currently a number of streets between the waterfront and town center are unimproved. The plan recommends a master street plan to assure the street network is fully improved and interconnected over time as new development occurs. The plan also recommends developing special pedestrian routes that are intended to enhance and celebrate the town center's historic relationship to the river.

**Manning:** I'm going to finish up really quick with other recommended actions that the plan calls for. One of the key things that's been happening in st. Johns lately, both through city efforts, through the target area program, and through community initiated efforts, both at the state level and through metro grants, is storefront improvements. They've made a tremendous difference in st. Johns and have been a great success. The plan calls for continuing those, so we urge council to find funding to continue storefronts improvements, both in st. Johns and on lombard street. A couple of other economic development tools have been considered out there. One of the ones that the plan calls for considering in the future is the transit-oriented development tax abatement, providing 10-year tax abatements for developments that provide multifamily development in mixed use or straight residential projects to better serve transit. This could provide some development incentives for the peninsula. Some other economic development tools that the plan urges the council and the city bureaus to consider are development opportunity strategies funding for additional work on sites in the area. And consideration of other economic development tools up to and include possible tax increment financing for the districts, but we recognize that this is something that the community will have to advocate for and support in the long run. It's not something that's proposed for adoption in the plan now. Finally, the plan calls for follow-up planning efforts at the riverfront and for the willamette greenway. We'll be looking in future planning projects at the habitat recreation and setback issues that affect the riverfront in st. Johns currently. The riverfront greenway calls for a 50-foot setback and the plan aspires to a greater greenway setback in that area, and the river renaissance plan is expected to address those issues in the future. And then we want to continue working with the community on place-making and identity through supporting planning functions in the long term out there. The planning bureau is embarking on a new program, the district liaison program, where we'll put long-range planners in districts around the city. We have margarita signed to the north Portland area to address issues in the community. I've listed a few of these here that are listed in the plan, to help build a better community and encourage placemaking. That's the last slide I have. I have a summary that will flash up here quickly and then we'll be done.

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**Katz:** Thank you.

**\*\*\*\*\*:** Thank you.

**Katz:** Ok. Thanks, everybody. Thanks for your patience. All right, let's invite the groups that I mentioned. [applause] no, no, no. This is a thoughtful hearing, and we don't applaud unless we give out awards. But thank you. That's nice. It's nice to hear that there's support for work and for all the citizens that put hard work in thinking through these ideas. All right, st. Johns neighborhood association, robin plance, eric palmer, pat updike, citizens work group, north Portland business association, and sharon sset. There are three chairs, so come on up in at least.

**Robin Plance, Chair, St. Johns Neighborhood Association:** Good evening, madame mayor, city councilmen. I have a quick question, i'm sure will be asked by several of the chairs and associations. As many of us are homeowners or business owners in the community, we'd also like to be able to testify without a our formal hat on and make our personal testimony. Can we do it at the time when we make our association testimony?

**Katz:** If it's very brief.

**Plance:** Ok. You should know i'm not too brief by now. Thank you for letting us come and talk on this issue. The st. Johns neighborhood association --

**Katz:** Identify yourself for the record.

**Plance:** Robin Plance, the chair of st. Johns neighborhood association. What i'm handing out to you is our letter of support for st. Johns neighborhood association for the st. Johns/lombard plan with some reservations and some concerns. Also you'll see attached to that, on the back, is the st. Johns truck study, minority report, which was also accepted by the council when the truck study was accepted. And I hope that it's used as reference when we start going forward with the program and used for consideration regarding the public safety through the corridor that rich talked about earlier. The st. Johns neighborhood association does support the plan in general. There's specific areas that we really do support, which is some of the curb extensions on north charleston, north lombard, north charleston and north ivanhoe, north john street and north ivanhoe, north richmond and north ivanhoe. Our main concern is that curb extensions, if you have a full signal or a stop or pedestrian-activated light, why have the curb extensions for pedestrian safety in I think you'll hear a lot of testimony tonight regarding curb extensions. You'll have some people that are supposed to be the benefits of the curb extensions testify against curb extensions. I think it's worthwhile testimony to listen to. It was a heated discussion in our neighborhood association regarding that, and I respect everybody's standing on that. The bike corridor was an added issue. In the letter, I have some of this, so i'll skim it over real quickly so you can read that. The bike corridor was the idea that I think is very good. It seems silly that within the city or this country, that we put all in the same corridor, we put our pedestrians, we put our bicyclists, we put our commuters, our mass transit and our freight, all in the same corridor, competing for the same space. You put somebody in a wheelchair on that corridor with a semi-truck and you don't have happy endings. Also we think that we -- we support the pedestrian improvements on north/central and north st. Louis, which is right at my doorstep. I appreciate that. I'm tired of seeing the wrecks there. And north lombard and north reno, which is a major crossing across lombard for kids attending the middle school over by pier park, that will be another issue when you look at the freight plan, realize that if we make that freight move quicker through that community, you're also cutting that community in half. We need to be sure that we really address in the design the public safety and the ease of movement through that area. Address issues as far as emergency vehicles, mass transit, school buses. So anything that restricts trucks will also restrict other large vehicles. And how am I doing time-wise? Got a timer on me. Thank you. Regarding the safeway site, as barry mentioned, they have bumped the bonus up from the 30-foot height up to 55-foot with a bonus if they add some residential. We'd like to see that area keep with the historical nature of the st. Johns community center, the library, the school, and the church that's there and the ywca, that we have older buildings that should be the prominent

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decision on how development happens in this area. The safeway site, we'd like to see it connected through -- to lombard. There's a vacant lot that would make a nice pedestrian pathway, if we could split that site up. There's a designated area that could be made into a pedestrian pathway, actually enhance pedestrian plaza and encourage more frequent movement. With that i'm going to go ahead and take my neighborhood association hats off real quick and put my personal hat on. One of the things i'd really like to see the council encourage is when -- encouraging development for growth, and I understand the idea of wanting to have more buying power to support business, but what I think st. Johns really needs more is increase in stability in the neighborhood. It's known that the only way to increase the stability in a neighborhood is through home ownership. We do not qualify as a urban renewal plan, so we're not available for p.d.c. Funds. I think that money used in the st. Johns area would be helpful. We've had host homes and habitat for humanity that brought in first-time home buyers. It would encourage a 30-year stability in a neighborhood. I think that we more than deserve that. I would not like to have us have to wait until we become an urban renewal area. With that, i'll end my testimony. Thank you very much for allowing me.

**Katz:** Thank you.

**Eric Palmer, Land Use Chair, Cathedral Park Neighborhood Association:** Good evening. My name is eric palmer. I live at 8816 north edison. I'm a land use chair of the cathedral park neighborhood association and i'm also our representative to the citizens working group. I'm teaching at o.u. This quarter, and so I know how you feel. This is a tough week to come down and have to go through a long hearing like this, but i'm really pleased to be here and i'll keep going. I started out in activism in Portland about two years ago, along with a number of my neighborhoods, because we wanted to rezone a few sites in the neighborhood. We recognized that they were wrongly zoned and wanted to work to change that. This was triggered by the zone application on north edison. I've spoken to you several times on that matter. In that matter we were forced to take a strong oppositional role. A pretty productive role. We won at luba twice, and that project appears to be on hold now. But during two years that's been going on, I was also very hungry, and I think my neighbors were very hungry for the opportunity to play an affirmative role in land use in bringing change to the neighborhood. We wanted to fix the root causes of this -- of this zoning problem rather than the symptoms through quasi judicial means. I think that's consistent with the experience of the neighbors in our association who are active and engaged in this process and for whom I speak today. You can look around our neighborhood, cathedral park, at the waterfront, and observe that there are many under-utilized properties there. You can also, you know, draw a conclusion from that, that the status quo is not working in cathedral park, and perhaps not in st. Johns either. There are lots of neighbors that are hungry for change. This is a plan that provides us with some tools for change. And we are -- our association supports the process and supports what the plan is trying to do. I have -- I think I gave karla copies of our formal recommendations regarding the plan. It's five single-spaced pages. I won't try to go through all that. I emailed this also to all of your staff members today, so that should all be there. I just wanted to hit a couple of highlights very quickly, and then i'll be done. Barry talked about the downzoning of the r.h. Sites in our neighborhood. That's a crucial part of this plan, reducing the density at some of those sites for our neighborhood, and we support that. The pedestrian improvements proposed by the plan are extremely important to our neighborhood association, making it easier to access the town center from our side of ivanhoe, which is a particularly dangerous street to cross, and we call for the curb extensions and for our pedestrian enhancements to particularly around james john elementary, where children in our neighborhood go to school. We support the approach that the plan takes on the steel site. We believe that using the particularly intricate zoning mechanism proposed there both supports land pro steel and enables them to continue doing business at that site, but also sets the stage for change in the future. Finally, we're also very supportive of the -- of the recommendation to allow a limited number of live/work units at the cathedral workplace, which is

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the former columbia sportswear site, and also the site now being redeveloped in the site of the modern zoo art -- art exhibition this last summer. So like I said, many of my neighbors will be testifying in greater detail about some of the elements of this paper this effect, but, please, there's a lot here, read it carefully, have your staff read it carefully. I'll be calling. Thank you all so much.

**Katz:** Thank you. And just so you know when we have elements that people don't agree with, what we usually do is have the planning bureau present a matrix of it, and then come back to discuss it with us. Ok. So they're not going to be ignored.

**Patt Opdyke:** Thank you. My name is patt opdyke. My address is 8971 north fortune avenue in the portsmouth neighborhood. I'm the land use chair for the community association of portsmouth called tcap, and also the citizen representative to the working group. Yes, you've seen me before, because I was one of those that started about four years ago on this. First of all, tcap wants to be really clear that we support this plan, and we're asking that the council adopts this plan. There are some proposed amendments, and I will speak to those as well, and we know that those will be raised perhaps at a later stage. The plan from our perspective represents the interests of the businesses and the citizens that live in ports mouth. We have a highway that runs through our neighborhood called lombard street. We have a withered kind of business district. A lot of those businesses are trying to reinvest, and at the moment there isn't a critical mass there that draws people to that business district. So one of the things that is very important for tcap and its members is to provide a means where we can have some local businesses that serve the neighborhood, where we can stop, have -- sort of meet friends, have sort of a public place, and also where those neighbors will come and support those local businesses. It very much is sort of a mutually beneficial approach. There's a letter that I gave, and I think you'll be getting copies of that. I'll hit some of the highlights that came up on the things. We support the plan, because we recognize that this all fits together, but our comments are directed towards those proposed changes that are within our area. Given our -- our support for our local business district, we really do like the idea of the nodes, the community corners, and the change of the zoning to -- from commercial general down to commercial storefront, which goes -- it's that full neighborhood commercial area. That is sort of where our focus wants to be in terms of how do we get people to come and support those businesses, encourage businesses already there to invest, bring in other businesses that will serve the neighborhood, who will want to invest there. We are also very supportive of what was called the residential focus areas. In our neighborhood, that runs between the park, columbia park, or woolsey avenue, and fiske. So there's a proposal to zone allowing for a bonus for residential, to give us a little bit more oomph in buying power there, but also to allow for commercial. One of the concerns that we're aware of, and we think there may be an amendment to this plan, is that under that particular zoning our board is that aware that, number one, there's maximum parking limitations that may not serve the commercial areas. We want to support our businesses. And another thing that we're aware of is that there's a limit on the amount of business square footage you can have per business. Again, we want to support our businesses. So we're on record for doing that.

**Katz:** I think barry is just flagging me. That's one of the amendments -- [inaudible]

**Katz:** Right, to take care of the issue. Go ahead.

**Opdyke:** The other part we also strongly support curb extensions. We have children, elderly, people like me that want to cross the streets, and we believe that it really supports not only the local businesses, but also for those of us who live nearer to the commercial area, the commercial zone area, it makes it easier to get across the street to even use the buses. And that is very difficult. Lombard is not an easy street to cross. We support strongly the design standards being proposed for the r-1. You are going to hear, and it's a tough one for us, you are going to hear people saying it might have been an r-1 before. We would like r-5 now. We understand that the plan is not as it is right now going to go there. However, even with r-1, we feel that our concerns of being heard in

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terms of the quality of the housing and trying to make it fit with what is there. We may be modest and sturdy, but, you know, we're pretty tidy, and we like that. We also are very much in support of the portsmouth gateway. And the portsmouth cut is such a wonderful resource for us, and we'd really like to see that highlighted in some way. I see i'm down to my last 10 seconds. I thank you very much for hearing us, and i'll be speaking in a few minutes on behalf of the citizen working group.

**Katz:** Thank you. Citizens working group -- oh, barry, come on up and explain that little change so we don't need to hear the testimony. Come on, citizens working group.

**Manning:** Barry manning again, planning bureau. My apologies for not addressing this sooner. We passed out a memo to council from joe zehnder earlier tonight. This memo suggests the council consider a couple of changes to the recommended plan. One is correction of the maximum height map, map 583 in the plan, and actually it was mistakenly the earlier proposed version was put into the recommended plan, shows a bonus height available in the area north of the st. Johns bridge. I'm going to point to that for you right here. That area should no longer be available for a bonus height because the design review element was removed from those areas, so the maximum height would be 45 feet for those areas. This map corrects that. The second issue is the plan recommends a rezone from general commercial to -- which has a set of parking requirements -- to neighborhood commercial one, which is a zone that we initially use in the planning commission, of course, recommended, as a platform for creating this mixed-use incentive zone. It really, once again, provides an incentive for housing and mixed-use development doesn't require the housing. In a review of parking standards for the zone we realized that the standards that are applied in the base zone won't provide adequate parking for the kind of development we had anticipated in that zone. So we're recommending to the council to make an amendment to the plan, to bring those parking standards up in this application, up to the same level and standard of the other zones like neighborhood commercial two, commercial storefront, that are applied elsewhere in the plan. We want to provide adequate parking in those areas.

**Katz:** Thank you. Pat, I wanted you to hear that.

**Manning:** Should have a copy, but we can get you another one if you don't.

**Katz:** Ok.

**Manning:** Yes, thank you, gil. I also have to say, the legal record is in the room and available.

**Katz:** Ok, legal record is in the room. All right, anybody else of the citizens group? All right. Go ahead.

**Steve Weir:** My name is steve weir. I'm owner of weir cyclery. I was one of the initiators of this project and this process in working with my friend, pat updike, addressed to me it's now been I want to say over three years ago, 3 1/2 years ago, that we first were invited to come to your office and discuss this piece. What I want to address is the -- is the procedures and the way that we went about this in the process. If I would have known it's taken me 3 1/2 years to get this far long, I would have maybe had a second thought about it, but it's been an enjoyable process, a respectful process. The opportunities i've had to work with, not only the community, but my other members, business members I should say, through the process, has been entertaining and respectful at the same time. We've addressed a lot of issues that came up. We've had some very competitive conversations through curb extensions through pedestrian pieces, through business entities that go on, and I just -- I just want to say it's been a pleasure. I appreciate that.

**Katz:** Before you stop, since we're probably going to be back a couple of times on this, we would like for the citizens group to join us and join the staff as we go through these suggested amendments, we'd like to have a little conversation with you about what you were -- why you would oppose it or why you would support it, and what conversations you had over the two, three years working on this.

**\*\*\*\*\*:** Ok.

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**Opdyke:** Being the shy folk that we are, you will hear from us. Again, i'm patt opdyke. And in working with the citizens working group what I was really impressed with was the way that although we had our personal points of view, that really those were subordinate to the points of view of the associations, neighborhood associations or business associations. We were really there speaking on their behalf. We made reference to that. But perhaps most importantly, as we went on the neighborhood walks and in the visioning workshops and all of the different activities that we had for the public, frequently when we would be put push against shove, and talking about what some of the options were, we would go back to, well, what were people asking for? I don't think any of us got what we wanted. And I know that there was a lot of tradeoff, but coming out of this process, what i'm aware of, is that, as steve was saying, there was a lot of respect there, but also there was a respect for the way that the staff responded to us. We saw them -- we pushed back when -- you know, sorry, this is city policy. Well, you know, and is there another way? So there was a great responsive there. And also there was a willingness to work with our constituents, so people that we were representing and in a willingness to help us get out, reach out to the community, and be very visible there. And so this process has been excellent from my perspective. And I work in citizen involvement as a professional in Washington county, so I really think that this stands out as perhaps one of the best experiences i've ever had.

**Katz:** Excellent. Thank you. All right. Anybody else from the citizens group? If not, how about the north Portland business association, are you here? Guess not. All right, is sharon here? [inaudible] oh, sorry. Go ahead.

**Wier:** As you can see, I have various hats here tonight. Again, it's been a very long process. Tonight i'd also like to take robin's opportunity after i'm speaking for the north Portland business association, i'd like to speak in reference to myself because I have commercial property that I would like to reference, too, if I could have that I would appreciate it. The north Portland business association has decided to hold our prior position of our letter that was originally sent of neutrality due to the diverse opinions of our members, which indicates to me that if our members had other opinions that they chose not to discuss that they would address them independently tonight. So I would expect them to show up and address their own personal issues out of the realm of the north Portland business association. As a north Portland business association president, and as the representative of our members, i've donated over three years as a part-time citizens working group to participate in all the workshops, open houses, and affiliated -- or I should say that affiliated with this plan and included the full membership of our association in the process. In preparation for the council hearing tonight, the north Portland business association, I requested from our paid members that they submit three positive aspects of this plan and three negative aspects of this plan. The responses that I received from our members was only four. So I would like to read the main one that was -- I received from, which was one of our board members. It is from schnitzer steel, mainly was the transportation issues and the truck study pieces that have already been discussed, but I will quickly go through them. First, we think that it's just -- it's great that the plan supports the long-range feasibility studies for the new bridge across the willamette to connect u.s. 30 to the peninsula. We also think the -- thank the city for taking on this important study. The other concern is the need to preserve lombard of the main street. We'll be asking that until a freight master plan is adopted to accommodate overdimensional freight needs down the lombard corridor. We'll also be asking that the action item tc-6 be expanded to improve freight capacity on the freight route to handle volume and physical loads for the impeding traffic calming and safety elements. And i'm going to shorten this up a little bit. The other two items that the city has recommended, that the old columbia sportswear building be converted to artists lofts, and that all it, and that all it takes is for one residential complaint and a business will be need to curtail its operation, and the city should never allow housing immediately adjacent to the heavy industrial zones. Saying that, the st. Johns area is really unique, being located next to an industrial sanctuary. That line is divided there should

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be a blend to go, not a definite cold line between the industrial sanctuary. And the final issue is the city is suggesting housing along the union pacific rail line by the cathedral park and also suggest additional rail crossings and any housing built close to that rail line should have extra soundproofing so it doesn't get complaints from the residents. There's some other various opinions here. I have one from others that would choose to keep all parking options open, and another one that has objected to curb extensions and would choose to keep the bike lanes off. In conclusion, as a representative of the north Portland business association, and having the opportunity to be on the citizens working group, again, the process I believe was more than long and adequate for the distribution of the notification of the awareness for the opportunities for input. We had taken that back various and numerous times through all the other designs and the networks. Now if I could I'd like to take an opportunity to talk about my business. I'm the owner of weir cyclery. Weir cyclery has been in the north Portland neighborhood, in university park neighborhood, for over 78 years. We took the opportunity to expand this last year into st. Johns. So we now have two locations. We are a third generation cycle store that started in 1925. I'm speaking here today as an independent business owner, not as a business association representative, and a resident of the university park neighborhood. I have a business on what was called dawson street -- oh, i'm sorry, now it's lombard street. Since 1925 there's been many changes, and the obvious changes from the steel rings on the curbs that still exist in my neighborhood for the horse and buggies, and the exposed trolley tracks that are sitting, that are deteriorated on dawson street, oh, which is now lombard street today, need to be recognized in 2004. And the transitions and the changes that we've made over the years. I've become receptive to modern change, to the proposed main street concept in the area of today's plan for the pedestrian district and feel that this should be embraced and recognized with the current impacts of today and for the future. We have coming and will continue to grow with 850 new housing units in the new columbia that I feel will be an asset to the business community that will come out of the portsmouth area, where by 230 of those housing units will be property owners, new property owners, and hoping that they will please come in and shop the stores that are on the lombard main street. The university of Portland has a great master plan, and continually working to improve the exposure within the main street plan and north Portland. These are all great impacts that are going on in the main street, in the proposed main street area, and I feel that it needs to be embraced for my business constituents in that area. The new interstate max line from the rose garden to the expo center, looking for their opening on may 1, has a great opportunity to stretch within the lombard main street boundaries to come out that extra mile and a half or two miles to fraternize your businesses and hopes for new shopping experiences to take advantage of that. Not to mention, there's three wonderful grade schools that are located within the lombard main street area. You have astor, you have portsmouth, and you have holy cross. All within the plan area of the lombard main street area. All these factors viewed are positive or negative, need to be embraced, if us as business owners or property owners wish to operate and continue to live within that plan area. I believe that the lombard main street concept embraces the future business environment in which we do business. I currently own two parcels, as I said on lombard, one of which has been rezoned from residential to commercial storefront and our businesses have been rezoned to commercial storefront, and weir cyclery is respective of these changes and look forward to the development of north Portland on lombard. Thank you very much.

**Katz:** Thank you. Go ahead.

**Sharon Nasset:** My name is sharon nasset, 1113 north baldwin street and am a resident of north Portland and also work in north Portland and have been a resident there for almost 30-some years. I actually wanted to thank you very, very much for taking the opportunity -- the opportunity to make a look at north Portland, because north Portland and st. Johns has several different things that it can need. One of the things, when steve just mentioned the different schools in our area, is they are not in the study area, and what happened was postcards went out in the beginning, gave everybody once

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notice, but when you're doing a plan, as intense as this, you have to give regular notices, quarterly, and also involve other than the associations, we have nice associations out there, but our four associations have approximately 20 to 25 people who can't -- who are actual members of the association and can vote. So when you put all four of the associations together, which were the main people that they went and got information to, you're looking at about 100 people. They have no budget or mapped date to go -- mandate to go out to the public and inform them. That is the city's responsibility. So when you're getting the information back and forth from the neighborhood associations, you're only getting the 25 people or so that the neighborhood association represents and not the neighborhood. The second issue is, I handed out two things. One is, I did do a survey, and when you take a look at the survey results you have to ask yourself the question that we're asking, which is why -- why don't we have more time, go back over it. In the beginning they said nobody was interested in the plan, two and three and five people were showing up. Well, had they sent cards through the entire neighborhood or walked through the neighborhood as we did, they would have probably got about 600 back. We've a meeting with 130, 150. We helped with the outreach meeting that they reasonable had, which had close to 200. And we had a little over 25 people that came last week to find out the etiquettes of testifying. And that was important to them, because a lot of them haven't. The issue i'm most concerned with is two, and one is this plan doesn't do anything for our economics out there. Our household sizes are approximately the same as all over town. Our income is \$15,000 to \$20,000 less a household. Our population, when you consider north Portland and lombard, is up there just like everybody else's. It is our spending power that is not. We do not need to bring in and change our zoning from r-5 to r-1 to bring up our spending power. Our underemployed people need better jobs. When the city has come out there, they've taken up our large commercial properties that used to give wage-paying jobs with benefits, and more and more they're taking those up, taking them off the tax roll, and we no longer have the good wage-paying jobs. No offense to the h.a.p., took a large commercial building, the health department took an entire block, the relieve nursery took a part out of the downtown area, the d.s.h., the food stamps, and then the parole office. These large buildings once had 20 and 30 employees with really good wage-paying jobs and benefits. What is left are the little tiny ma and pa shops that have no benefits and no good wages. So instead of raising the population out there that comes with congestion and pollution, I think we need to do the opposite, which is have a college. Many of the people here were tell you that they were and were not informed, and I don't see any not to involve them. I think when you look at statistics that you would find that they would have a totally different view of what they think is important out there to raise their income. And the last issue I have is this thing on pdot. And i'm sorry to say, for a person who prints a lot, I ran out of ink today, and then I dropped the screw on my computer, so I was never able to totally correct it, but there are some real questions here having to do the st. Johns truck strategy and the mtip. If you look down at number five, and I have handed in the complete st. Johns truck strategy to you before, right in here it says steve gerber, comment on five, about ivanhoe, lombard and st. Louis, the exact corner this mtip is talking about. It's been saying it was adopted by council and therefore they didn't have to go out through the neighborhoods. When you look in the book for the outreach there are zeroes at what their outreach was, but for just one moment it says that they talked about widening the corner at the intersection of st. Johns and ivanhoe -- st. Louis, and in one type of widening the corners are additional blocks could probably be necessary, and they're residential properties. Excuse me. We've found that to be totally unacceptable, even in part, and we've been thinking about the lot in whole. They're talking about a lot of land. And that was considered to be awful to do any of that. I'd like to know what they have done to figure out why these citizen comments, that this is awful, no longer applies.

**Katz:** Thank you. All right. I just was told we have 71 people here who want to testify. It's 7:29. And we'll start with three minutes. We're going to -- you've broken it down. So we'll have three in



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support and three in opposition. And then we'll go -- we'll go like that for maybe a little bit after 8:00, and switch to two minutes. Before we start, I know there will be people here who don't want to testify, but want to tell the council where they are. What we usually do is ask people here who support this plan, with a couple of amendments, everybody had a few to raise their hand. Ok. And those who oppose. Thank you. All right. Let's start. Thank you, Sharon.

**Katz:** Would you mind waiting --

\*\*\*\*\*: I was going to say, I'll pass my time.

**Katz:** You're very sweet. Thank you. All right. Why don't you start. Grab the mic.

**Rick Sandstrom:** Yes. My name is Rick Sandstrom. I'm here in a private capacity, but also I want to say that -- well, first I live on Ivanhoe, 8104 North Ivanhoe, within the boundaries of the area. I'm the chairman of the Friends of Cathedral Park Neighborhood Association. And I'm here to support the plan, say that the association supports the plan, and with some amendments, and -- but right now I would like to speak to the Richmond transportation piece of that plan. And we, the neighborhood association, support the improvements on North Richmond proposed by the plan. This includes the traffic signalization at Richmond and Ivanhoe, which is very important to the region, to that area, and I don't know where Mr. Francesconi is, but he had a brush with a rather large vehicle one day when he was out visiting. So it's a dangerous intersection. In addition, we support a standard four-way stop at the corner of Richmond and Willamette. This will prevent a rather quick pass-through through the neighborhood by people trying to get around the traffic diversions. And finally, we support the realignment of Ivy Island, that will allow the elimination of that sweeping curve, that Mr. Manning was talking about. So we support the improvements of this plan.

**Katz:** Thank you.

\*\*\*\*\*: Thank you.

**Katz:** You're all noting all of the issues, so that you -- ok. All right, go ahead.

**Rosemary Lown:** Hello. My name is Rosemary Lown, and I live on North Ivanhoe Street. I spent three days in a dental chair today, and I really feel like it was three hours -- three hours. Seemed like three days. [laughter] and but I felt it was important to come and testify and to support the plan. I would like to address part of the -- the Friends of Cathedral Park Neighborhood Association position paper that we amend an amendment to the downtown St. Johns new Safeway site. The current zoning for that site is CN-2. There's a series of blocks facing Princeton between North Richmond and North John Street that we would like to see rezoned into an R-1-D zoning, in the event that redevelopment of the Safeway site becomes an opportunity. That's it.

**Katz:** Thank you.

**Kathryn Holland:** I'm Kathryn Holland. I live at 8207 North Edison, and I'm the secretary of the Friends of Cathedral Park Neighborhood Association. And I too am here to speak in support of the plan. One thing I'd like to do is thank all of the citizens working group representatives. They did a tremendous job and deserves thanks from all of us. I think Eric mentioned this, and I just want to go over again the waterfront and the land pro steel site. Our neighborhood association supports the planned zoning there, or the recommended planned zoning. What we would like to see down there is a public greenway or other low density public use along the waterfront, and we believe that the plan language and the pending River Renaissance initiative are appropriate mechanisms to achieve that goal. We also believe the e.x. Zone provides future development of the riverfront, but preserving the economic vitality of the neighborhood in the near term. We also support the revised height limits and use restrictions proposed in the e.g. Zone. Pro Steel has been an excellent corporate neighbor. We look forward to conscientious development in the waterfront with an environmentally sound green belt for public enjoyment. That's all I have.

**Katz:** When people have testified before, let's hold them off until later on.

**Moore:** Ok.

**Katz:** But go ahead.

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**Bud Logan:** Oh, thank you. My name is bud logan. My office address is at 2455 north quimby in Portland. I want to thank the mayor and council for giving me time and lending me your attention to these issues tasking st. Johns today, now. I'm here to report the reality of a big success story in st. Johns. In 1998 I created an incentive program to supplement the p.d.c. Storefront program in st. Johns to facilitate moving the commercial core from the distressed and blighted condition it was in to a status of opportunity, jobs, and commercial growth. My program and p.d.c.'s parallel program have refurbished 20 buildings in the st. Johns commercial district. 39 retail storefronts have been upgraded for use. Each of these storefronts represents at least two retained or created employment opportunities. Also known as jobs. The program has increased real estate values in the commercial core by \$755,000. This project led the way to an overall 8.5% increase in real estate values in st. Johns for the year 2003, the best in the city. And the hero of this success is the commercial property owner. They saw the opportunity and took the challenge to make assets of their properties, to fill them with business tenants and be the most important part of this successful program. The property owners put forth the capital resources, worked very hard within the rules, and got the job done to the advantage and benefit of st. Johns and the city of Portland. Complementary to this work is \$60 million in urban development in st. Johns. This includes the renovation of the st. Johns bridge, the new safeway development bringing 65 jobs, the children's service center, the Multnomah medical center, a mixed-use project, providing another retail opportunity in the commercial core. And including this important project. I want to thank mayor Katz for supporting the project. Your foresight and vision was right on target. This plan that you are now considering presents new red tape and expense for property owners want to go participate, or those I have worked with who are encouraged by what has already been done and want to go on to new projects. Design overlay, new zoning, and codes may be an expensive and time consuming process that will discourage development after this is passed by you. I'm presenting this information so that the council, in its wisdom, can make decisions to preserve and enhance the present and help it to shape a future upon which a plan of this nature can be considered. Thank you.

**Katz:** Thank you. Go ahead.

**Mary Oliver:** I'm replacing stephanie tichenor. She had to leave. My names mary oliver, 6853 north sky street. Two blocks from -- a half a block from roosevelt high school, two blocks from the ida and lombard intersection. I was arrived in Portland, learned how to swim at pier park pool. I too oppose this plan. My primary reason is that the city officials have not complied with the legally necessary criterion of the common good. The lombard plan is about to be voted on tonight, as it is about to be voted on tonight, does not serve the common good for, as sharon said, more and better jobs for area residents, better education for area children, and it doesn't even touch on, in fact it wants to use these rivers, does not even touch on the safety and protection of present and future residents. No protection from the super-polluted rivers of the peninsula. Many of the residents, some of who I teach english skills to, are immigrants who i've seen enjoying kelley point park, cathedral park, cannot read or fully understand the warnings posted. It is essential for the health and welfare of all that cleanup occur before increasing the population density of north Portland. I believe the Portland -- the lombard plan as it exists today, and without more input, is unconscionable as a move forward. Thank you for your time. And I yield my remaining minute to anyone else needing two minutes.

**Katz:** No, we don't yield, but thank you. Go ahead.

**Lex Morrow:** Hi. Good evening. My name is leaks morrow, 4875 north vanderbilt street on the corner of haven and vanderbilt. I would like to thank mayor Katz and the commissioners for allowing us to be here, and also for your interest and your efforts on behalf of the area of the north Portland peninsula. I would also like to ask your help, for your help, in correcting a zoning problem threatening our street, and is connected within this program. Vanderbilt street is a very narrow, three-block-long street which does not allow two cars to pass each other at the same time if

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anyone's parked on the side. It's a street that contains many homes which are 100 years old, and more which will achieve 100 years in less 18 decade. I feel, as do many of my neighbors, that vanderbilt should be rezoned. As present the south side of the street is zoned r-1. It needs to be rezoned r-5. In its three-block length, vanderbilt already has more than its share of density and multifamily dwellings. We have two, two-story triplexes, three examples of r-1 zoning, and a large majority of vanderbilt residents are opposed to anymore. The five-plex was empty for at least six months, and caused parking problems, although it only has one rented unit. It is so out of scale in our neighborhood that it appears to loom over other houses. Development would mean the end of sturdy homes and the end of a working-class neighborhood, whose residents have succeeded in bringing our street back from a time of drug dealers and rundown homes. Vanderbilt is now a fairly safe, friendly family street where owners and renters of diverse ethnicities and income work together to keep it that way. Please help us preserve a street that works for all its residents. I have presented 10 copies -- pardon me -- 10 copies signed by almost all of the residents of vanderbilt supporting a request for rezoning and opposing the construction of more apartments. Thank you for your attention.

**Katz:** Thank you.

**Ann Gardner:** My name is ann gardner. I'm here tone as one of the co-chairs of Portland's fairly newly-created freight advisory committee. And thanks to commissioner Francesconi for creating the committee. I've attached to my testimony is the letter that the committee sent to commissioner Francesconi earlier this month in which we identified four issues. Two of those issues were addressed with the pdot testimony, and the first of those is to preserve lombard as the overdimensional route and we're supportive of the language introduced earlier and express our sincere appreciation to pdot for advancing that to you. Also, the importance of completing the freight improvements around the horn before we begin to implement the other important elements of the st. Johns truck strategy, we're supportive of that. Very quickly want to spend a little bit of time on the other two issues that the freight committee talked about in its meeting last month in preparing for this hearing. And that is being very, very mindful of doing what you can to retain the vibrant industrial uses that are within the st. Johns district. Many concerns that were raised during the planning process have been addressed, pro steel issues in particular have been processed. What we're concerned quite frankly about allowing residential in an e.g. Zone so goes to t-4, and I would ask that council very carefully consider the testimony that they've received from the port, from the northwest industrial neighborhood association, and others with respect to this particular issue. The last issue i'd like to mention is in the testimony that you received, the presentation tonight, it was really silent about the activity of the union pacific rail line that runs right along the waterfront. We must not overlook that active branch line, and I believe that you should have a letter from union pacific outlining some of their concerns, and I would ask you to very seriously take those into consideration as you adopt this plan, particularly with respect to encouraging residential so close to a viable rail line and increasing crossings across an active rail line. Finally, seriously support the long-range feasibility study for the new bridge, connecting north Portland with the peninsula. That's an important study that we need to undertake. And really appreciate that it's, again, acknowledged in this plan. Thank you.

**Bob Russell:** Good evening. My name is bob russell, the president of the Oregon trucking associations. And I really came here tonight to ask you to help us minimize the conflicts between trucks and neighborhoods. We very much resident desires and -- respect the desires and rights of the neighbors, and we don't want to have conflicts with them. And there are some things that I think that you can do that would help us a great deal. Every time that I have come before you to testify, it has been about the st. Johns area, the st. Johns bridge, or lombard avenue. There's a very good reason for that. The largest industrial sanctuary in the state of Oregon is located north of that. Basically I came with two issues. And i'm very appreciative. New newland has addressed both of

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them with proposed amendments. The first to fully implement the st. Johns truck strategy, before some of the truck streets are compromised. The long-term goal is a new bridge, but as we all know that's going to take a long time before we're able to do that. We need to make sure that we have a clear route into the port of Portland, rivergate, and those areas, that we can effectively operate before some of the other routes in the st. Johns area are cut off to us. The second issue is a little more esoteric, and that's the overdimensional loads that run between the st. Johns bridge and i-5. Of course, they go across the bridge, and out 30 to linton. They don't transport -- we don't transport many loads over that route, but that is the only route that we have that runs east to west in north Portland that will accommodate oversized loads. And sort of the way I like to think about it is you need a hole in the air that is 18 feet high, 24 feet wide, to accommodate these oversized loads. The first time I think I came to testify before you, we were talking about interstate max, originally proposed to be 12 feet across lombard. Fortunately the city and tri-met worked with us, and that wire has been raised to 21 feet, preserving that high route. We would ask you that you continue to preserve that, until we can find an alternate through the freight master plan. I also want to thank commissioner Francesconi for the freight advisory committee. It's been a wonderful experience.

**Katz:** Thank you.

**Dave Nadal:** My name is dave Nadal. I'm here to testify in opposition to the recommended st. Johns/lombard plan. I would like to see the plan sent back to the community and completely redone. I want the plan to really represent the values of a true spectrum of local values, not just a select minority of the most assertive, usually gentrified activists and business interests. One of the great things about land use planning dissent in Portland is that it largely comes from Portland who vigorously believe in land use planning, as I do. City leaders should be flexible in dealing with this opposition, because inflexibility can spark movements that could do away with land use regulations completely, which I think would be a tragedy. In the southwest community plan, my neighborhood, the city sent back our plan to local residents after significant opposition developed. We came up with a new plan, and it was adopted. However, there's a fundamental distinction between my community and st. Johns. In southwest, neighborhood association activists are a little closer to the average resident than in st. Johns. Therefore, while in southwest we had almost every neighborhood association against our plan, I believe that in st. Johns a positive view of the plan by some neighborhood associations doesn't represent the same thing as it would in southwest. In st. Johns there's a much more distinct submit between a vigorous community and neighborhood association politics. Many involved residents, both in the mainstream and in the margins, feel the neighborhood machinery as a foreign body in their midst and have never had any interest in even starting to pursue activities with neighborhood associations, let alone testifying at hearings in downtown Portland. Clearly the city's practice of relying on neighborhood and business associations for public input is inadequate in communities like this. In fact, neighborhood and business associations input probably provides not even a hint of actual spectrum of local sentiment. The polls I've seen conducted by the st. Johns plan's opposition, which show large-scale opposition to key elements of the plan, I believe these -- I believe those polls, because of my own experiences in other neighborhoods I know that they are most likely true. I've canvassed on foot to see for myself, and read the results of other people's canvassing in a variety of Portland and metro-wide neighborhoods. The st. Johns opposition poll results are typical. For plans with such large sweeping scope, like town center and community plans, they should really reflect the values of the entire spectrum of citizens, not just the values and aspirations of the most assertive, aggressive and vocal minority. When the city bureau machinery marches in to huge distinct community areas of Portland, and undertakes to redesign them, not only physically, but in terms of local values and visions, a vote of people in downtown Portland shouldn't be able to determine the outcome.

**Katz:** Thank you. Thank you. All right. Next.

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**Susan Morton:** Hello. My name is susan morton, 6949 north macrum in Portland. I wish to thank you for allowing our community the opportunity to discuss the st. Johns/lombard plan. My purpose for speaking tonight is to address a library issue. Our community has been trying to get a new library on north lombard. It was 20 years ago that two of our libraries were shut down. Eight years ago we were promised a new one. The two locations that were discussed had been either at portsmouth and lombard or at heron and lombard. Since the people involved with the st. Johns/lombard plan had a meeting in january 2002, though, the lock was changed to the villa, which is just now in the development stage. Don't get me wrong, our community would appreciate the city's involvement in a plan for a library, but unfortunately there are good plans and there are bad ones. I don't feel that this latest plan is a good one. There are reasons for this. First of all, it would be better -- it would be another four or five years before a library could be ready, if located in the villa. Secondly, transportation to a library, located in the villa, would be largely inaccessible for much of the community. On the other hand, a library situated on north lombard would better serve the six grade schools and the high school that would surround it. Children would be within walking distance of the library located on lombard. Public transportation, which already runs down lombard, would make it easier for the -- for those who otherwise might not have access. I don't believe our community's hard work to get a library on north lombard should be thrown aside. We need to slow this process down and get more involvement. Sending out 2542 mailers in october of 2001 to announce the open house for the st. Johns/lombard plan sounds good on paper. Unfortunately, 1543 of these mailers were sent out of zip code. Out of state, which includes states as new york, new jersey, texas, missouri, and michigan, just to name a few. As well, a couple went out of country, including the netherlands. This is not indicative of an organization trying to reach out to our community to get involved. On the other hand, sharon nasset and her group have single-handedly, by phone, door to door, through bulletins, has reached more people in three months than the st. Johns/lombard committee has since 2001. What I am asking is to slow the process down so we can all have input.

**Katz:** Thank you. Let me just correct you. The city doesn't build libraries. This is the county's responsibility.

**Morton:** I'm sorry, this was mentioned in the latest issue of the lombard plan as one of their strategies. I'm sorry if I mentioned the city, but it was mentioned as -- by serena cruz to have it put in the villa, and it was to be decided in february of 2002. I haven't heard any result of that, and it was not later mentioned.

**Katz:** That is a county -- a county decision. Thank you.

**Morton:** Ok, all right.

**Katz:** Thank you.

**Morton:** Thank you for your time.

**Terry Parker:** My name is terry parker, 1527 northeast 65th in the rose city park neighborhood. The road used to get to the lombard plan was flawed and full of potholes. Undoubtedly the advisory committees were picked to fulfill a political agenda. Where was the direct representation from stakeholder motorists who pay the taxes that fund the majority of transportation projects? Without direct input from motorists, the whole process becomes taxation without representation. Bicycles want more facilities, but want somebody else to pay for them. As the exclusive user of these facilities, the time is long overdue for a bicycle tax. Another flaw was the city's limited coverage in some of the notification process. What happens on lombard affects the entire st. Johns and north Portland area. The city's surveys were flawed because they were vague. When asked, most people would ask, would you like to see more pedestrian improvements, with a yes, but that doesn't keep from the city installing curb extensions. What studies have been done that show curb extensions improve traffic flow, how many traffic is created when buses stop for passengers at curb extensions, what about when mobility-impaired people get and off a bus and block other people?

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What is the negative impact to air quality and where is the environmental impact statement related to buses stopping at curb extensions? Has the city ever asked motorists if they approve of bus stops at curb extensions? What studies were done to establish the policies of using curb extensions in the t.s.p.? What studies have been done to show the difference of curb extensions where buses block other traffic vs. Not using curb extensions at bus stops where buses are required to pull out of the curve and out of travel lanes where curb extensions have been proposed or installed in basically there's a failure on the part of the city to prove curb extensions add to the quality of life, especially given the high cost of installing them. The target of curb extensions is social engineering, not good transportation planning. In a free and democratic society, social engineering is unacceptable. Tri-met must stop acting like the big bully of the roads, pull their buses over to the curb and out of travel lanes when stopping for passengers. All curb extensions that include bus stops should be eliminated. The streets should work for the taxpayers and not tri-met. The reason i'm out of my area here tonight, speaking on north Portland issue, is because i'm running for metro counselor, district 5, which covers north Portland. Thank you. [applause]

**Katz:** Thank you. Whoa, whoa, whoa. [gavel pounded] I will clear the chambers if we continue this.

**Charlie Tyndall:** Charlie tyndall, blueline trucking. We have over 100 trailers, we employed 60 year-round employees and up to 100 seasonal employees in the summer. We have liquid asphalt products and malt brewery. Our customers are all government agencies to private industry, mainly road construction and stuff like that. It's very important I come as a family person in the neighborhood, as a business in the neighborhood, as a member serving on the Portland trade advisory committee, and as the chairperson of the Oregon trucker association so. I like what's being done and I appreciate this opportunity and I think it's really important that we consider the economic importance of this project that we keep highway 30 as our overdimensional route and that we be sure and maintain a freight route until all of the loop process is done. The st. Johns truck strategy. And with that, I would like to thank you for this opportunity to share that, and thank commissioner jim Francesconi for his involvement in the Portland freight advisory committee.

**Katz:** Did you invite all these people here?

**Jean Hoops:** I'm jean hoops. I have a business at that residence. I'd like to take -- thank you for hearing this testimony. I think it's a god plan. And it will allow our community to grow with direction and care. I support the curb extensions, and it gives me a leg over if I need to cross the street, because without that extension, it's a big hike. We need to probably also increase the stoplights, because very few -- not pedestrian friendly for people on the street.

**Keith Fowler:** My name is keith fowler, I live at 7934 north dane avenue. I'm a relatively recent addition to north Portland only being eight years or so. And I came in support of the lombard plan and I learned about the plan through the newspaper and mailings, so I had plenty of warning about what was going on, whether I participated or not. I didn't participate in one of the planning meetings where people listened to each others' comments, and considerations of what was going on. And it -- I came away with an idea of something that was going to be done and hopefully be done right in north Portland to improve the -- help improve the community and the businesses in that community. So thank you.

**Katz:** Thank you. It's a little after 8:00. We'll do one more round of three minutes and then we'll shift to two.

**Stephen Flynn:** My name is steven, I live at 6355 north curtis. I've lived in the neighborhood and work, played and done a lot of things in st. Johns for 20 years now, and more. I moved here originally from grit britain, so I know a little bit about buses. I married and raised two children here. I've had two boys and i've been through all the school systems in north Portland, so i'm also a construction worker. I'm what they have that \$43,000 a year guy. I've been stable for all those years. And in the workplace for 17 years. Over the years i've had experience with a lot of other

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projects in north Portland as the person who actually builds them, and one of the things the construction worker and I do a lot of traveling. I go around the state, I travel out of town to salem, skamania, I need to have a way in and out of the neighborhood because I can't ride my bicycle there. I'm sorry. When first coming to the neighborhood, my thoughts were similar to most of the newcomers i've talked to recently, that we need change. I saw the negative that was in the neighborhood and how bad it looked, but i'll tell you, after raising two children there and getting involved in the community, through schools, little league, just talking to neighbors and getting to know the people and using the businesses and doing some of the activities, I have understood that over the years north Portland is a community. There's a lot of working class people there, and I like that word, working class, because there was a lot of industry set around north Portland for a long time, a lot of god-paying jobs, a lot of guys who were carpenters, painters, electricians, plumbers, truck drivers, you name it. People who have pensions from those jobs, and people who have health benefits. My -- lombard has a lot of dentist, if you look at it. My dentist loves me because he nosy pay the bills. And that's an important fact about the economy in north Portland. What I have seen is that we managed to get through two recessions and still maintain our homes. Now i've moved a little bit, I own a house, and one of the concerns i've got is how long can I stay there, because i'm watching now this new increase of people moving into the neighborhood, new people, buying houses, staying there for two years, fixing them up and moving out, selling them for profit. I just hope I can stay there, but I want to continue on. As actually getting to know about this plan, maybe it's my fault I don't read enough. However, I was driving down lombard like I do every day and a banner was across lombard. Lombard is our main way, our main artery in and out of north Portland. You can break it down and say st. Johns and break the neighborhoods, but it's the peninsula, and I use all of it. I travel every day and I saw that banner and I wanted to get involved. I kept hearing people saying, we need to get involved. I did. What I found was it was pretty much too late. It was after september the 17th, and I don't have any input now. So i'm here tonight -- did I use my three minutes?

**Katz:** You all have input. People have made recommendation and amendments which will all come back to the council for further discussion. If the council is interested in pursuing them. This is not -- it's not over yet. There's still a lot of work that everybody needs to still get involved.

\*\*\*\*\*: I hope not, mayor.

**Katz:** Thank you.

**Jim Karlock:** My name is jim karlock. I live on northeast 35th avenue. I want to start out by thanking the mayor for the introduction she gave. If I heard right, she said this plan is instigated by the city.

**Katz:** No, by the citizens.

**Karlock:** Oh, by the -- by the citizens, ok. It is, however, part of the metro scheme for the entire area, and as a town center, metro has it scheduled for a 50% increase in population density, lombard being a main street, metro recommends a 22% increase in population density. On the survey they asked a question, do you want bike lanes on lombard. 89% of the people answered no. So can someone tell me why bike lanes are still in the plan? They also ask, do you want extended cubs? 94% of the respondents answered no. Why are extended cubs still in the plan? She also asked, do you want more skinny lots? Those are the houses on the 25 by 100 foot lots that are about 15, 16-foot-wide house. 92% of the people said they don't want any more. Why is that type of zoning still in this plan? I notice st. Johns plan likes to use the word "opportunity." but there's a few opportunities they didn't mention. Bus stops and extended cubs will give an opportunity for more traffic congestion and it may increase pedestrians, because after repeated requests i've yet to find a pdot person that can cough up any data that shows those things improve safety. Rezoning of course provides an opportunity for more skinny houses. The plan will give an opportunity for more minimum wage jobs, as family wage industry is forced out, and replaced by trendy cafes and

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boutiques. Overall it's an opportunity to become more like los angeles, with respect to density and congestion. That of course is a metro goal. Let me ask you, how many of you people want to see Portland become more like los angeles? Anybody want to raise their hand? Well, that's what this plan is going to do. And it will not be an opportunity for higher paying jobs. It will not be an opportunity for a higher average income or a better business climate. Since the increased population is going to be mostly large -- mostly low-income and therefore not have a lot of disposable income for the trendy boutiques and cafes. It will not give a better sense of community, since most of the new housing will be rentals of people who will be there a few years and move on.

As opposed to the multigenerational families that live next door to each other in many areas of bomb lard right now. This will be another opportunity to see just how incompetent Portland planners are as st. Johns lombard is added to the list of areas destroyed such as the hollywood district and m.l.k., 10 to 20 years ago, when many businesses went under after rearranging traffic patterns and parking.

**Katz:** Thank you.

**Francesconi:** Sir, I really -- responding to your question, we wanted -- we're better than los angeles, but part of it, bicyclists have made a compromise in this plan, but part of it is bicyclists are also part of our transportation network. And bicyclists, pedestrian traffic calming actually can strengthen our neighborhoods and our business districts.

**Karloek:** Bicyclists should start paying their own way.

**Francesconi:** I agree. But it's not choking commerce. I just wanted to respond to your question.

**\*\*\*\*\*:** Thank you.

**Katz:** Go ahead.

**\*\*\*\*\*:** I live at 97203 zip code of st. Johns. I've been at the same address for --

**Katz:** Could you give us your name?

**Tom Swift:** Tom swift. My family's been at the same address for 60 years, and I want to comment on these cubs extensions they keep talking about the buses blocking the traffic. It's not just when the buses are there at the curb, your own diagram, if you refer back to that, if there's a car stopped at the light, one car prevents other cars from taking a right turn on red, and if there's one car at the light that wants to take a left turn, the traffic will -- if there's oncoming traffic, the car will be prevented from turning until the traffic clears, and on a heavy traffic situation, one car will turn on red when the light turns, and then the entire line of traffic on lombard will move ahead by one car. This increasing pollution and air pollution and congestion and what have you. I wanted to comment on the lombard plan. I don't think they really realize what they've got here. I think they're missing a real opportunity. I'd refer to the graphic on the wall behind you there. Your own diagrams show that the arterials are columbia boulevard and north lombard to transit the north peninsula. We've got these people trapped out here on this peninsula. My plan shuts down lombard to car, vehicle traffic completely. We eliminate lombard. We can force these people into mass transit and bicycles. We've got a geographical opportunity here we don't have in most other parts of Portland or indeed the region. I think they've totally missed the boat here. And I don't think we want to pass up this opportunity. The st. Johns bridge is at a choke point, so that's going to be tied up for the next year and a half to two lanes. And during rush hour it's a parking lot anyway. The only other way off -- on and off the peninsula will be north Portland road to marine drive, if you happen to want to go to troutdale. So now I admit that the lombard plan does achieve many of the same benefits of my plan, you know, forcing these people into transit, mass transit and bicycles, increasing congestion, increasing air pollution, increasing the stop and go traffic, asbestos for the people on the sidewalk cafes from the brake linings and the clutch linings and so forth, and I do concede that the lombard plan does achieve many of the same benefits of my plan, but I say, why go with a half-baked plan when you can have the whole enchilada. Thank you. [laughter]

**Katz:** Ok, folks, you're the last three-minute round.



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**Carole Newvine:** I guess i'll start. My name is carol newvine, I live at 4822 north vanderbilt. I'd like to thank the mayor and commissioners for the opportunity to hear us tonight. I'm here today to praise the plan and ask you to change the r1 designation for the south side of vanderbilt street to r5. My property is adjacent to the auto zone at lombard and fisk and I have lived here since 1983. Vanderbilt street is a beautiful street of older homes, some are late 1800's early 1900's like mine. And they're on odd-size lots. I have weathered many years at this address, particularly noteworthy were the scary 1980's, with lots of police action underneath my bedroom window, and even a murder in the alley behind my house. However, I was determined to stick it out, mostly because it was an affordable place to live, close to public transportation, and it had sidewalks. I'm attracted to old established neighborhoods where the pedestrians still reign over the automobile. The neighborhood has turned 180 degrees from my first years here, and a lot of it is due to the efforts of the neighbors, most of whom have moved to vanderbilt street after I did. My neighbors are now homeowners and responsible renters instead of addicts and drug dealers. We have worked hard not just on our own properties, but we have also donated a lot of volunteer time to improve the neighborhood, planting trees, organizing clean-ups, and participating in city government. We now have a strong neighborhood association and we are attracting young families to our street. I myself have invested a lot of work and money in improvements to my 1908 home, and I plan to stay. I'm opposed to retaining the r1 designation for the south side of lombard street. I would like to commend the planning staff particularly barry manning, for working with the neighbors and adding some design overlays to the existing r1. But I fear it is not enough. With the price of housing consistently increasing and more so along vanderbilt because of the improvements to lombard, the pressure to build cheap multidwelling structures in these r1 lots will also increase. This will ruin the look and the spirit of our street. I would like to see an r5 zoning for my property as well as the other r1 lots on vanderbilt street. This will ensure the continued livability of our street. And I thank you for listening to us.

**Katz:** Thank you.

**Susan Landauer:** My name is susan lindauer, and I live at 7706 north hodge avenue on the corner of hodge avenue and vanderbilt street in the portsmouth neighborhood. I've been involved in the st. Johns lombard planning process, haven't missed much, and in general I support the plan. My neighbors and I have taking this opportunity to ask that the zoning on the south side of vanderbilt be changed from r1 to r5. I'll skip some of it. But we are concerned that existing single family homes will be sold to developers who will bulldoze them and built apartments. There are now three apartment complexes on vanderbilt street, two built in the last year. Although the residents have been welcomed, the buildings have not. I regard them as ugly and out of scale. We would welcome more racial and cultural diversity. I would guess that about 10% of vanderbilt residents would be classified as minorities. I would also guess that nobody is rich, we have a healthy share of low-income people, and a lot of people who really like living here. We circulated a petition and almost all the residents said no more apartment complexes. They are just universally disliked. When I purchased my tiny fixer-upper house eight years ago, there was only one cute house on my block, and a lot of drug activity.

**\*\*\*\*\*:** It was mine.

**Landauer:** Now -- [laughter] -- almost all the houses are looking well cared for and we have a safe, friendly little street. We would welcome your help and advice on how to preserve our street. Thank you very much.

**Jessica Fowler:** My name is jessica fowler. I work in st. Johns at express personnel. We are very community involved, the owners of the firm, myself, we also hold multiple hats. One of my hats is the v.p. Of the north Portland business association, cochair for the business building commission, and i'm one of the ones known for uniting several of the business associations to bring in things like the st. Johns m-tip. I'm here tonight to talk about the notification and outreach piece. I am in

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support of this plan. I really received notification through my neighborhood association, which is susan landauer, also in the business in st. Johns we were notified also through the north Portland business association, and also through the newspaper. I then went to address the workshops themselves. I was extremely impressed with the workshop format. I came into the format with enough projects on my plate, this was not another that I needed, but I went in to represent our business express personnel. What I found was very quickly, there was notification in a video presentation and also it was posted along the board what had happened prior. On the tables there were -- the plan was there for you to really look at, there was a facilitator, and our responses were controlled and recorded in three ways. Everyone around the work table was given a minute 2 respond -- to respond, you were then given the option to write down your information and also to have it recorded on the flip chart. We were also given the option to fill out questionnaires, how we felt about things, pro or con, and to add any additional information. I also was really surprised holding the cochair for the business building coalition committee, my cochair also, jerry howard at the time, was part of commissioner Francesconi's small table business outreach, and also our president is now part of that. So we were getting a lot of feedback. What I have found from the city and the council and barry manning and rich newlands, they were highly, really, commissioner Francesconi, anything we had to address, they were right there. They answered our questions, I cannot believe the time, the outreach and the information. So thank you very much.

**Francesconi:** Thank you for recognizing them. I actually went to that forum myself, and I couldn't believe it. And there was also a lot of people there.

**Carole Warner:** My name is carol warner, I live at 7454 north mow hawk in north Portland, I also have two really cute rentals in north Portland. The reason i'm here today is to say that -- this evening is to say that in general, I do agree and accept this plan, but I am strongly opposed to these -- the -- these skinny homes. I just wanted to say that. Mainly i'm here about the curb extensions. When I was -- when I asked what the advantages to the curb extensions were, barry told me I think it was barry, anyway, I thought that would be very good and helpful to me as a disabled person using my electric cart, being elevated a bit above traffic would be more visible. However, since then i've talked to a few people and have also gone out myself in my cart near -- on curb extensions, and they -- and i'm opposed to them. They are not making me more visible at all. And I would like to suggest in place of that, these curb extensions to my understanding cost approximately \$25,000 apiece. I would like to say or suggest, not say and sergeant, that these painting of wide strips across the pavement, not a crosswalk, but very bold painting of stripes, I do believe we have some in other places that the city would be much more advantageous to not only pedestrians, but to those of us who are sitting in either electric wheelchairs or scooters. Thank you for your time, and I would like to acknowledge and thank all these volunteers who have spent many hours, days, weeks, months on this plan. I thank you for it.

**Katz:** Thank you.

**Janet Penner:** My name is janet penner, I live at 7009 north portsmouth, and I and my family have two businesses on lombard which would be in this redevelopment area. For the most part, I do not have strong feelings one way or the other about the lombard plan as it affects the st. Johns area. However, when it drifts up along lombard towards portsmouth, towards fisk, I begin to have reservations. I have extreme reservations about curb extensions. There is a curb extension at portsmouth now which prevents traffic from taking a right at the light as someone else has mentioned, so I watch them back up in front of my business, especially at rush hour, idling and idling and idling, and a few cars get through, and the traffic does not flow the way that it did. I also have extreme reservations about bike lanes, I do not understand why a bike lane from van houten to ida would be a good idea on a street that is a through street from i-5 to st. Johns. So why interrupt it for bikes in that little section? Put them all on the side streets until they have to duck down to get across the cut. Maybe the railroad would like to build another bridge across the cut, that would be

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nice. I also wondered at the quick comment about allowing row houses on the backside of the blocks? Of lombard? I believe on the north and south -- well, on the south side, which would wipe out another whole stock of lovely old homes, some small, some not small, and disrupt entirely the character of the neighborhood. I started out as a member of this planning committee, and was unable to continue with the meetings. I knew many of the people who were there at the beginning. They had my name and address, and after I was unable to go ahead with them because of other obligations, I never did hear another word about it, so I wonder about the notification format, which didn't seem to include those of us who kind of tried to participate. So I would suggest that we separate the two plans. The st. Johns core plan addresses some very vital issues, as it drifts out along lombard, I think it needs reconsideration. I would also need -- would be supremely opposed to skinny lots and more row houses, which also disrupt the character of this beautiful area that we live in. I've been there for many, many years, have given back to the neighborhood, I think, in many ways, and I would hate to see it disrupted.

**Katz:** Thank you.

**Craig Osbeck:** Good evening. My name is craig osbeck, my wife and I own a commercial piece of property in the southeast corner of lombard and fisk. We've had it for 20 years. In looking at the whole plan, down in the lower st. Johns area, which i'm not as familiar with, anything at this point seems to be great. It just seems to be, let's do something versus just sit back and let it crawl along. I miss the opportunity in the kenton area to participate in the selection there of the rezoning, and I actually ended up learning the hard way, you were nice tough to pass a rezone measure for my particular place down in kenton, and I thank mr. Leonard's office for doing that, it made a tremendous difference in our business. The curb extensions, as others have said, are tough. The bus stops in the center of the street, we can't get around it, and the next question s. How does the emergency vehicles get around all the cars that are lined up when the bus stops? The bike lanes in good areas I understand that, along willamette they put them in, great, side street uses in talking to bike people, they envoy the side streets versus the busy lombard street because of the chances of something going on. But just the curb extensions and, boy, it's just really tough. Just get behind a bus on interstate avenue now and see what happens when the bus stops. It's just ties up the traffic. And lombard is our main thoroughfare through north Portland. Without that -- I should say traffic flow, it backs it up. And the curb extensions, they come out and will be starting to take away some of the parking spaces. Which to a lot of small businesses on lombard is a big thing. You take away one or two parking spaces or usually just one at the corners, you're wiping out something somebody can stop and come into those particular businesses. I notice they're rezoning stuff on lombard. A lot of the small businesses don't expand on lombard because there's no room for expansion. You can only go 100 feet deep on the expansion. My time is up. Thank you very much.

**Katz:** Thank you.

**Dana Dennis:** Good evening, mayor Katz, i'm dana dennis, I reside on the hillside neighborhood in the zoning number 3, 8531 princeton street. I've been a lifetime resident of Oregon, and specifically Portland. My family has too. I come here tonight as a member of the friends of the cathedral park neighborhood association in support of the plan, and i'm going to talk about our support for the desired characteristics and traditions. We have the friends of cathedral park, increase in the actual residential neighborhood density in the plan area, but only through the use of zoning regulation that's promote high quality development and preserve the livability of existing residences. In particular, our association can only support a higher density development that fits in with the surrounding sites and which respects the integrity of the historic homes and other existing structures in the neighborhood. As a key component in the discretionary design review, the desired characteristics and traditions language in the plan provides a crucial expression of the values that the neighborhood expects of new development. Our association supports desired characteristics in & the -- in the traditions language proposed by the plan, especially that which helps to manage the

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transitions between higher and lower density development and between commercial and noncommercial zones. And which will help to preserve access to the light and views of the existing properties. I am by trade a carpenter, and residential restoration and preservation carpentry. And it's my view of watching the hollywood district get revamped, and around fremont, just currently just those areas i've had businesses that people are enjoying property value increases, and they're taking out equity loans and improving their properties. This is good business. I've seen Portland take a dramatic change over the last 15, 20 years, and for the better. We've expanded and grown here, and it's my --

**Katz:** Thank you. Your time -- your time is up. Thank you.

**\*\*\*\*\*:** Thank you.

**Rick Merck:** Good evening. My name is rick merck, i've been in the area for 39 years, grew up there, third generation of a local real estate company in the area. I am one of the general members of the citizens working group. I did not represent any of the local groups themselves, but the general citizens. There's no perfect project or outcome regardless who's doing it. And the only constant there is change. And people need to remember, as the citizens working group, our job, part of it, was to look at what's going to happen in the next 20 years. It's not easy when you got 12 people at a table for everybody to agree. There was a lot of hard talks, we've met outside of meeting with the city staff, and that helped us. But we were trying to figure out what compromises would do the best good for the most people. We think this is a great plan. It needs some work fine tuning, but on the other hand, we've addressed the community concerns that were heaviest to them. The public safety, economics, and keeping our small town feeling. And there is an awful lot of change going on in north Portland and on north lombard itself. As we're toodling along. This will just help it. Thank you.

**Katz:** Thank you.

**Jinnet Powel:** My name is jinnet powel, my husband and I just bought our first house last august. And it's a very -- we moved to st. Johns because it had that -- we were excited about it without all the buzz. One of the things we love about Portland in general and st. Johns in particular is the green space. And we would love to see it that added to. As it is, we -- my husband works in vancouver. However, we will still drive down to the esplanade in the morning before work twice a week sometimes to go running because it's a safe place and it's beautiful. We would love -- i'd love to see any of that development support the river renaissance, because in addition -- an additional green space along that riverfront would be not only a great asset for st. Johns, but for Portland as a whole. And in addition to that, my understanding is the baltimore woods is kind of slotted as a potential additional green space. And I would love to see that happen. One of the things I love about st. Johns is that you get these views of the river and the woods. And my son, he loves being near a working river and industrial complex. He loves seeing the big trucks, the trains, he loves seeing the boats. If that space was preserved, that would provide sort of an outlook area out over the waterfront, and I think that would be a great asset. The st. Johns -- the friends of cathedral park made the recommendation to divert the public recreational trail down that road north -- to canter, which runs just below it, so would it create the possibility that woods would also become ultimately part of the improved segment of the city's recreational trail system. Honestly, I don't know -- I don't know exactly what that entails, but I will say, we make a big use -- we as a family make big use of all the trail systems within the city.

**Katz:** Thank you.

**Jim Nave:** I'm jim, with union pacific railroad. I appreciate the opportunity to be here today to represent our company on this very important issue and we are very concerned and we have written you with those, and i'll just speak to the key ones. We are opposed to this at the expense of industrial development as well, safety issues -- as well as safety issues. On the proposal for a new john avenue grade crossing for safety and noise reasons, the union pacific is opposed to any new

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grade crossing over our line. With the existing two crossings, we're very concerned with this project that it will be increasing the traffic over these crossings, and for safety and noise reasons, again, it's very important that if this project should move forward, that the crossings be required to be grade separated. We currently run an average of six trains daily over this line. They're primarily at night without grade separation. We're looking at a very serious accident, and we're looking at various serious accidents, waiting to happen. We have growth plans for additional trains on this line, and in addition, just to show you how important this line is to us, it is also an alternate route for our main line trains coming from the south going to the north. If we should have some disruption through the tunnel that we go through coming out of our albina yard, and it's also an alternate route for traffic that goes to the terminal 4, 5, and 6 area, if we should have problems in that area. And so this line is not going to go away, it's going to get busier. In addition, probably one of the most important things for this type of project is noise. And freight trains blow whistles at each crossing, this is primarily an industrial switching line, and so trains of this nature are very noisy, we switch a lot of cars, coupling and decoupling, and so there will be more noise in this area.

**Katz:** Thank you.

**Tim Callison:** I'm tim callison, and I own a home at edison and tyler. In the cathedral park area. My concern with this plan is the public spending priorities. I know the city is subject to some severe constraints on their funding and their spending, and our resetting policies, our public policy in a way that's fitting with the city and region. As far as this neighborhood, we know that Portland and especially this area is a manufacturing hub and a transportation hub. Regardless of the downtown -- the old st. Johns, there's still the river gate area there, and there's a need for jobs, a severe need for jobs. And we said this was a working class neighborhood, and I think maybe we're making -- i'm afraid that we're making a transition towards a dependency class neighborhood by piling in a bunch of housing, subsidized housing for subsidized tenants and taking away jobs. I know, for instance, columbia sportswear is gone. One of my neighbors, you know. So all fear is that we haven't emphasized this, we're looking at retail, we're looking at pedestrian, we're looking at congestion and traffic, and one way to get rid of congestion is to get rid of the people. And people are losing their jobs and leaving the neighborhood. So the curb extensions work brilliantly also to prevent anyone from going any faster than the bus. Remove the incentive to drive your car, and it gets people out of their cars, and cars off the road. The question you must ask is, do you indeed want to get people -- cars off the road, maybe we need more trucks and more activity in the area. If we're moving towards people that don't work, and just live, then that may be the goal for the neighborhood, but I hope it's not. Thank you.

**Katz:** Thank you.

**Catherine Ciarlo:** I'm Catherine ciarlo, executive director of the bicycle transportation alliance here in Portland. I just wanted to let you all know that from our membership of about 3800 people, many of whom live and bicycle in Portland, i've heard quite a bit from cyclist who's live in the north Portland/st. Johns area. What they've told me is the plan doesn't go far enough. Why do we just have bike lanes on this section of lombard. And when we look at that, what we see is a neighborhood that isn't ready to make some of the trade-offs that it would require to take them further. The beautiful thing about the section of bike lines that are proposed in this plan is that there are no trade-offs to motor vehicle movement, and also it bridges a critical gap in getting across the cut. And I just want to address briefly why you would want to bother with a brief stretch of bike lane like that, and I really -- we look at it, we believe that what it takes to allow all kinds of people to use their bikes, to have that option, not instead of a car, but in addition to a car, is a system that's truly safe. And gives a less experienced rider the ability to get all the way from point a to point b in a way that feels safe to them. This plan is just a little piece of it, sometimes we feel the process is too slow, sometimes we beat up on the city because we want you to take a stronger stand, in this

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case we support the plan because we recognize it's appropriate for where the neighborhood is, but we encourage you to keep building the network piece by piece, and in particular, to give some careful attention to the alternate routes. There's some issues in developing bike boulevard that's really make a difference for cyclists and allow those routes to truly be useful and safe and provide good connections. Thank you.

**Katz:** Thank you.

**Erik Scheuring:** I reside at 10310 north barr avenue. Thank you for the opportunity to testify this evening. As a homeowner in the st. Johns neighborhood, I encourage you to approve the st. Johns/lombard plan. As a cyclist who commutes to work in inner southeast from st. Johns, I encourage you to approve the plan, including the proposed bike lanes on lombard street. I believe the addition of these bike lanes will make bicycle commuting in north Portland better, but I am disappointed the plan does not include proposals for more bike lanes. I understand the proposed bike lanes are much shorter than originally proposed, and that less than three quarters of a mile of bike lanes are now proposed. Lombard street is designated as a city bike way in the city's transportation system plan, and if there were bike lanes on lombard street, I would use them. However, as it is now, I do not feel safe traveling on lombard on my bike. I hope that one day in the near future there will be an efficient bikeway, including bike lanes on lombard, that connect st. Johns to the new interstate max line. I believe if Portland wants to maintain its reputation, as north america's top bicycling city, that it needs to do more. It cannot only accommodate cyclists, where there are no trade-offs to a system already dominated by cars. The proposed bike lanes for lombard street are a small but positive step towards better bike access in north Portland. Finally, I also want to voice my support for the proposed curb extensions in the plan. I frequently cross-sections of lombard and ivanhoe streets on foot and can attest to the need for improved safety measures such as curb extensions to help make these streets more pedestrian friendly. I am not currently a member of my neighborhood association, and I think the planning bureau has done an excellent job of keeping the residents of st. Johns informed and updated throughout this planning process, and I want to encourage you once more to approve the recommended plan. Thank you.

**Katz:** Thank you.

**Francesconi:** During this break in the action, these are very serious matters, but the mayor has given me permission to read to you, it will only take three sentences, of a serious letter. We got it from peter friendly fry.

**Leonard:** You're not going to read that

**Francesconi:** Yes, I am. I just want you all to know. I object to the city of Portland holding a public hearing on the evening of march 17, st. Patrick's day. He's serious: I recognize that the city must operate without impediments by rituals or social commitments. Nevertheless, it is the city's obligation under Oregon state goal one, citizen involvement, to make their process accessible to all citizens. A capricious act of ignorance regarding people's social behavior violates this goal and discriminates against all who are irish. [laughter] [applause] thanks, peter:

**Katz:** The sad thing is. He's serious. Go ahead.

**Barbara Quinn:** My name is barbara quinn, I am one of the citizen's working group and I also live at 7034 north charleston. I have been a resident of st. Johns for about 18 years. I am very much in favor of the plan, I worked hard on advocating for not only cathedral park neighborhood association, but also for the st. Johns pedestrian district awareness project, for which I founded, and I would just like to first of all read an official statement regarding curb extensions for from cathedral park. We support curb extensions on lombard and ivanhoe recognizing the difficulty posed by pedestrian crossings on north lombard and north ivanhoe, the neighborhood association supports the proposed deployment of curb extensions and other pedestrian friendly street enhancements in the st. Johns town center. And on lombard main street. In particular we observe that children bound from our neighborhood must cross north ivanhoe and are poorly served by the

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current configuration in the town center, creating an unnecessary safety risk. Our association most strongly supports curb extensions on north ivanhoe and by a vote at the last general meeting we would also like to recommend three puck locations on north lombard for curb extensions. North levitt avenue, north john and north charleston. The extensions will be placed only in no parking zones and where no buses stop. That's the end of my official statement. I would also like to very strongly support the plan, proposed improvement that removes a -- from near ivy island. I have a series of letters from adjacent business owners to those three locations on the main street that I just mentioned. Almost to a person they support the addition of those curb extensions where they don't interfere with parking or bus stops. I think I only had two decline out of about 20.

**Katz:** Thank you. Are you the guru on curb extensions?

**Quinn:** I'm a proponent.

**Katz:** So you know a lot about it, because we'll probably come back and have a serious discussion about the curb extensions, so come on back when we set the date.

**Quinn:** Ok. Thank you.

**Russell Bennett:** Good evening of the. I'm russell w. Bennett, the local chairman of brotherhood of locomotive engineers 236. I represent the locomotive engineers and train service members who work on union pacific railroad in the barnes and albina yard areas and who use the st. Johns main line through cathedral park. One of the concerns that I have is that this project is from what I heard, everybody hasn't been involved. I found out what the project was tonight. We came in from salt lake with the idea of trying to find out exactly how this was going to impact the people that we represent. We are genuinely concerned about the fact that if you increase the traffic of the pedestrians and cars along this line without the proper barriers and crossing safety implements in place, that not only are our members safety jeopardized, but the public is going to be severely jeopardized. And the -- in the event that there was an accident that there could be some catastrophic situations with some of the stuff that we're hauling on the st. Johns main line. I really think it's sad because one of the things that people usually yell at our members about is the fact that they're blowing the whistle too much. We have a general code of operating rule, and we have a federal regulation that requires us to blow the crossing starting at 1500 feet before that crossing. So there are a lot of things that we need to discuss with the community needs when it comes to the transportation plan if you're going to impact that part of that neighborhood. Again, we're not opposed to change. I think it's very important that everybody is involved in a plan in order for it to be developed correctly. Thank you.

**Jeffrey Cheney:** My name is jeff cheney, i'm also with the brotherhood of locomotive engineers. Our office is at 5911 ne emerson. One of the things I noted, i'm not an authority on this project, I know very little about the project. I know very little about the project. So i'm not here at this time with a position. We haven't had a chance to really look at it in depth. We knew about it, we had talked to the neighborhood associations the beginning of last year with regards to railroad safety issues, and we had concerns about railroad operations and how it impacts the neighborhoods and we talked to cathedral park and the whole north Portland neighborhood association and discussed several issues about new technologies and things like that, which I know you're all aware of. We had actually contacted you folks and we never did hear anything back, and that's neither here nor there. You didn't take a position on the technology, which that's not why we're here tonight. But I think that what really concerns me when I saw this, it talks about provide for a balanced multimodal transportation system. There is no mention of railroad operations. I understand why there's no mention of railroad operations. I understand what you're up against when it comes to the preemption issues and railroads and how they operate. You heard tonight, union pacific's position on this issue. This is a difficult issue, but we are here to help discuss this. Mayor, we would ask you would give us an opportunity to talk about some of these issues. We are the locomotive engineers that run these trains, and we are concerned about the public and our members, and if we

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have a locomotive engineer that's involved in a fatality, there's nothing worse than running over a child, and we've all experienced that. So we just ask that you allow us to be part of this debate, and that you consider -- this is an issue that this -- this won't get fixed after the fact. When people talked about these green areas, that area in cathedral park, we know that area very, very well. And we've run trains over those tracks for years. It's very, very important that you guys talk about this and it's not likely that the railroads are going to cough up the money for these improvements. And so you need to figure out a way to do this. And we would ask that you include us in that process.

**Katz:** Thank you.

**Katz:** How many more people want to testify? Come on up. Keep reading the names.

**Dave Kramer:** My name is dave kramer, I live at 9736 north edison. I'm just going to read a little thing here, the cathedral park neighborhood association support for the bike lanes. In section of the plan titled policy three transportation, there's a table name transportation action items on. Items ms 16 and 17 and 18 call for the establishment of bicycle lanes and boulevards along portions of lombard street. These items define the limits and options for bicycle lanes and the proposed routes. After examining these from a conceptual overview and a firsthand tour of the area, we the friends of cathedral park neighborhood association think that the st. Johns/lombard plan proposal is a reasonable compromise between those who would want bike lanes along the entire length of lombard and those who want no access to bicycles on this thoroughfare whatsoever. Critics of the proposed bicycle lanes will argue there's too much congestion and traffic on lombard and the addition of bicycle lanes will only make matters worse. We agree that congestion does exist on lombard, but would add that bicycle lanes are part of the solution and not part of the problem. City council is mandated that the area included in the plan be subject to higher density planning and zoning. The increased automobile traffic, noise and air pollution that is inherent in this kind of planning can only be offset by alternative means of transportation such as bicycles. City planners have been wise in developing bike lanes in other areas of the cities that have helped to reduce our dependency on automobiles, reduce air pollution and noise pollution and promote a healthier lifestyle. According to the information found in the international bicycle fund website, only 1.3% of traffic accidents involve bicycles while 13% involve pedestrians. Making cycling a safe alternative as well. Those who oppose bicycle lanes on lombard would suggest that cyclists should be restricted to side streets and other avenues with existing bike lanes there as many as seven or eight blocks away from lombard street. This kind of thinking only serves to reinforce the old idea that lombard street is a shortcut across the peninsula and not a destination or place to do business.

**Katz:** Thank you.

**Kramer:** I'd like to add that if the city council were to buy me a guinness after the meeting, I would be willing to overlook your transgression for this holiday. [laughter]

**Leonard:** You're on.

**Richard McBee:** I'm richard mcbee. I live at 8718 n hartwinn. First i'm going to say, 1995 I was -- I had a business there in st. Johns that didn't get off the ground, and I was at the jaycees meeting when this started, we disapproved of it then, I thought it was dead. The next thing I heard about it was last december. And then I got on board again. There has been no public announcement of this st. Johns plan, the public has been discriminated against and left out. There's 38,000 approximately 38,000 people in st. Johns, and you guys have talked to 300? Now that's a little bit out of proportion, I think. And these curb extensions. They are a hazard. They create a traffic jam, they bring the pedestrians within inches of an automobile instead of feet. Especially around the schools. Whenever kids are in there horseplay, and one shoves another one in the street, he's only a few inches away, where's the reaction time for the automobile? There is none. Thanks to the curb extension, it's put those kids out there inches from the traffic instead of feet. Where you've got a few seconds longer for a reaction if a kid gets shoved out in the street. These curb extensions, there is no reaction time. It's instant. And if you want to find out how dysfunctional they are, go into the



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hollywood district. Go down martin luther king and see what kind of catastrophe they have created, especially during the early morning hours and late evening hours whenever the transportation is thick. When people are going to work. People are not going to leave their cars and get on a bus whenever it takes two hours travel time to get to and from, to work and from work. They're not going to take their time out to do that as long as automobiles are in existence. So that idea getting people out of their cars and putting them in mass transit, you might as well forget it. Because it's not gonna happen. Thank you.

**Katz:** Next? Why don't somebody come up -- let's start the testimony.

**Richard Ellmyer:** My name is richard ellmyer. 9124 n mckenna. In 1993 Portland adopted a location strategy that discourages low-income housing from being clustered in any one neighborhood. Andy miller acting housing program manager for the city's bureau of housing, says, quote, the intention of the city's location policy and ellmyer's crusade to decentralize poverty are one in the same. At the September 9<sup>th</sup> planning commission meeting, reviewing the plan after seeing a map identifying hap clients by neighborhood, and hearing a report from the Portland planning bureau that identified lack of buying power as a major negative component in attracting businesses to neighborhoods in north portland, rick michaelson, vice-president of Portland planning commission, asked for ideas on how to stop concentration of low-income housing clients in north Portland neighborhoods, particularly portsmouth. Here are two suggestions. Support any effort to construct owner occupied houses beginning with a sale price of \$200,000. This will improve community balance and increase the buying power of north Portland. Number 2, insist that half right covenants into all the home property sales at columbia villa requiring the owner to occupy the home without the possibility of future rental. The planning bureau has rightly encouraged the st. Johns lombard plan to bring businesses activity to st. Johns and lombard street. Marching to a different drummer hap's board asked the planning commission to rezone 10 acres of columbia villa for its own business center, which would compete with st. Johns/lombard and kenton businesses. The city council rightly restricted tearing down houses all over Portland on 50 by 100 lots so developers could not build skinny houses everywhere. Yet hap's board has just torn down block after block of houses which it will now replace with at least 230 skinny houses. As a result, the portsmouth neighborhood will have the dubious distinction of having the highest number of hap's public housing clients and the greatest concentration of skinny houses of any neighborhood in Multnomah county. The hap board arrogantly ignored zoning laws at columbia villa for years, even when cited for violating zoning codes -- codes, hap's board refused to comply. If you want to achieve the goals set forth in the st johns Lombard plan, then you must reign in the \$90 million hap gorilla.

**Gerald Howard:** My name is gerald howard. I reside at 6207 north concord. I am a member of the citizens working group representing the st. Johns boosters. I am a 32-year resident of north Portland, until recently I was a commercial loan officer with albina community bank, i'm currently with west coast bank. So my interest of course is in promoting the small business owners in st. Johns and north Portland, i've made many loans and financed many businesses in st. Johns and north Portland, including start-ups, i've assisted with financing commercial real estate transactions or investors when they come in and buy and renovate properties in north Portland and st. Johns. So that was my interest in being involved in the citizens working group. I was also involved in the outreach group that met prior to the selection of the citizens working group. This was in mid-2001, other individuals were represented of the neighborhood and trying to figure out ways to get word out about this plan. So we had people like pat updyke, steve weir, robin plants of the st. Johns association, Sharon nasset was at those meetings to talk about the process that we needed to -- that the city needed to implement to get the word out. And like I said, as a member of the working group, I attended all the public outreach meetings, the workshops, listened to the input from the neighborhoods. I brought back to the citizens working group and to the city planners my

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recommendations and my concerns that were brought forth by the business community. Most of the concerns that have been brought up have been discussed thoroughly within the citizens working group. There's been several statements about our conversations in the -- but it all came down to a matter of compromise. As a business person, my particular interest is increasing the density in the core area to help those small business owners. And redesign of ivy island and the connection of the downtown core back to the river. And i'd also -- and i'd like to mention the st. Johns trolley, the -- there's been increased interest in a trolley line that would be anchored at one end by p.c.c. Cascade and connect out to st. Johns and I realize that's obviously a future project, but we're talking about the future here.

**Katz:** Thank you.

**Tom Koster:** Tom koster, 5932 north willamette boulevard. Since i'm a working group member along with jerry. I came to the project after cofounding a group called friends of north beach. And that was a citizen based planning effort to look at really two miles of riverfront for the university of Portland to st. Johns that have pretty much gone vacant it was industrial land and historically have been very active and kind of slowly died. I want to thank commissioner Francesconi and commissioner Sten for supporting us back then, a lot of what we talked about then has really come to fruition. We've seen willamette cove come into public ownership as a park, and we're about to see the mccormick, notorius mccormick property come into public ownership. We'll have a 75-acre park with a mile of riverfront for north Portland to get down to the river. What I think this plan does is put the potential for st. Johns to grow down to the river and have willamette cove on one side and cathedral park on the other as premier places to live and play. And I think what I like about the plan is that it does put people down there. It puts in housing to a degree that you're going to have people using those parks, and a way that makes them safe and doesn't require the city to put patrol officers out there to make sure only a few people using them are safe. That's something in the future as you're looking at the refinement and especially the willamette greenway details of how to implement this, and the railroads, that we make sure that we are putting lots of people down there, both to support the businesses as jerry talked about, but also to keep people in those parks using them, day and night. I can't resist talking about the curb extensions. The killer curb extensions we keep hearing about. There's one that got built recently at the corner of portsmouth and lombard, and I think most people are talking about that tonight. And it is a traffic intersection that is becoming a little bit of a problem. Nobody really talked about kenton, where we built those several years ago and have been successful. I have a list of a bunch of small towns, hood river, the dalles, lake oswego, hillsboro, canby, independence, Oregon, corvallis, vancouver, Washington, all places that have done curb extensions recently and even the liberal community of stevenson, Washington, did them, so I think there's something we need to keep on the table. They have benefits that have been glossed over today.

**Katz:** As I said, since curb extensions have come up and they're such strong feelings both ways, it will deserve some discussion as to what is the problem if there is a problem, and how can we correct it.

**Judith Russo:** Thank you for having this meeting. Hello, miss katz. My name is judith russo, I live at the corner of north smith and north Richmond and hello city council. I'm a northwest native and have lived in the neighborhood over six years. I hope you'll allow me a little levity if not brevity. I'm grateful that you're paying attention to us, finally. And I hope that the p.d.c. may pay us some mind too. We have a beautiful ywca building for sale, and a safeway building that probably will be, and a lot of other buildings in need of renovation that maybe over some warehouse buildings in the pearl. I do support this plan mostly. I'm really grateful for the pedestrian scaled lighting, the storefronts, the plazas, the extended cubs, I love it. The greenway waterfront, possible streetcar, water taxis, this is going to make our neighborhood safer and more livable, I think it really will make it safer. I'm grateful you're looking at the truck routes and better

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signage, and police enforcement. I'm more grateful for and very proud of the st. Johns neighborhood and cathedral park neighborhood for staying firm against mere truck remediation and insisting on a new bridge, because without them I don't think there would be any change, since knowing we needed truck route signs for years ago, this little thing never happened. Very inexpensive. I also want to you keep in mind our higher pollution rates and asthma rates, childhood asthma rates in st. Johns. It's a real issue for all of us. I'm concerned that this interim truck route plan will become as often happens interminable. And i'm sorry that odot, you can't, not in your real I realize, lacks the creativity and vision to make our bridge safer, while they can, I hope the city works to once again take ownership. I know you once had it. And let's finally let's get our skinny houses out of this plan unless design and material standards are very high. Mr. Leonard, we're not against the poor coming to our neighborhood, we are the poor. We just don't want to remain so by lower real estate values and ugliness.

**Katz:** Thank you.

\*\*\*\*\*: Thank you, good evening. Thank you for putting up with all of us here post 9:00. I'm specifically going to address the issue --

**Katz:** I need your name.

**Mark Smith:** Mark smith, 7114 north oatman avenue, bicycle commuter and activist. I'm here specifically to address the bicycle lane issue. I think many of the business people often forget the fact that bicyclists as well shop at their businesses and support their businesses. And that's specific -- that specific little route of leading into st. Johns is a very direct connection from further east into the st. Johns area. So I would strongly support the bike lane. I would indeed like to see more bike lanes. I think the city does a great job with the bike lanes, but this is indeed a beginning. I also would second what catherine from the b.t.a. said, and that is, bike lanes on the street do make it more accessible to novice cyclist, and I think that's very important. Someone like myself who is a very experienced cyclist will ride more assertively. Someone who is a little more timid will not ride on a street unless there's a bike lane, and that's well worth considering. Thank you.

**Katz:** Thank you.

**Paul Maresh:** Good evening, my name is paul maresh, 7425 north portsmouth, i've been on the citizens working group for the st. Johns town center lombard street plan for over two years now. And we've met, we were supposed to meet once a month, we've been going on about six months longer than we were supposed to, and we met most of that time for twice a month. There's been a lot of work put into this plan, and there's been a lot of outreach. I represent university park, I personally took posters furnished by the plan to the businesses up and down lombard for the workshops. They were displayed all up and down lombard. There's some people didn't have notice, and I don't know how that happened, but -- because it was in the papers and it was on the street, and i've read complaints about people will in the neighborhood associations making decisions. Well, you know, everybody can go to their neighborhood association. The fact there's only 15 people in the room means that's the only 15 people that care. It's my attitude about that. I think it's also very interesting that you're not hearing a lot of complaints about density. And that in a lot of these plans and other areas in towns, that's been the one big main complaint. The main complaint here has been on curb extensions on lombard. One of the people came from pdot and tried to compare lombard to woodstock, traffic counts, street width, the only difference is, woodstock has parallelling arterials, five blocks either side. Lombard doesn't. And I think it's really important, people think they haven't been listened to in north Portland. They understand the importance of the arterial that lombard serves. Most of the people in this part of town have knock on their doors as a realtor canvassing the neighborhood, live 25 to 45 years in the neighborhood. Not the average seven years. So they remembered what happened to martin luther king boulevard when the traffic was taken off martin luther king parking. And so that's the main thing. There's generally overall good support, and the number 1 thing has been the curb extensions. Our neighborhood association is happy to see

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most of the curb extensions are eliminated at signal lights, intersections, we're not totally opposed to them.

**Katz:** Thank you.

**Francesconi:** How many curb extensions were eliminated through the course of --

**Maresh:** There was originally a proposal that came down from a consultant that had 37 curb extensions in between st. Louis and woolsey, which was way in excess. Then it went down to 25. After rich newlands and barry manning came to our neighborhood association, the second time rich was there, heard very well how much people objected to curb extensions at signalized intersections intersections, they also had other concerns about minor issues of the plan, I had a talk with barry and he was asking me, is it true -- it seems to be most of the resistance to the plan is the traffic -- we went from 37 to 12 and I think people feel a lot more comfortable with that.

**Katz:** Thank you paul.

**Katz:** Who's left to testify? Come on up.

**Katz:** Is that it?

**Moore:** No. The list is longer.

**Katz:** Anybody else who wants to testify who's here to testify, raise your hand. That's it. Thank you. Anybody else? No? All right. Go ahead.

**Jonathan Burgess:** My name is johnathan burgess, I live at 5716 n baudoin, 97203. I got interested in this because I saw what was done by the city to section of Portland boulevard near willamette, and the city spent \$60,000 to tear up that road and change the lanes, and I used to drive down that road, and I -- since that change there were many rear-end collisions, and other types of collisions, and so I got curious and I called up mr. Francesconi's transportation department. There's zero tracking of the accidents that are caused by these curb extension and lane changes, and even bike lanes. No tracking of the rear-end collisions, the car damage, and other problems. I personally a couple of years ago was driving a tow truck as employment, I used to pull broken automobiles off those hunks of concrete that have been put in the middle of the road. And I can tell you, it's a very amusing to me to hear someone refer to that as traffic calming, because people are not very calm when they drive their car into a hunk of concrete. Maybe I should get it on video and you'd believe me. But frankly I think these things are rather racist and sexist, and -- because racist, many of these changes have been done to the road, these curb extension and hunks of concrete in the road, have been done in black areas of town. Along m.l.k. and alberta street. And I can tell you if you're curious, just go look. You'll see big black tire marks when people have crashed into these things. It's not my imagination. And it's sexist because women are the shoppers. If you think women with money in their wallets are going to get on buses to go shopping, I can tell you they're not going to. I weigh 190 pounds, and i'm afraid to ride the bus. You should see these people that are on the bus, ok? If you think a nice little woman with a wallet full of money is going to get on a bus, you're --

**Katz:** You're looking at one of them who gets on the bus on saturday to go shopping.

**Burgess:** Well, you don't ride my part of town, I don't think. [laughter] on a positive note, if you like in a few minutes we did a survey of some people, and they were suggesting some positive changes that could be done in the st. Johns area. For example, an aquatic center, a p.c.c. extension, there's 36 parking spots that are lost because of bad -- there's tape and exclusions and stopping. You could add -- by just making almost no expense, could you add 36 parking spots to downtown st. Johns. That in itself will help business. But right now you're choking business. There's a big fishing boat launch, I talked to barry about it, there's zero plans to enhance that. Right now there's a lot of traffic, people want to go and get on the river. They cannot get down there. It's all jammed up. Those type of things would be very beneficial to enhance the university also. The university is a great asset. Thanks.

**Katz:** Thank you. Somebody grab the mike.

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**Bridget Wieghart:** My name is bridget wieghart, i'm representing metro at 600 northeast grand avenue. I have a letter here i'd like to submit for the record from our planning director andy tugnario, and i'd like to read from it. Dear mayor Katz and commissioners, Metro was participant in the development of the st johns truck strategy. We're supportive of the truck strategy which rationalizes the movment of trucks through the area. It is also intended to reduce the conflicts between trucks and other modes along the regional truck route. Metro supports the st johns lombard plan. In particular, the conceptual designs for main street on lombard and the implementation of proposals from the st. Johns truck strategy are key to enhancing the local community well support -- while supporting regional freight needs. Metro's regional transportation priorities included funding for implementation of several recommended civil and signal improvements to ivanhoe street from the st. Johns truck strategy. In recognition of the ongoing st. Johns lombard planning process, the approval required coordination of the design and construction of pedestrian and freight improvements planned for the area. It's stated that both the pedestrian and freight elements of the st. Johns improvements shall be designed and constructed in tandem. The design process shall include involvement of the community, residents, business, and area freight residents to ensure the design is consistent with the st. Johns truck strategy report and the adopted st. Johns town center, and lombard main street plans. The st. Johns lombard plan is an important step to achieving an attractive and vital town center. We recognize the challenges in designing improvement that's effectively accommodate a high volume of freight traffic within the area that also includes a main street. Metro is eager to assist the city and community with the design process. In the longer term, the regional transportation plan calls for a north willamette river crossing refinement plan. The r.t.p. Identified a strong travel demand between northeast Portland highway, the adjacent river gate industrial area and highway 30 on the opposite side of the willamette river and the study will consider ways to meet the regional travel need, given the limitations of the st. Johns bridge and the long-term health of the st. Johns town center. Thank you.

**Katz:** Thank you.

**Francesconi:** Thank you for coming and staying this long and thank you for helping us get some money to fund this.

**Mount Burns:** My name is mount burns. My wife and I have lived on north willamette boulevard for the past eight years in st. Johns. We're both self itch employed artist who's represent the growing creative class in st. Johns. Since our move to the cathedral park neighborhood, we've witness add huge turnover in homeownership. Many of the new residents are members of this creative class. Artists, graphic designers, sculptors, performers, writers and photographers like myself. My wife and I support the view of the friends of cathedral park neighborhood association which is -- which encourage a live/work residential development at sites such as cathedral park place. We've toured that facility to look at studio space and are very impressed by what we saw. We were also impressed with the vision of the building owners have for creating a vibrant community for or 'tises as ourselves. We feel their particular vision will be quite successful as we were struck by the wide range of high quality artwork already being created in that space. Its proximity to the river provides a pleasing environment which utilizes an already existing location adding some residential density to our community without sacrificing livability. Our neighborhood has been particularly concerned about higher density development too close to the steep and narrow baltimore hill. We believe the development of live/work environments like this is a terrific solution to the neighborhood's traffic safety concerns. We were also happy to see the number of people from around Portland who attended the modern zoo last summer. Many of our friends who live closer in to the city have the impression that st. Johns is quite remote and does not offer opportunities for the arts. We welcome businesses such as cathedral park place which not only provide much needed affordable space for artists, but provides a place to showcase the talent in our community. We also applaud the use of the river taxis which provide quick and easy access to st. Johns in an enjoyable

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new way. As the owner after small business I support the plan's proposal for live/work zoning which will bring economic development to our community in a way that will benefit the entire city of Portland.

**Katz:** Thank you. Thank you very much. Ok. Come on up. Let me whip around on the council for a second and see, Barry and the team will list all of the issues the way you normally do, and then those that are of interest to the council we'll pop up for discussion. But I also want you to -- to listen to the council and see which are their issues that you need to hone in on. So commissioner Sten -- you can pass if you don't have any.

**Sten:** I think mine will be on the list.

**Saltzman:** I guess the things that are on my mind right now anyway, I guess I do want to think more about the curb extensions and where. The bicycle lane on Lombard issue. But I guess more to the point to me is the conflicts with industrial uses on the waterfront and the rail. I don't find much mention of rail freight at all. Maybe I just didn't find it, but we talk a lot about trucks, but I thought the rail freight testimony was pretty compelling, combined with the issues of rezoning to allow live/work and I guess the Baltimore Woods, I'm not even sure I know where that is, but it sounds like it's somewhere on the waterfront. So it sounds like a lot of potential conflicts between people and rail, and I still think -- I want to have a little more response and discussion to the issues raised by the port, Nina, others who have raised those issues, because those concern me.

**Katz:** Randy? Okay.

**Francesconi:** I guess the only -- let me make sure -- only two things that haven't been raised. Just that PDOT's concern and you already addressed those. On the freight side. And then the -- I guess the only other thing we haven't talked about is what's the work plan actually to execute this? So that it doesn't sit somewhere? I mean, so we should talk about next steps to -- but I think the other issues have been raised by the council or by you folks.

**Katz:** Ok. For me, I think the discussion that I'd like to hear just because there's so much tension on the curb cuts, I need to hear what some of the issues are, where it's working, where it's not working. And then you're going to come back with identifying all of the issues at some of the supporters and those that are opposed raised. And we can have further conversation about that.

**Kelley:** I had seven things I noted. Barry and Rich may have tracked some others. I think they're probably worth at least explaining what the discussion was around -- whether you direct us to make changes or not, we probably won't know until you get into them. The Vanderbilt Street density issue, R1 versus R5, the U.P. rail line at grade crossing issue and the proximity of the residential uses there. The curb extensions which you've mentioned, and the bike lanes, why only the short stretch or why a short stretch at all, two different views on that. The skinny lot -- skinny house development in places, those were the main ones, and then also the notion of potentially enhancing boat launch and other recreational activity at the waterfront. We can talk a little bit about that, a lot of that will get addressed through the River Renaissance project. I don't know how much more we dock in this plan. Those are the ones I picked up that might be worth a little more discussion on your part about --

**Manning:** I pretty much agree with that list Gil. I guess the only thing I'd throw on there is -- I think that really covers most of it.

**Katz:** I think it covered most of it. And I noticed that you were taking a lot of notes, so you might want to pull out some of the other items that were mentioned.

**Kelley:** We'll have the implementation --

**Francesconi:** Oh, and Peter's not doing this again on St. Patrick's Day.

**Manning:** I guess the only thing I'd add to this is that clearly Council's received written testimony that you didn't hear about that there may be somebody else's issues that we may want to call out for your consideration.

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**Katz:** Ok. So the next time we get together we will, as you say, call out those issues, have council discussion, I want to ask members of the working group and folks who feel strongly about some of the issues that have been raised to be here. We will take -- my goal is to take amendments next time we get together so that we can move to closure on this. But I want to make sure that there's full discussion on some of the issues that have really raised some concern, even among the working group, the citizens working group. Ok?

**Manning:** We have a date for that next meeting.

**Katz:** Yes, i'm sorry. We need to announce that, otherwise we need to mail everything out.

**Manning:** I'll have karla confirm we're scheduled to meet again on april 8 at 2:00 p.m. Karla, will you confirm that?

**Moore:** Correct.

**Katz:** April 8 at 2:00 p.m. Thank you, everybody. Thank you for -- did you have anything you wanted to add?

**Manning:** Is the record still officially open?

**Katz:** Oh, sure, we'll have the record open. Ok. We stand adjourned. [gavel pounded]

At 9:30 p.m., Council adjourned.