



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **7TH DAY OF APRIL, 2004** AT 9:30 A.M.

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

Commissioner Saltzman arrived at 9:36 a.m.

Council recessed at 9:50 a.m.

Council reconvened at 10:00 a.m.

Commissioner Francesconi arrived at 10:00 a.m.

Commissioner Leonard arrived at 10:02 a.m.

Commissioner Saltzman arrived at 10:04 a.m.

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

Item 319 was pulled for discussion and, on a Y-5 roll call, the balance of Consent Agenda was adopted.

<b>COMMUNICATIONS</b>		<b>Disposition:</b>
<b>311</b>	Request of Marc Batko to address Council regarding chain stores and sustainable future friendly development (Communication)	<b>PLACED ON FILE</b>
<b>312</b>	Request of Richard Cascio to address Council regarding Starbucks development and community concerns (Communication) <b>Motion to hear item 312 before item 311:</b> Gaveled down by Mayor Katz after no objections.	<b>PLACED ON FILE</b>
<b>313</b>	Request of Derrell Ness to address Council regarding local business and the negative effects of chain stores (Communication)	<b>PLACED ON FILE</b>
<b>314</b>	Request of Lee Lancaster to address Council regarding Starbucks (Communication)	<b>PLACED ON FILE</b>
<b>315</b>	Request of Professor Sam Oakland to address Council regarding Federal violations at Pioneer Post Office/court site (Communication)	<b>PLACED ON FILE</b>

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<b>TIME CERTAINS</b>		
<b>S -316</b> <b>TIME CERTAIN: 10:00 AM</b> – Direct the City Auditor and Commissioner of Public Works, with technical assistance from City Attorney and Office of Management and Finance, to develop a clean campaign system for City Auditor, City Commissioner and Mayoral elections (Resolution introduced by Commissioner Sten and Auditor Blackmer)  <b>Motion to accept the substitute:</b> Moved by Commissioner Francesconi and seconded by Commissioner Leonard.  (Y-5)		<b>SUBSTITUTE 36208</b>
<b>CONSENT AGENDA – NO DISCUSSION</b>		
<b>Mayor Vera Katz</b>		
<b>317</b> Appoint John Wrenn to the Investment Advisory Committee for a term to expire July 31, 2006 (Report)  (Y-5)		<b>CONFIRMED</b>
<b>*318</b> Authorize addendum to contract with Fisher & Phillips LLP for outside counsel assistance (Ordinance; amend Contract No. 35076)  (Y-5)		<b>178283</b>
<b>*319</b> Create a new Nonrepresented classification of River Renaissance Initiative Manager and establish a compensation rate for this classification (Ordinance)		<b>REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION Resubmitted May 26, 2004</b>
<b>*320</b> Authorize Intergovernmental Agreement with the Tri-County Metropolitan Transportation District of Oregon to construct and share fiber optic cable to TriMet Rockwood Station (Ordinance)  (Y-5)		<b>178284</b>
<b>*321</b> Authorize Intergovernmental Agreement with the Tri-County Metropolitan Transportation District of Oregon to construct and share fiber optic cable to TriMet Nela Station (Ordinance)  (Y-5)		<b>178285</b>
<b>*322</b> Amend the Charitable Nonprofit Low Income Housing, New Multiple-Unit Housing and New Transit Supportive Residential and Mixed Use Development property tax exemption programs to conform the sunset dates of the programs to the authorizing statutes (Ordinance; amend Code Chapters 3.101, 3.103 and 3.104)  (Y-5)		<b>178286</b>
<b>*323</b> Authorize Intergovernmental Agreement for Community Emergency Response Team training with the State of Oregon (Ordinance)  (Y-5)		<b>178287</b>

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**Commissioner Jim Francesconi**

**\*324** Authorize contract and provide for payment for construction of the Wilson Pool Upgrade Project (Ordinance)  
(Y-5)

**178288**

**\*325** Authorize an Intergovernmental Agreement with members of the Willamette Shore Line Consortium to supplement prior agreements and better define roles and responsibilities related to the Willamette Shore Line Rail Right-of-Way (Ordinance)  
(Y-5)

**178289**

**326** Authorize the City Engineer authority to grant encroachment permits in the street area to match current practice and administrative rules (Second Reading Agenda 299; amend Code Sections 17.44.010, 17.44.015 and 17.44.017)  
(Y-5)

**178290**

**Commissioner Dan Saltzman**

**327** Authorize transfer of assets for specific decorative fountains from Bureau of Parks and Recreation to Bureau of Water Works (Ordinance)

**PASSED TO  
SECOND READING  
APRIL 14, 2004  
AT 9:30 AM**

**\*328** Authorize Intergovernmental Agreement between Oregon Health Science University and Bureau of Environmental Services for tieback shoring located in the right-of-way (Ordinance)  
(Y-5)

**178291**

**\*329** Authorize an Intergovernmental Agreement with Oregon Department of Transportation and provide for payment for the removal and disposal of contaminated material, Project No. 7360 (Ordinance)  
(Y-5)

**178292**

**REGULAR AGENDA**

**Mayor Vera Katz**

**330** Accept report on the Event Ticket as Transit Pass Program for PGE Park (Report)

**Motion to reject the Report and direct the City to implement whatever measures necessary to continue the Transit Pass Program:** Moved by Commissioner Leonard and seconded by Commissioner Francesconi.

(Y-2; N-3, Katz, Saltzman and Sten – Motion Failed)

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

**ACCEPTED**

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**Commissioner Jim Francesconi**

**\*331** Authorize Intergovernmental Agreement with the Port of Portland to perform  
traffic counts on roadways that serve Port facilities (Ordinance)  
(Y-5)

**178293**

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At 12:58 p.m., Council recessed.

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**WEDNESDAY, 2:00 PM, APRIL 7, 2004**

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

**A COUNCIL WORK SESSION WAS HELD AT 2:00 PM IN COUNCIL  
CHAMBERS REGARDING  
TEXAS PACIFIC GROUP'S PROPOSAL TO PURCHASE PGE**

Note: The work session was open to the public, but no public comment was taken.

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**April 8, 2004**

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,  
OREGON WAS HELD THIS **8TH DAY OF APRIL, 2004** AT 2:00 P.M.

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

Commissioner Sten arrived at 2:00 p.m.  
Commissioner Leonard arrived at 2:02 p.m.  
Commissioner Saltzman arrived at 2:04 p.m.

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

<p><b>332</b>    <b>TIME CERTAIN: 2:00 PM</b> – Adopt the St. Johns/Lombard Plan Urban Development Concept and Action Charts (Previous Agenda 253; Resolution introduced by Mayor Katz)</p> <p><b>(See Agenda Item 333 for motions that affect this item)</b></p>	<p><b>Disposition:</b> <b>CONTINUED TO</b> <b>APRIL 29, 2004</b> <b>AT 2:00 PM</b> <b>TIME CERTAIN</b> <b>AS AMENDED</b></p>
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Continued next page.

**April 8, 2004**

**333** Adopt and implement the St. Johns/Lombard Plan (Previous Agenda 254; Ordinance introduced by Mayor Katz; amend Title 33)

**Motion to accept amendment C. 9, Curb Extensions in Downtown:** Moved by Commissioner Leonard and seconded by Commissioner Saltzman and gaveled down by Mayor Katz after no objections.

**Motion to accept amendment B.4, Freight Movement:** Moved by Commissioner Leonard and seconded by Commissioner Francesconi and gaveled down by Mayor Katz after no objections.

**Motion to accept substituted amendment dated April 8, 2004 to maintain the Planning Commission recommendations to use CN1m and CS zones to implement the vision. Amend the Planning Commission recommendation and increase the maximum amount of parking in the CN1 zone and increase the size limitation on Retail Sales and Service and Office Uses in the CN1m zone from 5,000 to 10,000 square feet per use:** Moved by Commission Leonard and seconded by Commissioner Saltzman and gaveled down by Mayor Katz after no objections.

**Motion to accept amendment C.10, Freight Improvements:** Moved by Commissioner Leonard and seconded by Commissioner Francesconi and gaveled down by Mayor Katz after no objections.

**Motion to accept amendment C.11, On-Street Parking:** Moved by Commissioner Leonard and seconded by Commissioner Saltzman and gaveled down by Mayor Katz after no objections.

**Motion to accept amendment C.13, "Old" Safeway and Racquet Center, Height and Design:** Moved by Commissioner Leonard and seconded by Commissioner Saltzman and gaveled down by Mayor Katz after no objections.

**Motion to accept amendment C.15, Design Overlay:** Moved by Commissioner Leonard and seconded by Commissioner Saltzman and gaveled down by Mayor Katz after no objections.

**Motion to accept amendment D.18, Recreation Trail/Edison Woods:** Moved by Commissioner Leonard and seconded by Commissioner Francesconi and gaveled down by Mayor Katz after no objections.

**Motion to accept amendment E.20, Union Pacific Rail Line Crossing:** Moved by Commissioner Leonard and seconded by Commissioner Saltzman and gaveled down by Mayor Katz after no objections.

**Motion to accept amendment E.24, Special Pedestrian Connections:** Moved by Commissioner Leonard and seconded by Commissioner Saltzman and gaveled down by Mayor Katz after no objections.

**Motion to accept amendment E.25, Boat Launch:** Moved by Commissioner Leonard and seconded by Commissioner Francesconi and gaveled down by Mayor Katz after no objections.

**CONTINUED TO  
APRIL 29, 2004  
AT 2:00 PM  
TIME CERTAIN  
AS AMENDED**

At 4:14 p.m., Council adjourned.

**April 8, 2004**

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.



**April 7, 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.

**APRIL 7, 2004      9:30 AM**

**Katz:** Please call the roll. [roll call taken] all right, everybody, let's start with communications. I'm going to ask you unanimous consent that we call 312 before we call 311. I've talked to 312, and it's all right with 311, and if it isn't it's ok anyway. All right? Any objections? Hearing none. [gavel pounded] 312.

**Item 312.**

**Richard Cascio:** Hi there. My name is richard cascio, resident of northeast Portland. I brought with me today a collection of letters sent between city officials and concerned residents on the starbucks' planned development. They start out with a letter to mr. James kelly from jamey jeffreys, and he says that the city has specific zoning codes and regulations that apply to each site. There are a number of conditions concerning the site that affect what we can and cannot require in the development review. You went on to say in a letter to kelly as well, in this case peter pairin is free to lease to whomever he wishes so as long as the business that will occupy the space will comply with the designated neighborhood commercial zoning. Jeffreys continues to say himself, this site is currently zoned for commercial use, which allows starbucks and other commercial uses to be there. Basically that means that the city cannot prohibit starbucks from operating on this property. This was a little misleading, because there is more than just commercial zoning. There are a variety of different commercial zones, and this one happens to be zoned neighborhood commercial two. In this zoning, i'm not going to read the whole thing, there's not too much time, but in it it says the emphasis of the zone is on uses which will provide services for the nearby residential areas and on other uses which are small scale and have little impact. Also, uses -- uses are limit in intensity to promote their local orientation and to limit adverse impacts on nearby residential areas. And also, that development is expected to be predominantly auto-accommodating, except where the site is adjacent to a transit street or in a pedestrian district. All these portions of the zoning code were sent by a local resident and business owner, and the only response he got was a letter from you, mayor Katz, the same one you sent to someone before, and not addressing any of these concerns with the incongruity between the zoning code and business supposed to be going in there. Another response was given by someone named sterling bennett, supervising planner for the planning and zoning section in the bureau of development and services, and the only concern he addresses is one in which the business needs to be auto-accommodating. The only problem is that he ignores the part in the zoning code that says that it's supposed to be auto-accommodating except where adjacent to a transit or pedestrian district. There are two bus routes there, as well as plenty of bicycle and pedestrian folks in the whole area, so essentially the problem, though, is that we've had these concerns and that they haven't been addressed at all by the city. And the developer himself was not forthright with the neighborhood association, and so we've been left with no recourse whatsoever to address the concerns or try and get something that is more congruent with local zoning.

**Katz:** Thank you. Did you say nc-2?

**Cascio:** Cn-2.

**Katz:** I'm sorry, cn-2. Ok, 311.

**Item 311.**

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**Marc Batko:** Thank you very much. My name is marc batko, 1515 southwest 12th. On the internet, an article raised the question, why do we accept what is horrific? Chain stores and homelessness. The community in the state -- and the state can be horrific when they become marionettes, ignore community sentiment. The community and the state can lead us to a future-friendly sustainable economy through incentives, through -- and through commitments to local businesses, and by opposing myths of privatization and the self-healing market. Without -- without criticism, no healing is possible. Without a new economic model, no healing is possible. I just finished translating a 14-page article about privatization, deregularization and liberalization of markets, relation to 14 countries and the results are astounding, that privatization increases inequality and vastly increases poverty in all of these countries. It's hard to get this information out there. Several articles on Portland in the media that i've either uploaded or translated can give us strength in combating privatization. One article is by david bowlier entitled "who owns the sky, reviving the commons." the community and the public have a sovereignty over the commons, that is over the land, the water, housing, education and health care. We're not handed over to politics or the market economy. So if pepsi-cola comes and says, we'd like control of your education system because we're already there, there are alternatives. You know, and we must see those alternatives. Three other articles, one an interview of -- with joseph stiglitz entitled "criticism of neoliberalism. He says what is sold to us as economics is an ideology or religion that neoliberalism doesn't produce growth or produces more social inequality. Another article entitled "economics in service of life," emphasizes that the ideology of neoliberalism is incompatible with the unity of humanity and with the whole inhabited earth. Another final important article, which I translated, entitled "future friendly economies," emphasizes that -- that corporations often describe destruction as job creation.

**Katz:** Thank you.

**Batko:** The communities have a right to limit consumption. And here, in this starbucks case, communities have a right to -- to encourage local businesses and to expand employment that way.

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

**Batko:** Thank you. Ok. One other thing, that governor kitzhaber once said that Washington is dominated by special interest. When we just give chain stores and large corporations priority, then we fall into that judgment. Thank you.

**Katz:** Thank you. 313.

**Item 313.**

**\*\*\*\*\*:** Good morning.

**Katz:** Good morning.

**Derrell Ness:** My name is derrell ness, here to today to speak in opposition to the new starbucks at 21st and division, southeast. I'm here as a representative of the sustainable business network of Portland, a member organization made up of businesses, not for profits and individuals committed to creating just and sustainable communities. My opposition to the new starbucks stems from two concerns, both of which have already been addressed, but -- or partially. The culture homogenization that results from opening another chain retailer in our city, as well as the adverse economic impacts of these chains. I feel strongly that the increasing dominance of chain-operated retail outlets in Portland threatens the distinctive character of our neighborhoods and detracts what makes the city unique. Specifically the area in question, 21st and division is currently characterized by a high proportion of independent locally-owned businesses which contribute to the sense of place, providing the area with its unique identity. In regard to the economic impacts, I refer to michael schuman, who in his recent book "going local," argues that the decline of locally-owned businesses generally, and in particular the loss of independent retailers, poses a threat to the health of our communities and our economy. There are many parts of the argument, but the most fundamental is the simple fact is when you patronize a locally-owned business more money stays in

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the local economy. All commerce is not created equal. A dollar spent with a locally-owned retailer or restaurant creates a greater benefit than the same dollar spent at a chain store. Although I don't have specific data specific to starbucks, i'd like to call your attention to a 2002 study done in austin, texas, concerning the effects to the local austin economy of a proposed borders bookstore. There was a summary of that that was supplied to you prior to today's meeting. The study included an analysis of the impact to the local economy of a \$100 purchase at borders books as compared to a \$100 purchase at a local bookstore. The findings indicated that if the \$100 spent at borders, only \$13 stayed in the community, whereas \$45 of the \$100 spent at the local store stayed. In other words, the local economy received three times as much benefit from buying from a locally-owned merchant instead of a national chain. The end result is compared to chain retailers, such as starbucks, locally-owned businesses create more jobs here in Portland and a stronger local economy.

**Katz:** Thank you.

**Ness:** Thank you very much.

**Katz:** All right.

**Francesconi:** Could we have a copy of that study?

**Ness:** Yes.

**Katz:** 314.

**Item 314**

**Lee Lancaster:** Good morning, mayor, commissioners. My name is lee lancaster. I work at food frank cooperative grocery and live on southeast 32nd place. I'm a member of the sustainable business network in Portland. And the issue of chain stores, starbucks, is emotional, as you know, and there's a lot of -- a lot of talk, but as you're also well aware there's a lot of work going on in Portland about the importance of small business in the economy, with the Portland business alliance, with the p.d.c., and with your own efforts. We're going to be starting a local first campaign that will promote locally-owned businesses starting this fall. And part of the idea is to promote to people the value of locally-owned business as opposed to chain stores, and to realize that we have to work to make them more competitive and to make sure that through public policy there aren't disadvantages to locally-owned businesses, because the chain stores can advocate for themselves very well, and so we need to band together to preserve that place for them. Oregon is unique, and Portland is a center of -- of entrepreneurship and innovation and our public policy needs to reflect a sheltered place for locally-owned business. Thank you.

**Katz:** Thank you. All right. Is that 314, karla?

**Moore:** That was.

**Katz:** 315.

**Item 315.**

**\*\*\*\*\*:** Last time I had only two --

**Katz:** Identify yourself, sam.

**Sam Oakland:** Sam oakland. I live in northwest Portland. There are a couple federal violations in the pioneer post office and they're not numbering the blocks and bricks they take out of the sidewalls so they can put them in the proper place, and another is the great did you know side, the big white and blue sign that hangs across is in violation of city code and also the good neighbor policy. And I would ask the city council to ask the dunn company and ask the feds to take down the sign we're going to see for the next two years because it violates the beauty of the courthouse square. The duck is safe, it's been taken off the pond, and in storage now with regional arts committee. The two wooden maidens are in storage and the g.s.a. Promises to bring them back. I want to tell city council there's still time to save the pioneer post office. It's not too late to invoke eminent domain and the burden is on the feds and it's not on the city. If you don't move very soon, it will be too late. They're tearing out the inside of the post office right now as we speak. Also, by

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the way, at 10:00 there's a ribbon-cutting ceremony in the solomon where there's a five-window post office being opened, the g.s.a. Of course is located in the solomon as well. And finally, judges o'scanlon, graber and levy will get their parking lot, and there will be a side in the building. I want to thank for your patience all these years from the harbor drive closure to now, my first testimony, I can't come anymore because i'm now running for congress from the first district.

**Francesconi:** Sam, thank you for all your efforts on this, sam.

**Katz:** Sam, we're not supposed to do that, but even if you're running for congress the three minutes are open to any citizen of this community on any subject, except, of course, I don't think you're going to be campaigning, but if you have any subject matter, you're still free to come and talk to us.

**Oakland:** I would never say i'm running for the first district at the pioneer post office. [laughter]

**Katz:** I knew I shouldn't have gotten into it with you. All right, consent calendar, there's a request to pull 319. Any other items to be requested -- requested to be pulled off the consent calendar? If not, roll call on consent.

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

**Katz:** Mayor votes aye. [gavel pounded] 319.

**Item 319.**

**Katz:** All right. I'm going to request the council to bring this back into my office. You really don't want to have a conversation on this issue today. And two of us will work on solving some of the issues that circumstance around this particular item. Any objections? Hearing none, so ordered. [gavel pounding] all right. Well, it's not 10:00 yet, so let's go and --

**Francesconi:** We can do both 330 and --

**Katz:** Except, I told them that they couldn't, so --

**Francesconi:** Oh.

**Katz:** Let's do 331. Are you ready to do 331?

**Francesconi:** Yeah. We're ready to do both.

**Katz:** Ok. Let's do 331. Is logsdon here on 330? He wanted to squeeze it in, and I said I didn't think so, so we're not going to do that without him, and there are people who wanted to testify on it. I'm very nervous on doing that, because when people see a time certain, they anticipate that their items will come after the time certain, and this one I think has people coming to testify. So we'll hold off, but I think we're ok on 331. Ok, 331.

**Item 331.**

**Katz:** Commissioner Francesconi?

**Francesconi:** It's not going to cost the city any money and they're going to do the work, so I don't think there's any need for testimony unless somebody wants to testify. We thank the port for doing this.

**Katz:** Is anybody here for testimony on this item? If not, roll call.

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

**Katz:** Mayor votes aye. [gavel pounded] all right, everybody, we're about 10 minutes before 10:00. So we'll take a recess and i'm going to call -- i'm not leaving. I'll call everybody back at 10:00. So please come back, because we have a long, long morning. We'll stand in recess until 10:00.

At 9:50 a.m., Council recessed.

At 10:00 a.m., Council reconvened.

[roll call taken]

**Item 316.**

**Katz:** Ok. We have three for resolution. Karla, why don't you read the resolution.

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**Katz:** All right. Let me open this and then by way of my opening remarks turn to commissioner Sten and then to auditor blackmer. As a member -- former member of the Oregon legislature this issue was with us session after session after session. And for a variety of reasons, many of them constitutional issues of the first amendment, and the other is the financing of campaign reform. Not much occurred. As a supporter of campaign finance reform i'm thrilled at the work that two of our elected officials are beginning to do. And then of course turning it over to some of us to do all of the detail, but the point is they took the leadership and thought through a process that hopefully when all is said and done will meet two tests. One is the constitutional test, first amendment, and the second is the public financing ability to make this happen. Knowing their energy, commitment, and seriousness about public policy, and knowing the team that will be working on this issue, I think we will come up with a very successful recommendation to the citizens of the city of Portland.

With that, then let me turn this over to commissioner Sten and who i'm sure will ask commissioner blackmer at some point -- i'm sorry -- auditor blackmer, sometimes you like a commissioner/auditor on this one, but it is auditor blackmer to come and describe what they have in mind and how do they plan to put that vision into implementation. Commissioner Sten.

**Sten:** Thank you very much, mayor. We'll ask auditor blackmer, my partner on this, to join me. Thought i'd take a couple of minutes to introduce this. This is campaign finance, and election reform is something I really started thinking about in depth in relation to the city of Portland about two years ago, when bob ball, who's here today, introduced the good government initiative. We had quite a debate and the community. What I found was that there was a real split in the community as to whether or not the good government initiative was the right way to change the system. It looked at putting the city into districts, and I don't want to rehash that discussion. I generally don't favor districts. A lot of people I respect do. But what I kept hearing in common is when everybody would go into their conversation about why they were interested in the good government initiative, whether they ultimately were going to support it or not, there was a general sense that the system we have now is far less than ideal, to put it bluntly. It really has two things that I keep hearing from people. One is there is a sense that candidates cannot run or choose not to run, is probably the putter way to put it, because the burden of fund-raising is too consuming. I'm not a person that believes that you cannot raise funds. I've done it, council members have done it, many candidates have done it, but it is very, very time consuming. Secondly I think both a perception and for me a reality that the fund-raising issues are too much front and center in terms of city government. I do not believe that there's ever been an incidence with this council that anybody has done anything but what they think is the right way. There's pressure on us all the time to vote different ways, and I believe that this council, as have past councils, have acted as you would expect them too. What I do think, however, speaking for myself, that the -- the requirement to raise funds, the pressure to raise funds, turns my attention, and i'm only going to speak for myself, from where I think it should be, talking to the voters and citizens, to paying attention to donations and other things. At the end of the day, when you have a system with no contribution limits, it actually does affect city government and you don't get the best result. And I think it actually becomes bigger than the people who are in it to some extent. Portland is usually ahead on things. In this case we're very lucky we're not ahead on this. Many communities across the country, in fact most of the thoughtful communities across the country, are grappling with the issue of how do you best fund campaigns. So I began to think two years ago, I don't think personally the issue is districts, I like having citywide elected officials, makes for better government to have people elected citywide. That's my personal belief. I think that the barriers that people kept trying to break down, which was what they were talking about with the good government initiative could be addressed through a public finance system. There's one running in the state of arizona at both the municipal and state level and in the state of maine. We're very lucky today. We have a representative here from the arizona legislature who has run under the system and is going to share her thoughts about it with us this morning. A

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candidate qualifies for public financing by getting -- and it's different in different states, but the way we've approached it similar to arizona -- by getting specified number of \$5 contributions. I personally think \$5 contributions make more sense than signatures, because people will sign something, even if they don't support you, but not give you five bucks. [laughter] i'm quite certain of that. And I think just about everybody can afford \$5 if they support a candidate, although obviously it's more money to some than to others. Once you get a certain amount of those numbers, something that a person who was serious about running would take months to do in their spare time while holding down a job, not something on the weekend you could do, you would qualify for a amount of money from a public fund in exchange for agreeing not to raise money. It's a voluntary system. You would the right not to take part in the system, but we'll work over the requirements over the next few months. No system is p.c. No system will get a perfect result, but in the long run -- auditor blackmer is the city's elections officer. I believe when you look back in time, I think people -- I hope it's soon, but certainly in the next couple of decades, they'll view unlimited contributions by limited liability corporations, anybody giving the amount about the way we view the nonsecret ballot, which by the way is only about 100 years old. Only about been 100 years old. Nobody can believe that they use taxpayers monies to print up ballots with when they decided to have secret ballots. What people will say to this, gosh, how could you use public money to finance elections? When you look at the results of what I think are corrupt in some cities, dominating a terrible federal system, beginning to have ramifications locally, how could you not is the stronger question 20 or 30 years from now and what took you so long. I want to be clear on what one other thing, is what does this resolution do today? This resolution does not put a public financing system into place. Gary and I have worked out, with colleagues who know a lot about these issues, consultation with other places, what we think is the outlines of a good system. I roughly gave it to you just now and there's much more detail available. This resolution simply directs the city attorney and finance office to work with auditor blackmer, myself and the mayor, to come back with a system that has all the details worked out. From our point of view, it doesn't make sense for gary and I to ask the attorneys to fine-tune all the technicalities until the council has said this is something they'd like to have worked on. This brings forward a proposal in which it has the technical details put together and any of the questions you might have about the details are answered. At that point I do intend to get this work done in the next couple of months and bring it back to council. I think the resolution says by july 1, right in that range. The idea then was, we'll actually have a hearing on what to do with it, and the council will have -- assuming we can come up with a system of public financing that actually works, and I believe we will, feel very strongly that we will, the council could leave it alone and say it's not the right approach. Could enact it if it wanted to or send it to the ballot. Those are options I would ask the community to think about and debate about. The other piece of this, very important, I think, and potentially controversial, is how would you pay for it. We've estimated that it would take about \$1.5 per year to have a system in which candidates had roughly \$100,000 to use, which I think is enough to run a strong citywide campaign, and in which we assume 30 or 40% more candidates are running than running in the last 30 years. Pretty aggressive number. May not get to be that much. If a candidate got 15% of the vote they probably would have qualified for the system. Just using rough numbers like that. That a little to, and i'll let gary talk a little bit about it, just over 1/10 of one percentage point of the city's budget. What the instructions in the resolution ask is for the finance office to create a model by which the fund would be funded similar to a city overhead charge, meaning each department would be asked to find 1/10 of 1%, and it would be capped to .2 of 1% statutorily to put into the fund. We wouldn't raise taxes or fees to do it, but find it from existing resources. I think there's an amendment around, and auditor blackmer and I are open to different ways to fund it, but you have to find some way to fund it. That's the one that we've proposed at this point. I think it will stand the test, because I do believe we can find that much money from throughout the city budget without

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major impact. But it is something we have to plan for. So with that I want to thank auditor blackmer, really done the yeoman's work on this, and turn it over to our elections officer.

**Katz:** Ok. Gary.

**Gary Blackmer, City Auditor:** Thank you. Gary blackmer, Portland city auditor. As commissioner Sten said, I did do historical research, and it's always good to get a context when we're talking about significant changes. Just to run through some points on changes in election law, commissioner Sten talked about the secret ballot introduced in the 1890's. Before that the party tickets were distinctively colored and shaped and everyone knew who you were voting for when you put that into the box. Having a ballot publicly printed and voters filling it out was a pretty radical notion back then. At the same time civil service was introduced to eliminate the promise of patronage for candidates so they would get campaign workers. Oregon was a pioneer and should be proud of its initiative and referendum efforts around the country it was copied. We were also a pioneer with the voters pamphlet in 1907. And we also pioneered direct election of congressional seats that year. Prior to that it was the legislature who determined who our congressmen and senators were in Washington. In 1913, Oregon was one of the first states to extend the vote to women. The civil rights acts of 1964 and 1965 reduced the obstacles to minority voters systemically excluded. In response to the watergate scandal, congress enacted campaign finance reform in 1974, and in 1996 Oregon again was a pioneer in mail balloting. I think the pattern in all of these is very clear -- voting is intended to exert real influence without coercion, bribery, obstacles or exclusion. These government actions that were taken over time were all intended to ensure that voting represents the will of our community, to hold our leaders accountable. And that's my mission as the city's auditor and elections officer, but sadly what i've seen over the years is accountability has been eroded. Despite 30 years of efforts at campaign finance reform, Portland elections have been slowly submerged in money. In 1970, the total spending for candidates running for an office council seat was \$400 when you express it in today's dollars, adjusting for inflation. Compare that to the most recent open council seat where spending topped \$1.2 million. Spending in the hotly contested 1972 mayoral race in 19-- in 1972 was \$680,000. Compare that to the \$2.2 million that was spent in the 1992 mayoral race. This trend should not be a surprise, though. Spending large amounts of money is a proven means of getting elected. The highest spending candidate got the most votes and 97-108 election since 1970, but when money is the basis for selecting our leaders, then each vote becomes a commodity and the most important skill of a candidate beings fund-raising. Free speech rights in Oregon hamper our ability to regulate campaign fund-raising and spending. In Oregon, we have relatively good laws on disclosure, but no limits on spending. As a result, we can only address campaign spending with a voluntary system. Many jurisdictions have changed the landscape of elections with the voluntary system of clean money campaign financing. Excuse me. Several states and local governments have clean money systems, and in these systems the candidates who agree to limit spending are eligible for a fixed amount of campaign cash. Here are some of the key characteristics that a clean money campaign system has. Candidates must show support to qualify for clean money campaigns. Jurisdictions around the country use a variety of thresholds to qualify the serious candidate, such as requiring a large number of small contributions. Candidates must agree to spending limits. To be eligible for the clean money campaign, the candidates must agree not to raise private contributions or spend in excess of limits. Adequate funding for clean money campaigns is absolutely necessary. Spending at current levels is not necessary, however, for a successful campaign, but attracting sound candidates will require sufficient funds to run an adequate campaign. We need to provide a provision for additional funds when there are high-spending opponents or independent campaigns. Candidates who run against an opponent who does not participate in the clean money campaign will receive some of that candidate's funds when that opponent exceeds the limits of the clean money campaign. And finally, we need a better electronic filing and disclosure system. To ensure greater

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accountability for campaign contributions, more frequent online reporting is necessary. The secretary of state's office is moving this direction and we're monitoring their efforts. If online doesn't work, we can still manage with a manual system, but it's within our grasp to apply that technology. So there are 12 local jurisdictions around the country that have some form of public campaign financing, with seven of them enacted since 1998. Tucson, arizona, is the longest-running program in the country at 20 years, and we've been researching their approach, as well as others around the country. Commissioner Sten and I want to work to fit these ideas into the context of Oregon and Portland elections. We all take pride in Oregon as an elections pioneer and Portland can improve upon the state elections framework. I would be proud to help build a campaign system that keeps the voter first and foremost. I urge you to approve this resolution so we can expand the research and discussion.

**Katz:** Thank you, gary. Commissioner Sten, you have a guest and then a panel.

**Sten:** Yeah. So i'm going to ask the representative from arizona to come up, francis baker from the league of women voters, and kate lower from the first unitarian church. Let's start with representative cahill.

**Katz:** Welcome to the city first.

**Meg Burton-Cahill, Arizona State Legislator:** Thank you very much. This is my fourth trip to Portland. I enjoy the city more each time. This is the first time i've sat in on part of the council meeting. I have to tell you, the issues are the same in arizona and in Portland at the local level. I'd like to say that i'm an accidental politician. At 45 I had never thought of running for office, and at 46 I became one of the state legislators, one of 60, in arizona. In 1998 arizona did enact clean elections. They first utilized the system in the year 2000, which is when I ended up running for office. I've participated in two elections cycles utilizing this system, and although I am by trade a ceramic artist, I have a little background in public policy, I hold an m.p.a., and i'm currently in a doctorate program studying public policy. I also have a little bit of knowledge about elections at the local level, because my husband is a councilmember for the city of tempe, which is roughly 170,000 population. My district kind of overlaps, as most of tempe and part of south scottsdale has about the same number of people, about 170,000 people. I've compared the two systems. The traditionally financed campaign, which is what happens in the city of tempe, and the publicly financed, which is the system that i've run under. And i'd like to share a few of the differences with you. We do have collect \$5 contributions. For the 170,000 people in my district, I have to collect 220, not only \$5, but they have to have -- they have to sign an affidavit with their name, address, they have to be a registered voter. We're actually taking the 220 people out of the pool of registered voters within the jurisdiction. I believe some important things. And again, seeing it from both sides. Seeing what happens in a traditionally run campaign, the amount of hours spent raising funds. The difference is, I think, is that it does -- publicly financed campaigns does foster more competition. Over the years, in just the two cycles that we've seen in arizona, we've seen a lessening of unchallenged seats. Ok? Now interestingly, at the same time, we've also seen less frivolous candidates, because people do have to qualify, they do have to meet a threshold. So the gadflies, political gadflies, they really don't want to take the time or energy to qualify. So we have less uncontested seats and at the same time we have more debate on the issues. The time -- what happens as far as a candidate, the time that one spends dialing for dollars under the traditional system really eats up your time, whether you're an incumbent. I believe it takes you away from doing your work as an incumbent, always hard to juggle, doing the work and doing the campaigning. At the same time when you run under a publicly financed campaign system, you have far more time to go out and meet people one-on-one. And you just -- I have met a tremendous amount of people. And for me, too, one of the issues is that, why I enjoy publicly financed campaigns so much, is that when I have a lobbyist come to see me about an issue -- I know -- and some of it's reality, some of it's perception, but the point is that I know that my decision is based



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purely on the facts, on the merit of the issues. It has nothing to do, whether -- you know, whether or not in the next cycle this lobbyist is going to be donating or not donating to my campaign. I've heard the argument that -- especially in these hard, difficult financial times, and they do run across the gamut of levels of political jurisdiction and geographical areas. Everyone has the same problem. There's never enough money to do what we want to do, especially in these days. And so the argument has been made -- well, how could we even think of taking any of the budget away to do something like fund publicly financed campaigns? My argument against that is I don't believe that you can prove that there's a relationship between being successful at being able to raise funds and -- and being the most qualified person for the job and a more qualified person, I believe, has a better chance of maximizing municipal funds, state funds, whatever. I think that the poor judgment can come, if you're basing your decision just on who can raise more money. Anyway, I believe that what the system does, is it facilitates a -- an atmosphere where public policy can be grounded on political values, on knowledge, but rather they're not -- and again, whether it's perception or whether it's reality -- they're not based on a small population giving input to the candidate, to the elected official, but rather a large -- a large pocket of people. And, you know, an incumbent is always going to have an advantage. I mean, they should have an advantage, a good incumbent, the advantage being that they live the life, they know the issues, they should know the issues better, but I believe the system actually makes incumbents better incumbents, because the time that is not spent dialing for dollars, calling a small handful of people looking for a number of funds, that time is spent knowing the issues. And so, like I said, I believe you promote competition, and at the same time, because of the threshold needed to be a serious contender, you eliminate frivolous campaigns. I'd be happy to answer any questions that you might have.

**Katz:** Thank you.

**Burton-Cahill:** I really appreciate you having this hearing, because I think this is the cutting edge, and the 21st century I think we're going to find elections at all levels are going to change and I believe change towards this direction.

**Katz:** Ok, thank you. Hold tight with the questions. I want to get through the panel's --

**Sten:** Yeah. And then, mayor, i'm going to ask the rest of the invited panelists to stick to three minutes, because we have a lot of testimony it looks like out in the audience.

**Katz:** There is a lot of testimony. Commissioner Sten and I will confer whether we shift from three minutes to two minutes. Let me assure those who have never testified here before that you can do it in three minutes, you can do it in two minutes. Trust us when we tell you that. Thank you very much. And there may be questions, so don't go away.

**Frances Baker:** Good morning. My name is frances baker, president of the league of women voters of Portland. The league wishes to extend its appreciation to auditor blackmer and commissioner Sten for their leadership on this critical issue. League of women voters was formed over 85 years ago because our founders believed that the health of our democracy depends on an informed and active citizenry. We encourage our members and all citizens to cast informed votes and to participate in governmental decision-making. To that end, specifically with respect to the election process, we publish a voters guide and organize candidate debates. The league has worked for over 25 years at the national level on campaign finance reform, and more recently in a variety of states, including Oregon. We're pleased to support this effort in Portland and we enthusiastically encourage you to vote in favor of today's resolution. If further study, as authorized by the resolution, leads to adoption of a clean finance system in Portland, it will be benefit the voters as well as those wishing to run for public office. We believe that one of the root causes of the apathy, mistrust and cynicism so prevalent is our system of campaign finance. As you're well aware, candidates for public office must devote an extraordinary amount of time to fund-raising. Some of the largest contributions come from individuals and corporations that do business with the city. Regardless of whether these contributions actually influence future council votes, the public has the

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perception that those special interests have the greatest clout at city hall. In the public's view, the individual citizen or neighborhood group is at a disadvantage when they advocate for a particular issue. In time, some decided as meaningless to get involved or to even vote. Getting special interest money out of the process will help restore the public's trust in their government. Furthermore, the political process is enriched when a broad array of capable and gifted candidates choose to run for office and inject new ideas and enthusiasm into the campaign. Unfortunately, under our current system, the ability to raise large amounts of money is the primary qualification for potential candidates. If we adopt a clean money system, candidates will be free -- will be free to dispense with large-scale fund-raising and concentrate instead on spending time discussing issues and ideas with the voters. Voters will know that clean money candidates are not beholden to special interest and large donors and will begin to realize that their opinions and votes will truly make a difference. In addition, the time spent in meaningful dialogue with the public during that campaign will enhance and deepen the candidates' understandings of the issues, the complex issues facing our city, and help those elected to office to be more effective leaders. We have an opportunity to adopt a system of campaign finance here in Portland that will restore trust in government, attract talented candidates, and give our elected officials the opportunity to lead without the influence of special interest money. The league urges a yes vote on this resolution. Thank you.

**Katz:** Thank you. If you see people waving their hands like this, we don't applaud here, because this is a very thoughtful body, but we like to give people the opportunity to express themselves. So we have nonverbal communication by waving.

**\*\*\*\*\*:** Good morning, council members.

**Katz:** Thank you.

**Kate Lore:** My name is kate lore, the social justice director at first unitarian church of Portland. Thank you for this opportunity regarding this important issue. Our church is very civically active, but no issue has galvanized our church membership like campaign finance reform. This is because so many of us believe that without campaign finance reform, nothing of significant social value that conflicts with special interests is likely to occur. The idea that individuals, corporations, or other forms of vested interest, could give large sums of money to a politician without there being some form of quid pro quo is irrational. Of course this is corporations donate in the first place. They want to impact politics. This impact our democracy. The exclusionary effect of big money on politics disproportionately affects citizens of lesser means, the very citizens most directly affected when cuts are made to education and social services. It also disproportionately affects women who have less money than men. As a result, our society is losing the benefit of talented, dedicated people, who would like to serve in government. We want democracy in Portland. We want to encourage the civic participation of all people, rich or poor, male or female. I therefore encourage you to approve this resolution. Thank you.

**Katz:** Thank you. Ok. Karla? Questions by the council?

**Saltzman:** Representative Cahill what kind of restrictions are there on what kind of money is spent on a candidate in arizona? Can you spend it on out-of-town trips, campaign seminars, or putting a spouse on the payroll?

**Cahill:** There are some restrictions. I'll be happy to get to you, you know, documentation from our clean elections commission for the specifics. But in general let me say that, no, you're not allowed to hire a spouse or family member. And actually, in my district, in the last election, there were a couple of candidates who decided it would be, you know, clever to spend money at a bar, numerous expenditures at a bar that actually wasn't even in the district, and so there are rules and regulations in place. They were penalized and I believe had to repay the funds that they had spent. And so there are -- there are good rules in our system. Any time you have this kind of huge paradigm shift of how business is done, one thing that I think is important is to have the flexibility in the

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legislation so that as rules are needed to fine-tune it, because this is a huge shift in how business is done. And in arizona we have had some, you know, rules. If a candidate has, you know, a charge brought against them, they used to have 14 days to respond. Now they have five days. You know, so there's a rule-making process to tweak it and make it fit your community and your needs.

**Saltzman:** Thank you.

**Katz:** Did you have a question? I thought I saw your hand up.

**Francesconi:** I don't.

**Katz:** No. Randy.

**Leonard:** I was going to ask you, is there a restriction on candidates who receive public dollars to spend money on their own campaign? In other words, let's just say hypothetically six people signed up to run against you and they --

**\*\*\*\*\*:** I heard it's hypothetical.

**Leonard:** Let me finish my question. Let's say five of them agree to support one of the six. Could they spend their money promoting the candidacy of the sixth?

**Cahill:** And, you know, I was -- I was asked this hypothetical last night.

**Leonard:** This is a little bit more than a hypothetical. [laughter]

**Cahill:** Right. And I don't know the answer to that question. And by the time, you know, it was posed to me the -- my go-to person in arizona -- we actually have a not-for-profit organization, the citizens -- clean elections commission, and we have the state part of the process and we have the -- and we have a not-for-profit that assists in the candidates in the fine-tuning -- you know, of understanding all the rules and regulations. And I would again defer to them. I don't know the answer on that. But I would venture to say there is, you know, some kind of regulation. We haven't had that come up in an arizona campaign. We're already in our third cycle, but again this is where you need to be able to have the flexibility in the legislation to fine-tune and make this work, because I can see your point. That could be a very, you know, unfair advantage. And I know that there could be mechanisms put in place to address that address.

**Katz:** Thank you. Ok, let's go to the second panel.

**Sten:** Ok, great. Johnnie gage from Oregon action, bob ball, a local businessman, and deb ross, the field director from a national organization that works on these issues.

**Katz:** Ok, three minutes for all of you. Who wants to start? Somebody grab the mike. Go ahead.

**Johnnie Gage, Oregon Action:** Thank you, good morning, my name is johnnie gage. I live over in northeast Portland. This issue for me boils down to one thing, and that's access. You know, we can frame it in a lot of ways, but the bottom line, i, as an individual, african american that lives over in northeast Portland need to feel as though, that my voice is heard. I did a training over the weekend, which involved a diverse group of folks at a leadership development training, to be involved in the electoral process. One of the guys said, made it real clear, when I asked him about this very issue, he said, johnny, if you don't pay, you don't play. I think what he was saying is that for -- for special interests or folks that can afford to contribute to candidates, that they have a leg up, that the playing field is not fair. I know that that's not the perception and most folks here know that, but if that's the prevailing perception in the community I live in, folks don't get involved in the process. Another thing that was said was that, well, yeah, we get listened to if it's -- if it's driven by a crisis. We looked this weekend where we had folks gathering together, diverse group of folks, coming together over a crisis. They were heard, they were orderly, they did everything that they needed to do to be heard. I don't think that we -- that it should take something like that for folks to feel as though they're a part of the process. The current system, although it's a good system, does not make the field level. The proposed system that we're talking about right now gives everybody a fair chance to be heard. And I think that perception, where I live, is probably the driving force that has me here right now, is that folks really need to be involved in the system, and if they don't feel as though they're going to be heard they're not going to be.

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**Katz:** Thanks.

\*\*\*\*\*: Good morning, mayor Katz and members of the council. I'm supporting this resolution before --

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

**Bob Ball:** Oh. My name is bob ball. I'm supporting the resolution before the council today and asking you to vote for it. As all of you know, i'm never been afraid to advocate for change that I think is important for the city. And sometimes I think you have to look in the mirror, even though something may seem to not be in your individual interest and you look and you think hard and you realize it's interest the best entire of the entire city, you really come to the conclusion that that is in your best interest. I'm not supporting this resolution because I think developers or business people with money have too much influence. I support it because everyone else should have that same amount of influence. I'm not supporting this resolution because well-financed campaigns are bad. And I especially want to say this an an indictment of anybody on the current council, or any current candidate and their ability to work within the current system we have and do that effectively. I support the resolution because all real candidates should be well financed. I'm not supporting this resolution because we need to focus on neighborhood issues instead of business concerns. The idea that business interests and neighborhood interests are different I think is silly. We all have common interests. People that live in neighborhoods and citizens, they go to work every day, and they want to be a part of that healthy business because that's where they get their paycheck. Business people believe in healthy neighborhoods. Business people believe that we should have reduced crime and better education. It's important to all of us, because their businesses are healthier. I'm supporting the resolution today because I believe it will bring us a more diverse council. When more candidates are able to run that don't have the monetary means or connections, our council has the opportunity to be more diverse. Diversity is not just ethnicity, it's fee graphic, economic, and it's gender. Our city is growing, changing, it's becoming more diverse. Our problems are more complex and diverse. And we're going to have to have solutions that are more diverse for those complex problems. I'm also supporting this resolution because I think that our current campaigns are lacking in energy and ideas. With campaign finance reform, candidates will spend time on ideas instead of money. Having more well-financed campaigns will energize the process, we'll see more policy ideas in the process, I think the press will be more engaged, scott henry -- I call them the two ends at "willamette week." more people will become part of the political process when we're energized and the press is talking about it. I'm also urging you to vote yes today --

**Katz:** You forgot phil.

**Ball:** Phil, I forgot about phil. And probably jim. I'm also urging you to vote yes today because more candidates without the --

**Katz:** Your time is up, but I interrupted you up, so why don't you finish your sentence.

**Ball:** I'll go quickly. Actually I want to stop and ask you for -- for you to think of the bigger reasons why we ought to do this is because campaign finance reform will lead us to better solve the biggest problems of our city -- poverty, racism, hunger. When we can figure out how to best help the single mother that's having a hard time making ends meet, trying to get their kids educated, then we're going to be better because of it.

**Katz:** Thank you.

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

**Katz:** Three minutes.

**Debra Ross, Public Campaign:** Ok. Hi. My name is deborah ross. I live in southeast Portland. I'm also the field director of public campaign, which is a national organization that works for comprehensive campaign finance reform at the state and national level. And i'm here this morning to speak in favor of the resolution. Citizen groups in support of city, county, and legislative leadership in over 30 states are actively to bring full public financing of elections through their

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local, legislative and statewide elections. Six states have passed public financing laws that cover legislative statewide or judicial positions. Maine, arizona, vermont, massachusetts, new mexico and north carolina. These laws have been adopted, both through legislative action and the ballot box, and 12 cities have also embraced various forms of public financing and a growing number of currently actively working on it. Last may, I was fortunate to hear a governor in arizona describe running under her clean elections law. Two things stood out -- first, she said she visited communities that no candidate running for governor had ever visited because she didn't have to spend most of her time fund-raising. And second, she marveled how there was no line of campaign donors at the door to her office asking for her favors during budget time because there had been no big donors to her campaign. In maine, another clean elections state, 75% to 80% of the candidates competing for the state legislature this year, in 2004, will likely run solely using public funds. That means spending will be contained, there'll be a level playing field, legislators will be talking to their constituents rather than dialing for dollars, and thousands of people will participate in the political system, many for the first time by giving a \$5 to the candidate or candidates of their choice. If states are the laboratories of democracy, cities are the incubators, where people often first engage with government and participate in civic life. This experience can either inspire them to roll up their sleeves and get involved in their community or it can be used to cause -- or it can cause them to become disappointed, cynical or apathetic. Portland is my home and a place i've always believed inspires people to jump into the fray and get involved, however the Portland we all love is threatened by the same trends we see elsewhere -- more expensive races for office and wealthy interests seeking special favors. Should we stand by while ordinary people see the costs of campaigns for city council and mayor spiral forever out of their reach or deal with the problem before it gets out of hand? A sister organization, which looks at campaign finance reform, is part of the unfinished business of a civil rights movement, it's developed a set of --

**Katz:** Three seconds.

**Ross:** Ok. They've developed a set of principles called the political equality standard, which asks how far does this reform really go in making the system fair for someone like a passionate leader, a woman, a person of color, and a person of little means?

**Katz:** Thank you.

**Francesconi:** Just two questions.

**Ross:** Sure.

**Francesconi:** The first is, in the campaign finance efforts across the country, are you aware of any efforts that are aimed at the media, where they are forced to charge lower rates to candidates?

**Ross:** Yes.

**Francesconi:** Can you talk a little bit about that?

**Ross:** I can. There is some work at the federal level. In fact, media rates -- we have a federal bill that looks at public financing and free media time is part of our federal bill. There's also an independent effort that -- actually janice thompson might be able to address it better than I can -- that is looking at providing free media time for candidates.

**Francesconi:** It's beyond the scope of this, but i'd like more information on it. Maybe you can give it to commissioner Sten and auditor blackmer.

**Ross:** Ok.

**Francesconi:** My second question is, los angeles, miami-dade, new york city, they all have campaign funding mechanism from the public and also have limits on the mayor's races. Are you aware of what those limits are?

**Ross:** You know, I can't tell you -- I work primarily on the state and federal level. I can't tell you what those limits are, but I actually have a document with me that can give you the limits of --

**Francesconi:** I have it.

**Ross:** Oh.

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**Francesconi:** That's what I was looking at. It's \$4 million in the mayor's race, the spending limit in los angeles. \$1 million miami-dade. \$5.7 million in new york. Do you have any idea as to why those limits are so high if there's public financing also?

**Ross:** Well, all of those systems are actually partial public financing systems. And I think it has to do with the size of the community and the -- and how much those races have cost in the past. How people decide, you know, what amount of money people should start with is based on what it takes in the local community to run a competitive campaign. And then often there are matching funds that can go up to two or three times the amount of the original grant to keep the candidate competitive, usually determined in local communities by past cost of races.

**Francesconi:** Ok, thank you.

**Katz:** Ok, thank you.

**Leonard:** I actually had a question.

**Katz:** Ok.

**Leonard:** It's my opinion that this is a much-needed change to level the playing field, but it's only a partial step to get there. And particularly with bob's background, i'd be interested in any of you commenting on my belief that the way that we truly get there is in addition to this, creating districts in the city that people run from districts. Right now an incumbent under the system that we're proposing here right now has a tremendous advantage under any conditions where the limit is \$150,000 apiece. A person that ran from a district would actually have an equal playing field because they could actually go door to door to every person's house in that district. So i'd be really interested in -- in hearing what your thoughts were on -- in addition to this, creating four districts in the city.

**Ball:** I could say that I agree wholeheartedly with commissioner Leonard. [laughter]

**Katz:** Let me be transparent. I communicated nonverbally with "don't go there." it is now 10:49, but it is -- in fact, I made a note to myself, though I don't agree on the district, I do agree on the change, form of government. I made a note, because I think you're right, those two, there is a connection.

**Leonard:** Uh-huh.

**Katz:** We need to think through that, about what we do to make that connection. But I sort of -- don't go there, we'll be here until 3:00 in the afternoon.

**Ball:** I kept it short.

**Katz:** Do you want to answer him, the commissioner in a short way?

**Ball:** Both things do help us achieve the same goals as I just talked about, or started to talk about in my opening statements, that our ability to make collective decisions, decisions that all of us are involved with, the result of that is what's more important. A more unified vision of our city of where we want to go, that we can all buy into as a community. If we do that we're unstoppable in the things we want to achieve. The more people involved in that political process, the more ideas we have, our ability to solve those complex problems, the problems that really matter to us all, it isn't about, I believe, of someone spending less time raising money, but it's the result of what that brings us, a better vision, our ability to solve problems and to hear ideas. I remember when commissioner Saltzman was running, he may not remember this, I felt sorry for him one day. I was up getting a jamba juice, on northeast Portland, he pulled up in his blazer, looked flustered, and handed me an envelope and asked for a donation. I felt bad for him, he was working within the system. What I really wanted to hear about was where we needed to go.

**Katz:** All right, thank you, ladies and gentlemen. Commissioner Francesconi has something that he wants to offer to the council. I'm not going to ask the council to adopt it immediately. We will adopt it at the end of the testimony so that you can respond to it one way or the other if you think that it violates the intent of the resolution that's before you. Commissioner.

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**Francesconi:** It's a substitute resolution. And it doesn't violate the intent. What it does is, has commissioner Sten's and auditor's blackener intention ingrained it. It doesn't include instant reporting. We have the ability to do that. As soon as there's a contribution, we should do instant reporting. I see one of our chief witnesses is nodding her head. The other thing it does it calls for the option of voluntary checkoffs to see as a source of additional money. So what it does is create three options to look at. And that's the intent of it. I'd like to say that I appreciate -- it's terrific, this discussion we're having, and it's already been very helpful. I appreciate commissioner Sten and commissioner blackmer bringing this before us, and I really appreciate the words of commissioner Sten in improving it, that money doesn't translate into votes. But I believe in campaign finance reform as well, and I think the league of Oregon voters and others said it well -- there's a perception issue, and now with the issues of trust in government, it's a very real issue that we have to address. And also, campaigns do cost too much money. So I think we need a multi-approach, though. I favor a state constitutional amendment with limits. And we need to work on that. I thought 53 may be on the ballot. I don't know its status. We need a multi--pronged approach. The second is I do think it is time to look at districts. I've said this to the mayor earlier. I think it's time -- i'm not saying I favor them, but I do think it's time for an outside look. We do have to diversify this council. I don't believe that public financing alone will do it. In my analysis of public financing across the country, they're often ante -- their incumbency protection measures, because people already in office have a built-in advantage in terms of name recognition. So I do not believe that this alone will create the diversity that we need to represent our city. And finally, and i'll say this later, you know, taking -- the reason we need to look at other public financing options and other approaches is I do not believe that the estimate of \$1.5 million is anywhere close to what this could cost. And taking public money at a -- to fund politicians at a time we can't fund police does not make sense to me. Let's study all the options and see where we get to, though, and i'm favoring this.

**Katz:** Ok. All right. Karla, three at a time.

**Katz:** I'm going to be fairly lenient until about 11:30. You folks are all right.

**\*\*\*\*\*:** I've got till 11:30?

**Katz:** No, no, no. [laughter] at 11:30 i'm going to check with commissioner Sten and we'll probably switch to two minutes, because some of us have things that need to be done and we're going to have an afternoon -- a long afternoon session as well.

**Tom Potter:** My name is tom potter. I'm a proud resident of the woodstock neighborhood and in the spirit of full disclosure I am a candidate for mayor, and I have not waited for a law to be enacted on campaign finance reform. I've limited my contributions. I wholly support commissioner erik Sten and city auditor a.k.a. Commissioner gary blackmer, resolution to bring clean campaign finishing to Portland, Oregon. I ask the full city council to support this effort, because it will help restore trust in government and create a level political playing field so we can have a more representative government that reflects the diversity of our community. Clean campaign financing allows all voices to be heard, not just those with huge campaign war chests. Clean campaign financing allows communities to focus on the candidate's fitness for the job, not on their ability to raise big bucks. It frees up a candidate's time to listen to citizens and their needs. Clean campaign financing will go a long way in lifting the dark cloud of suspicion from politics and make more credible our democratic process of governance.

**Katz:** Thank you, too many. Frank?

**Frank Dixon:** Good morning. I'm frank dixon, 2205 northwest johnson. I'm president of the northwest district association, but i'm speaking on my own behalf today. I'm also running for city council in this may's election. I believe no incumbent commissioner should fear this measure. It will free them to stop the endless campaigning for money which currently starts the day they take office and continues until the next election is over. With more time to focus on their work, we elect

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them to do, commissioners will be able to point to their achievements, not the size of their campaign war chests as they -- as the reason they deserve re-election. While I applaud commissioner Sten and the auditor for preparing this comprehensive resolution, I believe the city council can and should act immediately to restore the public confidence in fair government that has so severely eroded in recent years and months. I propose that you adopt the following ethical standard by ordinance within the next 30 days. It's in simple, straightforward language, which gets right to the heart of the matter. No appointed or elected official shall make a decision affecting the use, development, or conservation of land if business or family relationships or campaign contributions could create the appearance of I am propriety in the mind of a reasonable person. Any decision found to be in violation of this standard when challenged in a timely manner before an appropriate tribunal shall be void. The terms of this ordinance shall be construed that elected officials decisions are being made to advance public rather than private financial interests. I hope you'll consider, support, and adopt this proposal as an ordinance. Thank you.

**Katz:** Thank you.

**Jake Oken-berg:** Mayor and council members, my name is jake oken-berg --

**Katz:** Does everybody remember who jake was? I sure do. Good to see you, jake.

**Oken-berg:** Good to see you. For full disclosure, i'm not running for anything. Thank you for taking my testimony today and thank you for taking up this important issue. Four years ago I had the opportunity to run for citywide office in Portland at age 19. Since that time, and because of my unique campaign experience, on an almost daily basis I hear from young people wanting to know my take on politics in Portland. Before I give them my opinion, I always ask them theirs. Many young people I talked to express excitement about the city and want to know how they can get involved. But unfortunately the vast majority feel shut out of the system. They feel that money and special interests dominate our elections and that average Portlanders don't have a say. They believe the power of their vote is diminished, and as far as about thinking running for office, forget it. So what do I think? I think that with few exceptions those young people that believe that a candidate has no chance if they don't raise big money have it exactly right. Leave aside a 19-year-old running for mayor, an intelligent, well-spoken 50-year-old, with great ideas, but without sizable campaign contributions, is rarely going to beat a well-funded opponent. To thousands of Portlanders, whether young or old, whether a teacher, small business owner, nonprofit leader or student, there's a sign hanging outside city hall that says those who cannot dial for cash need not apply. How many good ideas or innovative bills are not acted upon or never heard because most people don't have any shot at ever sitting in one of the chairs in front of me? I understand that some of you are grappling with the cost of a public financing system. But all of you during your careers in public service have found ways to fund your most important priorities. I would hope that reengaging our citizen, especially young people, re-energizing our campaigns with new people and ideas, and increasing the amount of time candidates, including yourselves, can spend with Portlanders, is a top priority. Mayor Katz, I want to thank you in particular as someone who has dedicated years to serving your public for your statements in support of this resolution and thank you all for taking the time to consider this issue.

**Katz:** Thank you, jake. Ok, next three.

**Katz:** Chris, since you're the only one not running, we'll start with you. [laughter]

**Chris Smith:** Chris smith, 2343 northwest pettygrove street. And let me say right up front, i'm here representing only myself today, not any group or organization. The reason for that will become clear in a second. In 2000 I had the privilege of chairing the city club study of measure 6, which was a statewide clean elections measure, very much along the lines of this resolution. Again, i'll be clear, the city club has not studied or taken a position on the resolution in front of you, but nonetheless I think the research work on measure 6 is instructive, and i'm going to read a couple paragraphs for the recommendation from that report. Serious problems exist with Oregon systems



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of campaign finance. Campaign costs have escalated dramatically in recent years, most money used in campaigns comes from a small number of contributors. These contributors appear to have a disproportionate and inappropriate influence on the legislative process. This perception has exacerbated public cynicism and eroded public confidence in Oregon's political process. Candidates spend too much time raise campaign funds rather than considering important public issues and serving their constituents. Any qualified potential candidates choosing not to run for office because they do not want to spend long hours raising money who do not have access to large contributors or personal fortunes or do not want to be beholding to special interests. Candidates who spend the most money usually win. Measure 6 would remove these barriers and level the playing field. City club has not taken a position on the resolution before you, but as someone who's had a chance to look at systems like that as part of a research process, and someone who has experience in elections here in Portland, I can tell you that the issues and the conclusions map over very well. I urge you to support this resolution.

**Katz:** Thank you, chris. Nick?

**Nick Fish:** Thank you for the chance to testify. My name is nick fish, a candidate for Portland city council, and live in the grant park neighborhood. Erik, auditor blackmer, congratulations for bringing this issue forward to the council. I'm here to support the resolution with a couple of caveats. This morning I caught hell from my campaign when I told them I was going to come here and testify. Each of you knows what i'm talking about. I'm supposed to be raising money for my election and that's the problem. Candidates should be spending time addressing the great issues of the day, meeting with citizens, going to coffees, and listening. Not just talking to potential donors. And commissioner Sten, to quote you, this process has become a distraction. Now i'm proud of the fact that over 600 people in Portland have contributed to my campaign. Some of them have given me as little as \$15, others \$1,000. I'm grateful for that support. And many people have contributed to my campaign despite the fact that I disagree with them on specific issues of concern. I don't think we should put an ice skating rink in pioneer courthouse square, and yet greg goodman supports me. I disagree with putting a public subsidy into professional baseball, and yet most of the backers of baseball have supported me. I could go on and on, but the point I would make is I don't believe this process is inherently corrupting and doesn't prevent us from standing our ground, but it is a distraction and it prevents us from meeting with citizens and becoming better candidates. Therefore i'm here today to say I support the principles of this resolution, but I would offer three additional points for your consideration. First, I do believe in transparency. And I think we should be required to post our contributors when they're received, just like we do today when we post our endorsers on the web. Second, I think it is shameful that the broadcast media does not cover our local politics. My opponent likes to jest that unless one of us kills the other it's not going to make the evening news. [laughter] to which he responded, don't tempt me. [laughter] but the fact is that unless it's murder and mayhem, we don't make the evening news, our races aren't covered and your deliberations aren't given adequate attention. It's about time we reclaim the public airwaves and serve the public interests. And finally, I would urge you to consider as part of the financing model a voluntary checkoff system. I proudly check off on my federal return each year to put money into the federal campaign system. I would proudly check off on my state tax return a similar box, and that money it seems to me could be then sent from the state to the city to go into a supplementary system. I'm concerned, mayor, about public financing, however, at a time that the voters in this county voted down measure 30.

**Katz:** Thank you.

**Andrew Kaza:** Good morning. My name is and drew kaza, a democratic candidate for the fifth congressional district seat currently held by darlene hooley. First of all, I want to applaud commissioner Sten and the auditor for this resolution, especially commissioner Sten in that you have the stunt to take advantage of the current system, as has been pointed out, and it's definitely

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beneficial incumbent so you'd be better off under the current system, so I think it's courageous. I think it's been said by people that speech is free, but communication is expensive. As somebody who is a former media executive, I just want to verify that with some fiscals for you. In the year 2000, t.v. Stations made more money from political ads than from fast-food advertising. That tells you it's a pretty big number. 95% of house incumbents in the year 2000 won their race -- sorry -- 95% of better- financed candidates won their race. The average spent by winning candidates in the house in 2000 was \$840,000. By losing candidates, 305,000. It's clear there's an imbalance in the system. I personally believe that .1 of 1% to make democracy function is a very small price to pay.

I believe the estimates aren't far off the mark. \$100,000 is exactly what we pegged to run a credible campaign here if the fifth district. If it can be done across seven counties in Oregon, I believe it can be done in the city. The other thing about publicly-financed campaigns is I think it helps remove the discussion of financing from the race as an issue. And going back to the point just made by nick fish, I think your media would stop talking so much about the horse race and stop talking about the dollars involved in the race if you took the dollars out as an issue. As it stands right now, credibility is measured in dollars. And the local press will judge you and in some cases the parties will judge you by how big a bank account you have. I can't tell how many times i've been asked during this campaign, how much are you willing to spend, how much money do you have, can you outspend the incumbent 3-1, because that's the ratio we figured out is necessary to win a race. So the media focuses on that. It diverts our attention. I think it not only diverts the attention of the people serving, but then it diverts the attention of the people out working in interesting campaigns. This little envelope, the irony is here I am today, but I got to bring a stack of these things in here, in the hopes that somebody will say, he's courageous enough, i'll be happy to take 5, 10, whatever it is, but i'll say to you right now, that this is wrong, we shouldn't have to be bringing these things in here. I hope the city of Portland will become a beacon of hope for the city, the country, for becoming the latest municipality to adopt this and move towards a clean system. Thank you.

**Katz:** Thank you. We have little feet that are here from what school? You are here at probably the beginning of a very historic moment. And maybe your teachers can explain campaign finance reform, which is what -- [laughter] and if they can't, we have a commissioner Sten and auditor blackmer that can help. All right, next three.

**Katz:** Howard, you go first, because you're not a candidate.

**\*\*\*\*\*:** I would like to be.

**Katz:** Howard, three minutes.

**Howard Weiner:** Thank you, mayor. My name is howard weiner, 210 northwest sixth. I'm not a candidate for office. Hallelujah, campaign finance reform. I'm born and raised in the city, rode my bicycle here since I was 12 years old, but not once in my 20 years of community service did I ever think that I could run for public office. Why? Why is it that individuals like myself feel we can serve the community as volunteers, but yet we don't have the ability to run. It's the money game. It's all about the money game. There's so many individuals within this city that i've met through my volunteerism that would do just as good a job as most of us that I see on the city council and what i've seen in the past. You all work hard. Public service, god only knows how much time you have to put in. But you shouldn't have to put that money in to raise money. There's a redundant theme that we've heard over and over and over again today, and that's take the money out of politics, take the good ideas rise their through their merits, and let us, if not be a leader, follow the lead of other cities. There's so many issues which we've led in this state, all said these before, but this is the where we can really look at models that have already existed, particularly the tucson model. I wanted to respond, jim, because you used l.a. and new york city, but tucson is a town of 500,000 people. And their spending limits are for the general election for mayor \$142,271, and \$71,135. This is a model to look at that's comparative to our city, and at least a base to tweak it to what works

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for us. So I don't need my three minutes. Many people have spoken. Let the good ideas rise through their merits, let's be part of the lead in this country and follow the example of others. Thank you very much.

**Katz:** Thank you. Jim?

**Katz:** James. I'm sorry.

**James Posey:** James posey. Candidate for the mayor of Portland. I appreciate the opportunity to come and talk with you about this initiative. He said hallelujah, I say praise the lord.

**\*\*\*\*\*:** Same thing.

**Posey:** Yeah. Really i'm just thankful that we have commissioner Sten and mr. Blackener who have really stood up. This is the kind of leadership this city is really looking for in terms of making the big kinds of proposals and decisions that's going to have impact into the future. And really that's what this particular initiative is about, it's about the future. It's real critical that we do what we can to have a city of excellence. It's not going to happen unless we do have real diversity on this council and government is diversified by the best ideas. I don't want to be redundant, but everybody has talked about the diversity, and as i've been on the campaign trail i've seen people who I think are better qualified per se than i, who had better ideas than i. I mean, i'm just being real candid about it, there's people with thoughts, ideas, abilities, that I wasn't aware of until I got out on the campaign trail, but suffice it to say that we're not anywhere near using the resources of this city that -- the way we should be, including everybody that we ought to be. Let me say to you all today that i'm a little different than the other folk up here, because i'm not going to be real nice. I'm not going to be all kissy-face about this whole thing. I do believe there's a direct relationship between clean money, clean air, clean food, clean jobs, and a clean city. And I do believe that when we start living up to the values of a clean citizen-involved sort of campaign program, then this whole city is going to be the better for it. And I add my support to this -- this initiative, and I just -- it's a no-brainer for me. It really is a no-brainer. Really the people in this town really need to stop fooling around. When we have an idea, its time has come, we ought to jump on it and do it, and this is what our citizens expect, and this is what i'm expecting. Thank you very much.

**Katz:** Thanks, james. Jim?

**Jim Whittenburg:** Actually, this is james, and i'm jim. I'm jim wittenberg. Most of the time I live in northeast Portland, sometimes in southeast, once in a while over in northwest i'm finding out over this campaign trail. I'm no longer running for office. I'm now limping into office sitting here with my cane. I busted my knee up somewhere, so -- you know, I can remember a time, mayor Katz, when you and I first went down to salem with we really respected our legislators and the process. I can remember clear back to 1969 when I first went to salem with senator hartung to work on legislation to create the methadone treatment programs and to take marijuana from a felony to a misdemeanor conviction and to create some programs so we could get folks treatment if they were in trouble with use of hard drugs. And I respected the legislature. I respected the governor. I respected people like wayne morris and tom mccall and hatfield and straub and those folks. And we never thought about the fact that they were stuffing money in their pockets from lobbyists and they were -- they were trying to decide how they could keep an office, and that was their major -- the goal in life was to stay in office, not to do the best thing they could do for their citizenry, for the state. It stay in office so I can get to the next major office. What do I have to do to get there? A good share of the time when I worked in the congress for a year was spent raising funds. That's all we did, was raise funds for the next election. And I got to wondering somewhere down the road, you know, what is our goal of legislators and city councilmen and county commissioners, is it to stay in office is it to do the public's work? I've come to the conclusion that it's to stay in office for the majority of them. I feel bad that way, but when I started looking at running for this office last summer I went down to the office downstairs, the auditor's office, elections, and picked up the summary statements of contributions and expenditures, and for both randy leonard and for nick fish,

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and I was literally sick to my stomach when I saw it. I saw \$427,000 that ran through randy's account in the last september supplemental. I saw nick fish's thing of -- I forget the amount, but it was so much it just turned my stomach again. I thought, what are these people doing? I mean, all they can be doing is raising funds. You know, here's nick with -- here's nick with \$227,000 running through his account, the last supplemental. I look at the people contributing. The pamplins, \$30,000 to you, jim. \$15,000 to you, randy. \$7,500 to nick and he runs the newspaper and a radio station here in town. How are those people going to be nonpartisan? I just don't get it. I wish I could, but I guess i'm never going to be bright enough to understand the correlation between the amount of money you stuff in your pockets and how you vote.

**Katz:** I need to add, radio station isn't very friendly to any of us on the city council. All right, let's continue.

**Phyllis Dolinger:** I'm phyllis dolinger, I live downtown and i'm a member of common cause. Money is part of politics, but just how much? An average citizen can qualify for a political position. We're looking for qualities in a leader, honesty, integrity, able to understand and communicate with all kinds of people, knowledge about all programs, education, services for the poor. All programs and services are equal and need to -- need the attention of our political leaders. It's about love, caring, and devotion to a job. Public finance is a system that frees candidates from the pressure of unlimited fund-raising, keeps down the cost of campaigns and reduces special interest groups. Soft money from wealthy, special interest corporations, as we know, does not always produce effective leaders. Paul wellstone, his book, "the conscience of a liberal," has quoted "it is not government of the few, by the few, and for the few, but of the people, by the people, and for the people." the challenge is to mobilize thousands of people from all walks of life to participate actively in a movement to restore ordinary citizens back into american politics, to work for what is right for our city and our country.

**Lili Mandel:** Lili mandel, downtown resident. It's long overdue, that we support politicians using public funds rather than to have them up for sale to private interests. The present system elects the best fund-raiser, not necessarily the best candidate for the office. This perversion of a democratic process must not be allowed to continue. It's time to sweep up this mess. Thank you.

**Katz:** Thank you. See, you can do it in less than a minute.

**\*\*\*\*\*:** I'll show you how to do it in less than two.

**Katz:** Identify yourself first.

**Irwin Mandel:** Yes. Irwin mandel, downtown resident, and up here with her. Sorry commissioner Francesconi isn't here, but i'd tell him one difference between Portland and new york. Portland has a residence of about half a million at last count, and new york city's residents were close to 9 million. There's a difference. Now despite auditor blackmer's portrayal of Portland's political advances, our political history has too often been one of good ole boy, backdoor political access and sometimes the purchase of political office holders. I'd refer you to jule lansing's most recent book about the political history of Portland. We presently face a blizzard of dollar bills for "feel good, ain't I wonderful" advertising designed to obscure the real issue in elections. This resolution will give us an opportunity to end the furious, flagrant, and sometimes fragrant, fund-raising and have not dollars but "sense" elect our public officials.

**Katz:** Thank you. All right, let's keep going. It's 11:22. Let's shift it to two minutes now. Sorry, I know that we just kind of cut one minute out of your testimony --

**Sten:** Janice thompson is actually the head of money and politics that's done a major research project. They need the full three minutes.

**Katz:** We'll give you the three minutes. Sorry. If that's all right. That will give you time to cut your testimony. [laughter] whoops. All right, go ahead.

**Janice Thompson:** My name is janice thompson, the head of the money and politics research action project. We're a group whose goals are to increase access, accountability and participation in

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the political process in governmental decision-making. As commissioner Sten mentioned, we do money and politics research and analyze reform policies elsewhere. It's led us to develop four campaign finance reform goals, all of which are met. Instead of going through how they meet those goals, I want to answer a couple of questions that have come up and then touch on key findings from our research, initial work in Portland. In terms of the question about this hypothetical six candidates, Oregon law defines principal campaign committees and an important feature of all these systems is that public funding coming to a candidate could only be spent by that candidate on their own principal campaign committee. So that I think helps address your issue. The other way in which that addresses your concerns is that the qualifying requirements need to be strict. And -- need to be strict. The working number that -- I was going to say commissioner -- auditor blackmer has been working with is a thousand. So that would mean six candidates would need to raise a thousand from a thousand different people, \$5 contribution. So it's a pretty significant threshold. I hope those two things, you know, address some of your concerns, which are very valid. In terms of the free airtime, lowest unit cost, those are all federal issues. And so I think it's important to recognize. I don't think anybody -- you've heard testimony from is saying that this is like a complete panacea, addresses all the issues. So it's a little bit of a red herring to toss out something that is only actionable at the federal level. The alliance for better campaigns is a national organization working with senator mccain working on that. Right now candidates do get gouged in their buying their t.v. time.

**Francesconi:** Really?

**Thompson:** Yes. But at the same time I think it's very important to recognize this council can't do anything about that issue.

**Francesconi:** No, I agree.

**Thompson:** Just to make sure that's clear. Finally, before I switch to the research, there's been some discussion about incumbent protection. I think it's simplistic to vilify, kind of a knee-jerk way incumbency. A better characterization of the clean money system in this arena is that it's really an incumbent improvement system rather than an incumbent protection system. All it's really doing is giving challengers who meet the strict qualifying thresholds an opportunity to have more of a fighting chance. You know, if an incumbent has been addressing constituency needs and doing a good job, they're going to have an advantage in the best possible sense. In terms of the research, we've released a report --

**Katz:** Excuse me. I need a consent by the council to give you one more minute. Ok? Your time went --

**Thompson:** Ok. Sorry. I was trying to go fast. The current system results in uneven geographic contributions. A zip code map, there's 28 Portland zip codes, including a handful that are on the outer edge, and include a little bit of gresham or a little bit of beaverton. 10 of those zip codes are where 50% -- 56% of the dollars are coming from. All of those top donating codes are west of the willamette, except for two northeast Portland zip code areas. That means that 14% of the money is coming from the other 18 zip code areas, other dollars are coming from outside of Portland, or some contributions, the unitemized ones, some contributions coming from p.o. Boxes, hard to figure out a geographic area, but the bottom line is there's quite a disparate in the geographic distribution of where the contributing -- contribution dollars are coming from. Obviously clean money campaign financing isn't going to solve the economic opportunity issues that result in this geographic disparate, but go a long way toward providing another avenue for political participation that is accessible to all Portlanders.

**Katz:** Thank you. Could you make your report available to us?

**Thompson:** Yes.

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

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**Patricia Remsen:** My name is patricia remsen. I live in st. Johns. I've never testified before. I appreciate as a citizen being able to do. Time and energy is being spent during this election cycle to engage the young voter, 18 to 24 years old. This group is skeptical about the political process. I believe this campaign finance reform could be the catalyst for renewed voter and a revitalization of democracy in our city. In the 1970's Portland and Oregon were known for our progressive and innovative ideas and policies. I would like to see us again be in the forefront of change in this region. Please vote for this resolution.

**Katz:** Thank you.

**Adaire (Andi) Miller:** Thank you for letting me testify today. I'm andi miller, executive director of common cause Oregon. Common cause is a public interest group whose mission is to promote honest, open and accountable government. I'm representing 1300 Portland members of common cause today, some of whom are here. We're primarily identified as campaign finance reform group. So this is a big thing to us. I'm not going to read my testimony, since i've torn it up. [laughter] but my points were well made by many people. I'm very impressed, very impressed by the number of people here today that care about this by the passion and the knowledge that they have shown in their testimony. It's very encouraging to me. I'm down in salem. I don't see the energy in Portland, and this is terrific. Common cause, of course, supports this resolution. We support public funding in Portland. I urge Portland to take their role as a leader in this, so that we can get this moving, also on a statewide level. Thank you.

**Katz:** Thank you. Karla?

**Katz:** Two minutes, ladies and gentlemen. Thank you.

**Maureen Kirk:** Good morning. Thanks for your attention to this critical issue. My name is maureen kirk, a resident of southwest Portland, but i'm here as the executive director of Oregon state public interest research group, ospirg, in its 30-year history has been a public interest advocate on a whole host of issues. One of which is democracy and the health of our democracy. We've worked to promote a reform agenda to open up government to greater numbers of people through voter registration and through campaign finance reform, and i'm here to urge your support of this resolution today. Ospirg comes at this issue from the perspective that big money unduly influences who can run for office and who gets elected. Research has shown, and you've heard some of this today, that candidates who have the most money spent on his or her behalf win elections. 85% to 95% of the time. These funds come from a tiny segment of the electorate, with less than 1% of citizens typically contributing most of the money. The donors are all too often unrepresentative of the public at large and have vastly disproportionate influence on who runs and wins election. Ospirg doesn't assert that any of this problem stems from some kind of quid pro quo corruption, but rather the appearance of some of this because of how the elections are set up. We can't afford that appearances in some of the political races today. The election process itself, as I said, is where the distortion has its roots. What we hear from the public is that excessive campaign spending has turned many elections from being contests of ideas into mass marketing campaigns that bear a closer resemblance to advertisements than a debate over important ideas. Ospirg supports many policy solutions to remedy this problem. This is not a panacea, but your support of this proposal, to study this issue, and enact this. I'd like to say thank you to commissioner Sten and auditor blackmer for bringing this resolution forward and offer any assistance ospirg can provide.

**Katz:** Thank you.

**Brad Taylor:** My name is brad taylor. I live in north Portland and i'm a mayoral candidate. Thank you for hosting this discussion. I appreciate the opportunity to share my views with federal governmental representatives and fellow community members. I wish to comment on our city government can recognize candidates and support their efforts in communicating his or her vision with voters. Presently candidates are pressured to dedicate time to soliciting funds at the expense of engaging voters. This pressure is reality-based as typically the candidate that raises the most money

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wins the election. This is especially unfortunate considering that one in 5 children are living in poverty and that 64% of people experiencing poverty work full time. Those who most deserve city leaders who will represent their needs are the least able to influence candidates and impact elections. Candidates who strongest ties are to individuals experiencing poverty are the least able to compete effectively in elections decided by dollars. City commissioner Sten and city auditor blackmer are an important first step toward proposing fair and just elections. Requiring candidates to gather \$5 donations would encourage participation by the community. I suggest that a candidate would have to be remarkable to gather such support. As this process would certainly minimize the number of recognized candidates, city funding campaigns would be economically feasible, as well as civically responsible. Recognizing that a million dollar candidate will always have an advantage over publicly-funded candidates, I propose that our city support the election process by producing candidate festivals similar to our city celebration of roses, beer, food and cultures. The only publicly-funded candidates could participate in. This would lessen the dollar amount required for them to run an effective campaign, while also encouraging candidates to participate in this public process. One last way that we can make elections more fair for candidates and voters is to adopt a green party initiative for instant runoff voting. It allows voters to rank candidates according to their first choice, second choice, third choice, and so on. If a candidate does not receive a clear majority of votes on the first count, a series of runoff counts are conducted, using each voter's top choice indicated on the ballot. All ballots are then retabulated with each ballot counting as one vote for each voter's favorite candidate still in contention. Voters who choose the eliminated candidate have their second choice count. The process continues until a candidate receives a majority of votes. This avoids costly runoff elections while at the same time ensuring that every vote counts.

**Katz:** Thank you.

\*\*\*\*\*: Thank you. I appreciate it.

\*\*\*\*\*: Good morning, commissioners and mayor.

**Katz:** Good morning.

\*\*\*\*\*: Our new commissioner over there, mr. Blackmer.

**Katz:** I'll never live this down.

**Mary Ann Schwab:** My name is marianne schwab, a 1988 recipient of the spirit of Portland award, i'm currently the sunnyside neighborhood association delegate for the southeast uplift board of directors, and also serving on the Portland public school real estate trust request for proposal committee for the Washington/monroe high school recreation center purchasing the 4.5 acres. That meeting has not met since last december. We're still holding. I'm also one of the candidates, one of the many fish, as jennifer anderson reported here in the "Portland tribune." as a candidate, and I am a candidate, do appreciate the neighborhood newspapers, because that's our only avenue. When we're talking of your resolution here, I focused in on point number three, four, five, six, but mostly seven. I'm wondering if Portland business is aware of how quick our money leaves Portland for the state of wisconsin, for texas. I've got these all over the place. Then when I start looking at what it costs to mail a postcard just for my district, \$20,000, yeah, we need to stop and look at this. I've given this city a zillion hours of volunteer time, working with you for over 30 years on neighborhood projects, children and education have been my focus, but i'm not going to take out a second mortgage on my house to run for this office. Nor are the other candidates. It's just not in the game for those of us that live in inner southeast. I really clued into the percentages of where this money is coming from. I'm sure 97214 wasn't one of them. I thank you very much again. For anybody to play the game, they have to register to vote. That deadline is april 27. And I thank you for listening to my rambling again. Two minutes is tough. Thank you.

**Katz:** Thank you, mary ann Come on up. Go ahead.

**Mallory Pratt:** My name is mallory pratt, and i'm a resident of northeast Portland, and also a leader with Oregon action. Oregon action is a statewide nonpartisan nonprofit that works for social

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economic justice and we have about 3,000 members in the city of Portland. I'm speaking actually on behalf of both. Myself as a resident and from Oregon action to urge this council to pass the resolution before them today unamended and unsubstituted. I was a volunteer on the 2000 ballot measure 6 campaign, and I talked to countless voters who were more than willing to forfeit a tax credit in order to buy back their legislators. In other words, they figured that if their candidates were up for sale, why shouldn't the public be the one to buy them back? Well, if that's the perception, then perception is reality as we all know. The other piece that I wanted to put forward today is that in arizona, which is a state we -- I do follow the statistics in -- they've had a huge increase in the diversity in their legislature since this hasn't enacted, 26% more women, people of color. The argument that this would not in fact alone would promote diversity is somewhat counteracted by the evidence that arizona has been experiencing. I want to thank the council for their time this morning. I think this is an historic event and urge you very much to go forward and make history. Thank you.

**Katz:** Thank you.

**Kris Nelson:** Good morning, mayor Katz and councilors. I'm kris nelson residing in the hosford/abernethy neighborhood. I'm volunteered for years on various campaigns in Oregon. I've seen firsthand the large amounts of funds and toil required of candidates and volunteers to raise adequate funds if a competitive bid for public office. I've considered running for public office on several occasions myself, and after serious evaluation of the monetary barriers i've always decided against filing, and I know i'm not alone in this predicament. My desire to become a public servant persists, however. Do voters want more accountability in government or do they want more favors being played to large campaign donors who often do business with the city? If government can redeem itself and improve its effectiveness, then voters are more likely to support new bond measures that improve both our struggling economy and threaten quality of life. Portland voters have already spoken in favor of clean elections in fact. They clearly supported the statewide ballot measure for publicly-financed campaigns in 2000. Does the public interest get served first when the mayor or councilors are raising funds from businesses with issues pending this chamber? It's been mentioned that -- ways we could -- I urge you to study this system. Isn't it time we seize this opportunity to improve government's role and make more effective use of taxpayer dollars? You owe it to your constituents to at least consider how to implement a clean campaign system. They probably would not frown on a small fee on city contracts, for example, and I urge you to include that in your study as well. And I urge your support of the clean campaign resolution and eventual referral of the system to the voters.

**Katz:** Thank you.

**\*\*\*\*\*:** Thank you very much.

**Katz:** Go ahead, sir.

**Bob Rawson:** Bob rawson, 301 southeast lincoln. I believe in the concept of public finance campaigning, if -- a big if -- if it works. The millions of dollars, billions of dollars, however much is being spent on the current presidential campaign, would indicate to me that at that level is it is not working. My question is, why do you think it will work at this level? Thank you.

**Katz:** Thank you. Come on up. Go ahead.

**Brian Smith:** My name is brian smith. I'm also running for city commissioner seat number one. As my campaign is pretty much showing, is i'm going about it a different way and trying to address all the issues, and I really try to just focus on debates and community meetings rather than focussing on fund-raising, because I just can't compete with them. I know they got the big money and I don't, so therefore I focus on the issues. Even with endorsements and stuff like that, like i'll go to community meetings, everybody will say, I really like your ideas, but you really have a chance against like all that money, so therefore we're just going to go with the safe candidate. I



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think that clean campaign reform is definitely needed and would very much bring a level playing field to campaigns. I'll leave it at that.

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

**Lucinda Tate:** Good morning. My name is Lucinda Tate. I live in North Portland. I'm also the chair of the Portland Rainbow Coalition, a local grassroots organization, for the last 20 years have been working on local and state campaigns, helping people without money to win election. We have a lot of notables, such as Avel Gordly, Margaret Carter, Joanne Bowman, and many others who have come through the Rainbow Coalition, received support and won election. So I do know that you can win without a lot of money. I come here today because I want to support the clean campaign resolution that's sponsored by Commissioner Sten and City Auditor Blackmer. I think it's a good first step. I'm really excited about the city, not only bringing this forward at this time, but also hoping -- hopefully will make it a reality. I read and heard today that there are models that can be used for this particular plan, and I'm hoping that the city will take time to have more public input before a decision is made as to what form of campaign finance reform will be taken. I'm hoping that this plan will give more transparency to government. Yes, there are many questions that need to be addressed and answered on how this plan will work for the betterment of good government, and I have two questions myself. One is -- does the plan allow citizen grassroots campaigns to be the driving force for candidates who want to run for public office? And the second is -- will this plan allow for candidates to talk about the issues important to citizens of Portland or just be another form of taxation without representation? I believe that the city council --

**Katz:** Thank you.

**Dan Meek:** Good morning, commissioners. My name is Dan Meek and I reside in Southeast Portland. I'm an attorney, among the groups I represent is Money is Not Democracy, which is a chief petitioner's committee on 53 that Commissioner Francesconi mentioned earlier today. A critical piece of a public funding proposal is and must be limits on contributions, and as the commissioner mentioned that can only be done in Oregon by a constitutional amendment because of the Oregon Supreme Court decision in 1997 interpreting Article 1, Section 8 of the Oregon Constitution. Otherwise a public funding system could be overwhelmed by contributions by a few corporations or wealthy individuals unless the city commission is really willing to appropriate several million dollars in order to overcome large contributions from those sources. For example, in the last governor's election there was a single individual who contributed over \$600,000 to a candidate and several individuals who contributed on the order of \$200,000 to \$300,000 to a candidate. This can happen on the city level as well, and a public funding system, I believe, without contribution limits may become overwhelmed. Oregon is one of only six states with no limits on political contributions. We'll need a constitutional amendment. I thank Commissioner Francesconi for mentioning it. I have six bumper stickers here for the six commissioners, including the newly nominated commissioner. This measure is endorsed by several groups that have testified here today, including OSPiRG, Common Cause, Sierra Club and others. I certainly support public funding, but I would support it even more if it were under a regime of some sort of limits on contributions. Finally, you may all be assuming that public funding would be found constitutional in Oregon by the Oregon Supreme Court. I'm not necessarily sure that that's a slam dunk. If Article 1, Section 8, the free speech provisions, prohibit limits on contributions, it may also be interpreted as prohibiting government spending that overcomes the free speech of individuals.

**Katz:** Thank you.

**Francesconi:** Dan, what's that first Supreme Court case that interpreted the constitution to begin to prohibit limits?

**Meek:** The 1997 case is the Keisling -- Van Natta versus Keisling. There was an earlier case in 1974 as well.

**Francesconi:** Ok, thanks.

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**Katz:** Ok, karla.

**Katz:** Go ahead.

**Ian Slingerland:** Hi. My name is ian slingerland, and I live in the cathedral park neighborhood of Portland and here today providing testimony on behalf of the community alliance of tenant. It's a grassroots tenant membership organization. We do a combination of tenant education and community organizing around the issues that matter to tenants who are low income. Over the years, our membership has participated actively in the conversations and debates that inform public policy in our city. In our membership, there's tremendous passion, energy, and thoughtfulness about the policies and practices that shape our neighborhoods and our city. Unfortunately, this passion is nearly matched by growing cynicism about how decisions are really made. As access to increasing sums of money becomes a prerequisite for effective participation in council races, folks that don't bring cash to the table feel a growing sense of disenfranchisement. The perception of impropriety leads to disengagement of the our futures are entwined. We won't effectively address the challenges of our city if broad segments of the community don't participate in the conversation. We're excited by all efforts to expand Portland's commitment to broad community participation. We are excited by the prospect of a new system for electing leadership that positions the quality of ideas and the strength of public dialogue on more equal footing with the voice of money. We urge your support for the resolution before you today.

**Katz:** Thank you.

**Sharon Nassett:** My name is sharon nassett. 1113 north Portland. And i'm not sure exactly how I feel about the resolution, I haven't looked at it that closely as far as government financing itself. What I have found, I myself actually ran twice for office, was I think Portland -- I handed out a paper that talked about some of the things that we need to do, and one is, is we have nothing that is standardized for actually going into our public system, so when you go and you apply for becoming a candidate, you don't know who's who, you don't know what the endorsements are, you have nothing that are set up for meetings. We have no candidates fairs and forums, where you can go week after week and talk to the different individuals, so you don't have to have a radio advertisement but actually walk up and meet and talk to the different candidates. I've found that some form of forums that are set up so everybody is jumping through the same hoop, somebody can't say, I don't want to debate somebody, will give everybody an opportunity, and to ask groups to be tolerant enough to listen to everybody who has applied for a job in a political arena, to say that I don't think without hearing your ideas that you're viable is to show the lowest lack of tolerance you can. Also on here, I put five other things, I don't think i'll time for them. One is thing the contribution level should be raised to \$500. \$50 to people that are bringing a lot of money in, that don't care if they get the \$50 back, but you can get \$200 and \$300 from different individuals, and that's a way finding out that you're actually the person they want to be giving money to. Another thing is, is I don't believe that the council -- I think you have to take away the fact that they can do something inappropriate by limiting the council more than it is currently. I believe that once something is more than a million dollars it should go back to the vote of the people so that you know that what you're doing is something that they want, too, and you have their support, not trying to drag them along.

**Katz:** Thank you.

**Brian Manro:** Hi. My name is brian manro. Thank you for hearing me today. I live in southeast by reed college. I've worked in -- i'm a mental health advocate and worked in northeast for that for four years, working to try to empower those that I serve. I've worked within a different light and i've been able to get people who are very self-conscious and paranoid up on stage to express themselves, and I have --

**Katz:** You're talking about us? [laughter]

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**Manro:** Perhaps, I don't know that i've had that impact personally, but i've not been able to get them to register to vote. They -- moreover, over and over again, they say their vote will not count and that the special interest groups are what makes the decisions, not their votes. I would like to restore the faith and therefore the power to these people who have a lot to offer. The more they believe that, the more I find they to, they amaze me so much. Additionally, I feel that an important issue to this is, you know, mr. Francesconi, you brought up the spending money now when we're not being able to fund police, funding people's running for public office. I feel that special interest groups, like one for mental health interests, would be able to spend that money on programs in the community that are supporting their special interests, and so less of the money will have to come from the city when they're not having to give that money to a candidate so that -- so that they're showing that support, so that they know they'll have that support, whereas that can come from just discussing the issues and making sure that that's a person that they want to begin with. Thank you very much for hearing me today.

**Katz:** Thank you. All right. There was a substitute motion -- a substitute resolution that was placed before us. I need a motion and I need a second.

**Sten:** I just wanted to clarify a question for commissioner Francesconi.

**Katz:** Ok.

**Sten:** I'm fully supportive of the addition which I hope people heard, which was to include a plan in the system so that if a candidate opts out, they would have to make immediate disclosure of donations on a probably daily basis as they came in. I think that's a great idea that commissioner Francesconi has, would add that. Also an addition to include the mayor in the instructions to get this done, and if she's amenable to that i'm amenable to that. She's nodding. Then the third, I just want to clarify, commissioner, that the language was a little hard for me to understand, that the intent of that is to explore voluntary --

**Francesconi:** Yes.

**Sten:** Voluntary approach.

**Francesconi:** It's the checkoff approach.

**Sten:** My sense is that we should have a voluntary way to fund this, and I think we should clearly set up something so that if people would like to use their \$50 tax credit, for example, to put into this fund, they can do so. I'm quite certain that will be easy to do legally. Probably couldn't set up anything tax deductible, but maybe there's a way to set up a checkoff. My sense is, is that that is probably unlikely to fund the whole system, but might be a way to both engage people in it and take down the cost of the system. So I think that's a great idea.

**Francesconi:** That was the intent.

**Katz:** Let me just explore the checkoff. Gary, just stop by for a second. Unless -- and i've been away from the legislative process. Isn't that a legislative process, to add a checkoff on your income tax?

**Blackmer:** I would think so. They've added charitable --

**Leonard:** It is.

**Blackmer:** I think we'd probably have to have --

**Katz:** You'd have to go through the legislature on that as well the deduction?

**Leonard:** There's actually a statute that lists the things that be checked off for.

**Katz:** You have to add that. I don't know, commissioner leonard, you might want to help, there was sort of rules, if you added something, you had to take something off.

**Leonard:** They've changed that.

**Katz:** They've changed that, ok.

**Sten:** There are various communications the city has with people. You could include in different things that we send people, an opportunity to make a contribution to it. We could remind -- you know, I think a lot of people would be enthusiastic to put their \$50 tax credit into this. So, I mean, I

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think there are ways other than the state checkoff to potentially create a fund. Obviously the more people that were to support through voluntary mechanisms -- to me it's a lot like getting the \$5 contributions. It's getting people engaged in the system. It's probably unlikely, if you look at things that get funded, to fund the system.

**Katz:** We'll certainly explore them.

**Francesconi:** Actually a good idea by one of the candidates, you know, a festival were you charge admission to generate revenue. We were actually listening. That was a good idea.

**Katz:** Ok. I have a substitute motion. Do I have a second?

**Leonard:** Second.

**Katz:** All right. Do we need a roll call vote on this? Everybody ok? All right, hearing no objections -- are you sure? We can take a roll call vote. Yeah, everybody? Ok, substitute's before us. Roll call on the substitute -- on the amendment.

**Francesconi:** I support, as i've already said, campaign finance reform, and I support this resolution in its entirety. And we can't wait for the federal government and we can't wait for the state to act.

That's why I favor this resolution. But we have to be aware that to really have comprehensive finance reform we need federal legislation that lowers the rates that candidates are charged to go on t.v., to do mail, to do all those things. And we also need limits. I believe state constitutional limits.

I didn't -- dan meek and I have not talked, but his testimony is a little chilling, because there can be unintended consequences here. I have briefly looked at the legislation across the country, and we need the committee to look at this more, but what I see is it does favor incumbents heavily. And if you -- that's number one. Number two is if you combine it with the ability of just a few people to make large contributions that overwhelm the system, then it puts more power into a few. These are issues that have to be looked at. I'm not saying these are the issues that have to be examined. But we do need options, including at the local level, to encourage more diversity and above all else it's the perception issue that we have to address with this campaign finance reform. I'm actually -- i'm not going to talk about the campaign. My campaign now would be inappropriate, but i'm proud of all the effort, i'm proud of all the people i've talked to, the issue in the neighborhoods. I'm proud of all the events i've held. I'm very proud of all the people i've contacted. I know -- actually, i'm proud of my average contribution. Turns out i'm the lowest in the last two campaigns. And i'm proud of how many people have contributed under \$200 to my campaign, more than half have done that. Or about half. But the issue is still perception, that we do have to address with this resolution.

The issue isn't for me taking time away from other duties, but let me -- city duties, but let me tell you it takes time away from family and takes time away from personal life that is excruciating. So we do need to address this. I think we need the city attorney now to also look at this, to make sure it's constitutional. And I do think if -- we need to seriously consider referring this to the voters as well. I guess i've said it once, and i'll say it this last time, and maybe I shouldn't have limited my example to parks, but -- I mean to police, but when we can't adequately fund police, when we can't adequately fund our parks, adequately fund our infrastructure that are essential for keeping families in the city, the idea of taking large amounts of public money to finance politicians still does not make sense to me, but I do believe we need a comprehensive approach and look at this. So commissioner Sten, commissioner auditor -- oh, god commissioner/auditor blackmer, now you got me doing it, thank you for provoking the debate and very healthy discussion that's begun today, but will continue. Aye.

**Leonard:** During the discussion I was reminded that just a week ago we honored senator kate brown for her service in the Oregon legislature. I'm reminded when kate brown ran for the legislature originally she ran against an incumbent, and kate will be the first person to tell you that the reason she won that race is she could literally go to every door in her district and knock on it. There is nothing more powerful and more lethal than a citizen who has three pairs of shoes and a copy machine in the district, nothing. This is an important first step but don't fool yourself this is

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not going to fix the problem. We want to fix the problem and I do and I've supported two initiatives one that I've co-sponsored with senator bill mccoys, the late senator bill mccoys, and the other I went door to door with bob ball on, is to create districts in this city. That is how we will level the playing field. I will sit here and tell you that as an incumbent somebody else that has \$150,000 doesn't have a chance. If you're doing your job every day here you don't have to issue press releases or call press conferences. You end up being in the paper more than you want to be, believe me. Way more than you want to be. The way that you level this playing field is to create four districts in this city which are roughly the size of a state senate district and give people the ability to talk one on one with voters. That's how you do it. So I'm hoping that this recommendation when it comes back not only includes campaign finance reform but recommends creating four districts in this city. I will enthusiastically support that reform. Aye.

**Saltzman:** My biggest hurdle to supporting this frankly is the use of public tax dollars to support politicians. I mean I don't think the public is very keen on these types of ideas these days. There not very happy with how we spend a lot of tax payers dollars. I think they would view this quite skeptically despite the overwhelming testimony support we've heard today. So that's my hurdle to overcome. I'm going to support this resolution because I want to see how its addressed but corollary to that concern is the abuse of expenditure of public dollars. I mean we all are elected we are accountable but were talking about giving money to people who are not elected and are not accountable. Some of the questions I asked representative Cayhill are very much on my mind. How do you prevent somebody from putting a spouse or relative on the payroll, how do you prevent somebody from suddenly buying tickets at every well meaning fund raiser, having a table on behalf of candidate X, how do you prevent them from having a suite at the benson hotel on election night. These are all things that when you're spending your own money you have to make wise decision about how best to spend it. It's all too often and we know it, people abuse how they spend other peoples money. And that's one of my largest concerns is the accountability. And how do you do that without creating a tremendous apparatus. I don't know what the clean elections commission in Arizona looks like but I'm hesitant to think about how many f.t.e.'s were going to need to carry out this program in a way that has integrity. And can really have effect. So those are some of the concerns I'm stating and I know that auditor blackmer and commissioner sten will take these concerns to heart and come back with maybe something I'll be able to support but I'll tell you right now those are some concerns. The other concern is what ever happens once you take public money in the election and you win the election are you prevented from ever soliciting campaigns again, or campaign contributions from the private donors again. After your elected can you call somebody the day after election and ask for a campaign contribution? It's a pretty common tactic right now, I think all of us have done it. What does that mean? Are you prohibited once and for all from taking private money ever? And I guess I do kind of you know, I don't like raising money I don't think anybody up here likes raising money its one of the most distasteful things you do, but it is a sign of a work ethic too. And the notion that you would get a thousand people to give you \$5, then you're prohibited from raising any money, detracts a little bit from how hungry are you for this office? There is a work ethic associated with fund-raising, and it shows how hard people want this job. It shouldn't be overwhelming, with you I think all of us find time to knock on task force. You know, I find time to knock on doors and raise money, too, because I think it's important. So those are some of the concerns I have. Then finally, what about third-party expenditures? Unions, industry associations spending on behalf of a candidate? How does that affect this whole proposal? And what about in-kind contributions? Does Widmer beer contributing beer to a fund-raising event or to an election night party or to a dinner, somebody doing a dinner on your behalf to meet people, how do those in-kind contributions all factor into this mix? Those are my concerns. I just want to state them now so they won't be a surprise to people and the authors can take them into consideration. Aye.

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**Sten:** Well, I want to thank the council for its thoughtful consideration and the thoughtful comments. I think they all make sense. Particularly want to thank the audience. This was a tremendous hearing to hear the points of views and people coming in. You know, I think we can get an answer to just about all these questions. I do want to say that when you have a system that is to be polite, imperfect, and to be not be polite, perceived as being corrupt, I don't think it is, but perceived that way in places, when you have the size of donations that I solicit, I mean I was very careful to show that my average contribution was one of the highest, if not the highest, in my last reelection. I'm not up here pointing fingers at people, i'm a person who says when i'm going to run, i'm going to run to win and do what I can, and have done that in an honorable fashion, but the system stinks. It does not make sense. It does have an impact on my time and my job. If anybody tells you that a person that is giving you \$5,000 calls the front desk, i'm speaking for myself right now, and doesn't get right through or get through quickly, I think that's probably not true. They get through. There's nothing wrong with that. They have a relationship. I vote against people all the time, but I think the perception people have is because the system does have -- I think it's bigger than the individuals and the system. I think it's bigger than the people who work. What happens is you set up a certain set of rules and in a complex dynamic, when the city structure is, which our community is, things happen beyond what people expect them to happen. What happens in the situation is people instinctively sense this is an imperfect situation that needs to be fixed, but when they try to prove it, there's all this well what about this, what about that? I think we can deliver on just about all these issues. I think commissioner Saltzman is right on the money. We have to make sure that the money is spent well, but relatively easy to define what a legal campaign contribution is, and it's relatively easy to write civil law that penalizes you dramatically if you violate that. I think that will probably happen once in the first cycle, and if somebody gets fined pretty heavily and has to pay a penalty they won't do it again. But it will not be perfect. I think the argument that this is protecting incumbents won't hold up as we look at the other places. Incumbents win now in congress, I think it's 98% of the time. And I think this will make it -- incumbents will still have an advantage. Frankly, I think if you're doing your job, doing an excellent job, you ought to have a good argument why you should be kept. You got the experience. If not, you ought to lose from time to time. And that's great. Nobody has the right to these jobs. But I do want to say, I think this system will not be perfect. Like everything in american life, big money will try to find a way to get around it. The question isn't can you make this system perfect, and if you cannot therefore you should stick with what we have, it's it's is the system dramatically better than what we have? That's the standard that we have to hold ourselves to. In terms of the mood of the electorate measure 6 lost statewide, and got 57% in the city limits, a measure that frankly the opposition, the state lobby spent a lot more money on than the other side did, and I think they had the better sound bites, but still won very, very easily in Portland. There isn't any question in my mind that Portlanders get this issue and will be ready to move on it. I think we do need to address every one of these questions, but i'm incredibly excited about the quality of the conversation up on this side of the room and the quality of testimony on that side of the room, and believe that auditor blackmer and I will be back in june, with the help of the mayor, to do this. We'll be back in june with a proposal and -- at that point I think we'll actually have a debate on what do we do with it -- send it to the voters, enact it, what's the right step. I really appreciate everyone's time. I just want to end by saying I don't know that you'll ever find a moment where the argument that you shouldn't spend public money on politicians won't have some legs. Maybe a little bit easier to argue now because things are tight. The funding mechanism we're proposing is about point one four tenths of a percentage point of each bureau's budget. I honestly believe that 20 years from now people will look back at this and say that was the best investment we ever made, not because we made deals that wouldn't have gone through, because we created a higher quality government. I thought the person who argued that you might get better solutions over the next 20 or 30 years if you had a better campaign system had a

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remarkably great point, and that's not just about money. And i'm very straightforward in saying, and I take my share of the responsibility for this, we are not solving the major problems of our day in this community right now. And so I think looking at structural changes that over time create more excitement, more trust in government, even the slightest tick up in community support and community participation in this democracy I think would hold enormous potential for solving the problems that frankly those of us who engage, whether you agree or disagree on this issues, are not solving at this point. We need to make some moves to keep this civic democracy vital and frankly get people back into it. That's how we'll solve problems. If we can't invest a tenth of the percentage point of the city's budget in that, I don't think we're going to solve the problems that that money would have saved. I obviously vote aye.

**Katz:** I'm going to vote aye. Let me tell you a little story. When i, after serving in the legislature as a representative made a decision to run for speaker, I inadvertently turned out to be a lobbyist, I lobbied for money from the lobbyists to give money to good candidates that I met as I traveled around the state. I need to tell you, unless my memory totally fails me, that I never asked for their vote to become speaker. I'm sure, though, that that thought crossed their minds, as well as crossing my mind, but there was never anything articulated that if I give you x amount of money, that I collected from lobbyists, that I have your vote. However, the lobbyists told me, why should I give the money to you? I need to give the money directly to the candidates themselves so when I visit with them they will listen. Not necessarily vote with them, but at least they will listen. So money does somewhat corrupt. Now in the legislative arena, there's 60 of us. And the perception or the reality of some tainted money gets sort of diffused, you can always probably build a coalition from parties, from both republican and democrat, to get a good piece of legislation through, but I understand the perception of impropriety when you look at the small group of us here. We deal with very critical issues that impacts people's lives. The legislative arena, it's up here. It's always the 30,000-foot level, which some of us love to discuss. I think we did that this morning. But here, it's down on the ground. And the perception that you are beholding to some special interest groups is something I understand, and quite frankly might be on a greater level at a local level than state government. We need to take a look at how to add positive aspects on the state level, whether it's the raising of the deduction or certainly the check off. Be interesting to see what we can do here. I'm not going to address the form of government, but you know that I have said over and over again, and as i'm leaving office i'll keep saying it over and over again, and as I put this budget together, I can tell you for sure, as we try to reorganize the government internally, in how we structure the management of the city, it is a dysfunctional form of government, but i'm not prepared at this point - - let me be more honest about that. I am not prepared for districts, because that will add additional dysfunction to this form of government. Now let me remind everybody, and I think I mentioned this to the press when they interviewed me on this issue. How many of you know who jesse unra was? He was a treasure of the state of california. I'm going to be polite, though he was a little bit more crass on one of the examples. If you can't drink their booze, or eat their food, or court their wives, that was a little bit more -- he didn't use the word "court" -- you don't belong in the legislature. And that's sort of been a mantra to me, and I think to a lot of the commissioners who have been here before all of us, and the current commissioners, yes, we do have a drink every once in a while, yes, sometimes we have food, we break bread, sometimes we actually pay for the drink and the bread ourselves. I don't want to deal with the third issue. But if you can't sit here and vote no you don't belong on the city council as well. I take this issue very seriously. We will take a look on the restrictions on spending, the posting of the contributions online. I think there's always been a perception on very critical votes that you're voting aye or nay because somebody has contributed to your campaign. The limits on contribution is a touchy subject. We'll look into that again and again and again. I need to know whether a bond covenants allow us to take money through the overhead model for enterprise bureaus, that's bureaus like the bureau of environmental service and the water

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bureau, where you pay through rates, whether that is offlimits as well. If that's offlimits, then probably the cuts on general fund, discretionary programs, certainly will be greater. And then the issue of sending this measure to the ballot. We haven't really discussed that, but I think that deserves some discussion and consideration in light of some of the conversations we've had today. So i, too, want to thank commissioner Sten and commissioner/auditor. There's a danger to that, because though auditor blackmer's very good about attending all of our meetings, he doesn't get to vote. So by assigning him a new title, he may be asking for special privileges. We will not give it to him. But I really do appreciate both of their work, in bringing a very important issue to local government. And with that, hopefully we can expand the conversation on changing the form of government, especially as a mayor who's leaving has far more credibility about talking about changing government as opposed to a mayor who's still in office. Aye. [gavel pounded] all right, thank you, everybody. We have one more item. Don't go away. Item 330.

**Item 330.**

**Katz:** Ok. Come on up. Let me just say a few words on this one. This is not a happy piece that I bring to you. It's unfortunately an issue that I really don't have much options to bring to you. As you all know, we've had very difficult times with the business entity who owns the beavers and the timbers and has operated p.g.e. Park in very difficult situations. We had this program when the revenue was there, i'm sorry to tell you we don't have the revenue now, and I wanted to bring that to the attention of folks very interested in this program. Let me bring dave logsdon up to explain what this does.

**Dave Logsdon, Spectator Facilities Operations:** Thank you, mayor, and council. I'm dave logsdon with the spectator facilities operations with the city. What you have today is a report on the transit program that is operated at p.g.e. Park. I think the report itself summarizes the important information about the program fairly well, but I would like to highlight just a few things. You know, the package of transportation mitigation measures put in place as the facility was being remodeled have been effective, have worked well, over the course of these three years we've had few issues and complaints about overall p.g.e. Park operations. And the combination of programs include the transit program, parking permit programs in the surrounding neighborhoods, an emphasis on transit promotion, directional signage, bicycle facilities and bicycle promotions, and all of these have contributed to this positive outcome. We feel that the parking permit program is the most effective and most cost effective measure that keeps cars out of goose hollow and the northwest neighborhood, and that's been one of the -- you know, primary concerns of the neighborhood's, about reinvigorated p.g.e. Park. One would wonder with this positive outcome, that things are working well, why are we proposing to change that mix? I think simply stated that p.g.e. Park cannot afford to support this program, an as the mayor said we all know about the multi-year difficulties they've had in running the business there. The program has cost about \$230,000 per year, equal to 38,000 general admission tickets to a Portland beaver game. So it is a significant amount of money coming out of that operation. The idea of having a surcharge on event tickets to support a transit program has met with strong resistance from all the potential new owners of the business that we have talked to over the past years, and they view it as gross income out of their pockets. The attendance at the park has been modest and significantly below what the projections were in 2000 when this project was being developed. There have been few events that have generated large crowds, and for the most part regularly-scheduled transit service is meeting the needs of the park. So the combination of moderate attendance and few demands for additional transit service has led us to the conclusion that a specialized transit program at p.g.e. Park really isn't warranted. We're confident that the parking permit programs, the continued emphasis on transit and promotion of bicycle travel, will prevent significant impacts on the surrounding neighborhoods, and during this course of the 2004 event season I will be working with the stadium oversight committee. We're having pdot come into the committee to help us monitor and assess any



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trafficking and parking issues that might develop during the year and try to address those. We would plan to prepare a report at the end of the season to, you know, summarize how the season went in terms of parking and transportation issues.

**Francesconi:** Just one question. So when p.g.e. gets back on its feet, p.g.e. Park, and attendance improves, are you going to revive this program? Since it's so beneficial to the neighborhood, the way you testified.

**Logsdon:** I think there's something we should look at, but I think it's -- yeah, I think it will take a few seasons to rebuild the business to where you both have the demand for a program like this and you have potentially the income to be able to pay for it. I think it is struggling so badly right now that we're trying to avoid, you know, putting any additional costs on that business until it can get itself on its feet.

**Francesconi:** No, I understand that, but when are you going to evaluate this did you say?

**Logsdon:** We're monitoring all the traffic and parking issues --

**Francesconi:** I know, but the attendance and the -- when are you going to -- are you issuing a formal report, where you'll review this?

**Logsdon:** We would plan to issue a report at the end of the 2004 event season, capture all the issues related to parking and transportation and attendance and as we go through that we'll see if there's -- you know, if it warrants additional measures.

**Francesconi:** I guess my request is, at the time you evaluate, which is appropriate, at the end of 2004, if the attendance justifies it, that you reinstitute the program. Now i'm not asking you to respond now, but that is my request, ok?

**Logsdon:** Understood.

**Leonard:** And I have a couple questions. We had an issue here recently where we spent -- authorized to spend \$200,000 to study the mark proposal that came from the spectator fund.

**Logsdon:** That's correct.

**Leonard:** Is that the same fund we're talking about here?

**Logsdon:** It is.

**Leonard:** As I recall, I asked what the balance was in that fund and it was like \$5 million to \$6 million?

**Logsdon:** That is correct, though we do maintain most of that money for reserve for funds. We have outstanding bonds on both the rose quarter public facilities and also on p.g.e. Park, and we have tried to maintain a reserve that would equal the one-year debt service for p.g.e. Park and also -

**Leonard:** Which is how much?

**Logsdon:** A little over a million dollars per year. And then on the rose quarter we try to maintain a reserve that would be equal to our income off of one season of nba basketball in the event that there's a lockout or a strike, we want to protect the bonds by having enough money in reserves to cover ourselves for a year there.

**Leonard:** How much is that?

**Logsdon:** That is about \$3 million a year.

**Leonard:** So we have one to \$2 million above what --

**Logsdon:** Above what we would retain for our bonding reserve, and that's been primarily earmarked to address the capital needs at memorial coliseum at the point in time when we'd make a long-term decision about the facility, if it's to keep it as a spectator venue. We do have deferred capital we need to address, so we've tried to reserve that money to address memorial coliseum.

**Leonard:** I guess i'm troubled by this proposal, because the neighbors that live in northwest Portland have their neighborhood occupied by people who come to their neighborhood to partake in civic activities. And I guess i'm concerned that we not continue providing incentives for people not to drive into that neighborhood by this proposal. I don't think I can support it.

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**Logsdon:** Let me clarify one thing, commissioner, we do have a parking permit program in northwest.

**Leonard:** I'm familiar with it.

**Logsdon:** That puts limits on visiting hours. Residents can get a permit, they can park there without limit.

**Leonard:** Is that accurate in the 23rd? I don't believe that's applicable.

**Logsdon:** We should have someone from pdot to address that specifically, but it goes north of burnside four or five blocks I think --

**Leonard:** Yeah, but not entirely in northwest 23rd. I've become intimately familiar with parking issues in northwest Portland, and I think particular tell you, maybe chris will back me up on this, that there is no permitting program in --

**Logsdon:** I would need to defer to pdot on northwest program. I don't have that. But it is there, it is enforced, keeps event-goers from going -- they may choose to park there but they run the risk of a \$40 ticket.

**Leonard:** But I don't think that's applicable to all areas that people park in. Correct me if i'm wrong, but I don't think that applies to all areas that people park in to attend -- mayor, you live there. Is there a parking permit program in your neighborhood?

**Katz:** On my street, but i'm way up.

**Leonard:** People park that far up and go to the stadium.

**Katz:** And the restaurants and the taverns and the bars. Did you finish testifying?

**Logsdon:** Yes.

**Katz:** All right, questions.

**Francesconi:** I should know this. How much money are we talking about here?

**Logsdon:** It's averaged \$230,000 per season.

**Katz:** Ok. Further questions? All right, did folks need a pdot answer on this one? Is there anybody here from pdot? There is. Ok. I just walked in, but I heard the tail end of what commissioner leonard asked. Do you want to respond to that?

**Rob Birchfield, City Traffic Engineer, Transportation System Management:** Rob birchfield. I'll let ramon corona, parking control, respond to what the actual boundaries are of the permit program we put in place specifically for p.g.e. Park.

**Katz:** You made some changes, or planning on.

**Birchfield:** Planning made some minor changes this year, more for just kind of streamlining it, but he can tell you what the boundaries are.

**Ramon Corona, Parking Control:** The boundaries we're going to use are 18th avenue to 24th, or westover, clear up, and burnside to hoyt.

**Leonard:** Hoyt.

**Corona:** Those are the actual boundaries. People two blocks north of hoyt, up to johnson, can get permits as well, even though they don't -- they aren't in zone 1 --

**Leonard:** But if you park north of hoyt, you're not in the zone. And you are cognizant that people park that far north to go to the stadium?

**Corona:** Yes.

**Leonard:** I can tell you that I do. I'm sorry. [laughter]

**Birchfield:** What I could respond to is that the boundaries that we chose, we recognized as being somewhat a compromise, but also chosen in part to limit the impact on businesses so that we wouldn't be creating restrictions through all areas of the neighborhood, which would have a negative impact on visitors who want to come there and stay longer because they want to patronize the businesses, the movie theaters, etc.

**Katz:** Ok. Further questions? Let's open it up for testimony. It's now 12:30, and we have to be back at 2:00.

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**\*\*\*\*\*:** I'm going first because i've got to leave.

**Katz:** You're all friends, you work together. Go ahead, patricia.

**Patricia Gardner:** Patricia gardener, I live on northwest johnson, and the at-large member for the oversight committee. My concerns therefore are at-large concerns. So specifically my primary issue is to remove the ticket as transit program is a very short-sighted move, particularly as we're trying to get major league baseball, very, very short-sighted. The program is the only one-of-its-kind in the city, but shouldn't be. It's a terrific program. With max opening to expo this may to throw out this idea is to throw out a fantastic concept, not just for this facility, but for the other facilities that serve Portland. This program should be seen as a pilot program, and we should be working to expand the concept to other facilities, to the airport, to expo, to rose garden. I know we've tried in the past, but, you know, it works. And the concern, your concern, and all of our concerns for years now, with p.g.e. Park has been money really. But you have to understand the economics of the program. One component to the financing is the 35-cent surcharge on each ticket. The surcharge is not profit, nor is it rent. It is a specific surcharge to support the program, and technically it supports -- it's over \$100,000 that comes in on that surcharge, even at the lower ticket rates. The perfect analogy to the surcharge is the social security tax. And unfortunately the surcharge last year was treated in the same way that the social security tax is treated by the federal government, which means it just went right into the big pot of money, which it shouldn't have gone. This is not the operator's money. We need to institute a direct deposit situation to get this money, then we should. If this program is excised the tickets, because it is really a tax, should be 35 cents less. I mean, everybody in the city should expect the tickets to go down 35 cents if this program is done away with. Another item you misunderstand, and the other component, has been that in the past, a certain percentage of the programs has come out of the general fund, and that's really the rub. That's the gall of it all. This program doesn't have to take that money. When we started this, we didn't know what we were getting into. We had some data about what had happened. We had no data about what was going to happen. So everybody reacted very conservatively. We had a pro forma that promised us the stars. And so when tri-met negotiated for this program they negotiated with stars in their eyes. The reality is that the agreement with tri-met needs to be renegotiated. It actually technically needs to be renegotiated now. And we have data. We have data that we didn't have. The big difference between the first negotiation and the future negotiation is that we have data to back up the conversation that we didn't have. We've got the numbers. We've got the mode splits. If you start looking at it, if you actually look at the numbers, 35 cents covers it.

**Katz:** Thank you.

**Gardner:** That 35-cent surcharge covers the program without going into it.

**Katz:** Thank you. Patricia, your time is up.

**\*\*\*\*\*:** Ok. That's fine.

**Francesconi:** Patricia, what's the one last thing you wanted to say? That's my first question.

**Gardner:** The last thing he was going to say is that the mode split's gone up. We had 30% mode split prior to the program. Something's made a difference. And we haven't done the analysis to figure out what it is. But this is one of the components to that.

**Francesconi:** I've agreed with everything you said, except the very last thing before that that you said with renegotiate with tri-met. Michael harrison and I spent about six months trying to do that, and we're not going to be successful. Everything else I agree with.

**Katz:** Thank you.

**Chris Smith:** Chris smith, pettygrove street. I'm going to continue on patricia's theme. You know, I know a few things about how transit it funded. I sit on tpac. I see how transit is funded at a regional level. I think the word "cost" in in record is used loosely. We have a formula that doesn't represent reality. If you simply look at some of things that dave pointed out in the reports, nearly all events could be serviced with regular bus and light rail schedules now that airport max passes by

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p.g.e. Park. Well, if tri-met doesn't have to put on additional service hours, what exactly is the cost that we're paying for? Even if you use a fair replacement model, if you look at 43% of patrons in 2002, using transit, and as dave points out in the report, some of these folks already have transit passes, some of them don't buy their ticket until they get to the stadium, so they only use the pass on the way home, you know, 35 cents against 43% means we're already collecting 81 cents per transit user given the additional factors for a pass people only use at home, it's probably more like a dollar per transit user. Can't tri-met come to the table and say this is good public policy, very little incremental operating costs, for a buck apiece this is good to encourage transit use. I don't understand why we don't have the imagination as a city and region to keep this working and to expand it to other venues as patricia said. When Portland center stage moves to the armory, that ought to be free for transit as well. And I guess the final indignity I have to point out is, even having this discussion, tri-met's trying to remove the bus stop on burnside closest to the park. How many, signals do we need to send to people that they should take transit, not drive. We're sending opposite signals. I would like to request that we have a three-way discussion between the neighborhood, tri-met, and the city. I know, jim, you've tried hard. We want to help you convince tri-met.

**Katz:** Go ahead.

**John Bradley:** Thank you, my name is john bradley. I reside at 2350 northwest johnson. I'm here in my capacity today as representative from the nwda to the stadium oversight committee and chair of that committee. We have three questions before us today. Should the new stadium owners be allowed to keep the 35-cent mass transit surcharge and add it to their bottom line, should the city stop paying its share of the mass transit subsidy for p.g.e. Park, and lastly are questions one and two being handled in the keeping with the spirit and letter of the good neighborhood agreement. If the answers to the first two questions are yes, then the city will be killing a very effective mitigation strategy put into place to protect the neighborhoods surrounding the park from the traffic that the park can generate this strategy, the park ticket as a mass transit ticket, is a linchpin for both the good neighbor agreement and the ctmc. During the negotiations concerning the park, the neighborhoods struggled to find a way to assure themselves that there would always be money for a mass transit program. The ticket surcharge was the answer to this problem. We now find that like social security money, our mass transit money is just gone. No one asked us about this. They just took it. It was supposed to be part of the cost of doing business, not part of a rainy day fund. Another concern arose during the negotiation was how are we to assure that the benefit -- that the costs of it benefit to the city as whole would not be disproportionately borne by a small portion of the city, the surrounding neighborhoods. The answer here is that the city would chip in for mitigation such as mass transit. These funds are now in peril and our area will bear the burden. Good neighbor agreement and the ctmc were products of good faith and a mutual understanding that an urban ballpark needs the support of its neighbors and funds to ameliorate its negative impacts. Please don't dismiss the partnership we've worked hard too form. A good neighbor agreement isn't just for when times are good.

**Marcus Simantel:** My name is mark simantel. I live in goose hollow, speaking in opposition to the city's plan to discontinue the transit fare program as a representative of the neighborhood association.

**Katz:** Let me clarify, you're speaking in opposition to accepting the report?

**Simantel:** That's correct.

**Katz:** I need to know what the impact of that is.

**Simantel:** Yeah, thank you. First, the process for saying -- for changing such a program, when plans were being made to renovate civic stadium, countless hours, donated hours were spent by neighborhood people to see that the plans wouldn't destroy our neighborhoods. The good neighbor agreement signed by the city, the park operators, and the neighborhoods, has been pointed to as an

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example of how, by working together, good things can happen. I view the good neighbor agreement as a contract between the parties, and it has always been my understanding that the only way for a way to change a contract is for the parties to agree. In this case there isn't agreement among the parties. The report you received indicates that there's no real problem that needs solving.

We don't know that to be true. Due to the lower than expected attendance at p.g.e. Events, the parking and other traffic issues haven't been tested. When high school playoff football games were held at the park and attendance was up, there were problems, partly because so many of the folks coming to the games were first-time visitors to the park, partly because there was no parking enforcement, and partly because no effort had been made to market the ticket at transit fare program. If the new operators are more successful than p.f.e., we would expect attendance at timber and beaver games to be up and therefore the need for more fans to ride mass transit will be increased. Third, we have a solution. The 35-cent surcharge did not cover city costs with tri-met. Incidentally, I think tri-met had a very good deal with the city the first two years of this program. In year three, the city did not even collect the surcharge, although it was paid by ticket purchasers. It stayed with the operators. Goose hollow's solution to this issue is to increase the surcharge to 65 cents, which would then cover the entire cost of the program with tri-met. When you compare timber and beaver ticket prices in other cities to Portland prices, Portland is in mid range. Yet Portland has the finest facility of any of these teams, has the advantage of the largest market, Portland, and related amenities, and could easily handle an additional 30 cents per ticket. Do you think people really would not attend because of a \$2.99 ticket would go up to \$3.29? In closing the goose hollow board at its february and its march beating voted unanimously to oppose this change in the good neighbor agreement and I was told to strenuously fight. I'm not too strenuous, but -- **Katz:** I'm sorry, I had to step out. So I haven't had a cans to ask dave some questions with -- related to that. Ok? So let me see. Anybody else want to testify?

**Moore:** Jeremy wright.

**Katz:** I'm sorry. Anybody else after that?

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

**Katz:** Let me just tell you that as of 12:42, we don't even have an agreement yet.

**Jeremy Wright:** Hi. My name is jeremy wright. I work for tri-met and I was asked to come here just to observe, but I wanted just to --

**Katz:** Yeah, why can't you be a good partner?

**Francesconi:** Wait I want to clarify that. Fred hansen really cares about this program very much, and he's very unhappy with me and with the city that it didn't happen. And i'll say more about that, but fred really cares about this program. That doesn't mean we didn't arrive at a deal, though.

**Wright:** Yeah. And I wasn't -- i'm a senior outreach representative for tri-met, so I do a lot of work, community relations and public involvement, and i've been tracking this and following it and talking to some of the individuals. I haven't been privy to commissioner Francesconi's levels of conversations with fred. I wanted to point out that one of the things i'm in charge of is to community notification, customer notification, and all this we are moving forward on -- for the opening of the beavers game next friday. So if any decision is made, not to put a lot of pressure on you, but we are feeling the pressure in terms of notifying and making sure that the customers and the fans all know that they're going to have to pay their ticket this year. So I just wanted to give you that perspective from our point of view, that right now we are moving forward with notification to tell people that they are no longer having free transit when they go to the games.

**Francesconi:** The mayor's question is -- do you want to own the team? [laughter]

**Wright:** As a dedicated timbers fan, I would love to, but I have to -- you know, have to win the lottery first.

**Katz:** Ok.

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

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**Katz:** Dave, come on up. I'm sorry, I didn't ask you the question. There's -- there are a couple of legitimate questions by the neighbors, and one legitimate question is raising the -- well, two. One, does that 35 cents surcharge disappear if we don't do the transit program? And the second one is, what if we raise it to another 30 cents to 65 and cover our costs as well.

**Logsdon:** Uh-huh. Well, the -- all of that comes off the gross amount paid for the ticket. So the owner -- you know, an owner would tell you is that the -- they price the ticket for what the market will bear. They -- you know, they size it to, you know, what people are willing to pay. So anything that they need to pay for comes off that gross ticket price. I don't think they feel you have a -- you know, an unlimited opportunity to just raise ticket prices, and that will solve your problems. That's going to have an effect on the purchase and demand for tickets. So an owner would tell you that. So that -- and, you know, we did bring that up with p.f.e. For the initial six months, where we tried to renegotiate the agreement, big game capital, we talked to them about that program. We've talked to rickey about it, all of them view it as -- you know, that's gross income off the business, and there's a strong resistance to that, because --

**Katz:** Let me stop you. The 35 cents was to deal with this program, not off their business.

**Logsdon:** Right, but they would say that, you know, they price the general admission ticket at \$6, and from that they're having to pay the city the 35. Now not going to pry it at \$6.35 because that's above what the market bears, and half the people show up at site to buy their ticket, making that a. Change is greatly going to slow down the customer traffic and create other issues for them. They're only going to set tickets at a certain price point, and everything's comes off of that.

**Leonard:** I think the point is that they charge as much for a ticket as it costs to cover their expenses. This needs to be considered part of the expense of running the baseball team.

**Katz:** Let me ask another question. I know that to open up the door for this season we've been 24/7 in discussions. Where is this particular issue in terms of the agreement?

**Logsdon:** We have, you know, prepared a draft operating agreement sent to the pacific coast league. We haven't -- we expected to get feedback any day. We haven't gotten that yet. At this point it does not include any surcharge on ticket prices for transit program.

**Katz:** Ok. So it would have to be something that would -- depending on --

**Leonard:** While you were out, mayor, we also discussed that this program has within the fund \$1 million to \$2 million extra dollars above the obligations needed that could also subsidize this program.

**Katz:** The --

**Leonard:** The spectator fund.

**Katz:** Oh, well --

**Logsdon:** And as commissioner leonard asked the question and I explained the amount of money that's in the cash balance, the fund, the amount that we have reserved for, you know, security on our bonds, kind of a debt service fund, then the additional amount. We've continued to hear from memorial coliseum, you know, pending a long-term decision on that facility, and what we've tried to do is try to keep the p.g.e. Park operation as close to break even as probable, and that's led us to examine all cost that we incur at p.g.e. Park and trying to bring the cost side of it down so that it's not running as much red ink.

**Katz:** Let me ask you another question. What if the council decides to reject the report? Where does that leave us?

**Logsdon:** I think we would need specific direction to, you know, pursue a renegotiation with trimet on a program and to pursue a negotiation within the operating agreement to reinstitute a surcharge? And that would -- you know, we're down to the wire on this season, and, I mean, we've struggled mightily just to try to keep the business together, and it's been hard to even do that much.

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**Leonard:** Well, mayor, i'm ready to make a motion that does just exactly that, to reject the report, and direct the city to implement whatever measures necessary to continue the program.

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

**Francesconi:** Second.

**Katz:** Folks, let me just tell you, because you haven't been directly involved with the day-to-day, I need to ask all of you a very serious question, that if we can't get to an agreement, do you still want us to give the key to the owners? This is our house, and they aren't paying rent, and you haven't got an agreement. Do you want us to shut the door on day one when we -- when we play? That's the question.

**Francesconi:** Wait. I second commissioner Leonard --

**Leonard:** To my motion, if 35 cents shuts the door, we probably shouldn't have it open anyway.

**Katz:** Please, don't misunderstand me. I didn't necessarily speak to this particular motion, because we're going to take a vote on it, but I need you to think about that, and then you need to counsel us, because we may be at the point where that's exactly what is going to have to happen. I just -- and I just want to share with you that may be an issue for all of us to face.

**Francesconi:** Well, I guess I want to be clear on why I seconded it and what I think. I don't think that we should renegotiate any agreement with potential owners. We shouldn't change the deal now on the ticket prices. So that's not what i'm thinking, because, mayor, this is a very fragile deal, if there is a deal, and we should not inject a new condition in it. I'm very clear and firm on that. The reason -- what I think what we need to do is recognize it's a very valid transit program, that we want to replicate in other places, take Chris's option of sitting down again with Tri-Met, with some citizens present, to address it, and then use unfortunately the spectator visitor fund as the backup source. If we have money to study a mark proposal for \$200,000 from that fund, we can use this fund to subsidize this program after we negotiate with Tri-Met. So that's my point of view.

**Katz:** Ok. Roll call?

**Francesconi:** I've said my piece. I just want to say that Fred Hansen and I, it was the first and only tense moment we've had frankly, because he cares very much about this program, and he couldn't understand why we were terminating it. I did explain to him the cost factors and how we weren't going to put this -- the deal was so fragile in terms of putting more requirements on the operation. We can't for the neighborhood's sake lose p.g.e. Park and operator there. We have to show some flexibility. We can't raise ticket prices it's a very fragile situation. On the other hand, i'm hopeful, with input from the citizens, and we can sit down with Mr. Hansen, who wants to be personally involved in this, we can try to work this out. We'll need some give from everybody as we try to put this together, because we do have to minimize the impacts on the spectator fund. Aye.

**Leonard:** Well, when I ran for the council, I promised to the neighbors in northwest Portland I would do whatever I could to relieve congestion. In my opinion, if I voted to support this recommendation, would be the first time I violated that oath. And I think it also sends the wrong message to take a program like this and discontinue it I think is a horrible message in terms of how we view ultimate forms of transportation, which in this case involves getting to the stadium. So I think that we need to do -- we need to be more creative. We need to, as Commissioner Francesconi alluded to, subsidize the program if need be, through the spectator fund, or whatever else needs to be done, to continue this program. Aye.

**Saltzman:** I'm against the motion, and I guess because I feel we are in pretty much an 11th hour situation here, and I do think that just as we're going to turn this program off the transit pass program we can easily turn it on again when p.g.e. Park gets up to the ridership levels or attendance levels we all want to see it be. When we originally negotiated this agreement we all had stars in our eyes and now the stars aren't there. We're dealing with some pragmatic, hard-nose situation, and I tend to think what's been more successful dealing with the parking issues around p.g.e. Park has been our parking enforcement program and not this transit pass program. I think as

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patricia said, we can't tell what's causing it, but I would wager that it's the parking restrictions that are having much more impact. So I think we need to forego this program. We can bring it back, have all the discussions with tri-met in the interim we want, but let's do everything we can to make sure we have a team playing ball on april 16. No.

**Sten:** I very much, as I have all along, admired and appreciate the neighborhoods' efforts, and I think you guys are an example of how to fight for what you need. In this case I am not going to support the motion, though, and I wish I could. I think we have to have some fiscal realism in the sense that messages on this thing, that, you know, we're about to have the whole thing go under on what everybody hoped would be a good project. And, you know, thanks to the mayor's leadership, who has taken, I think, far more than her share of barbs on this project, which had its problems, and it's not to say that there hasn't been big mistakes, but, you know, to come in at the last minute and say let's start spending money when we're fighting to try to get this to be alive I think is irresponsible. And I think that if tri-met and the transportation office can make a deal, terrific, let's bring that back, but let's not do it in the context of this report, which sends a message to the -- i'd be glad to something if it could come back. You know, riding the train for free to the baseball game is a great thing. It is not a necessity. And I don't think it sends a signal, unless we choose to send the signal, that you should still -- it will be cheaper -- has anybody looked at gas prices -- to ride the bus at the going rate to the stadium than it will be to drive your car there. I think at this point tickets are six bucks. I'm sorry people have to pay to take the bus to get there. I'd love for it to be free, I think that's the right approach, but I think people should still take the bus. Aye -- or no.

**Katz:** I'm going to vote no. I think we are trying to stay alive here, and somebody's going to have to make the decision whether we unlock the door on the day that baseball starts. And the buck stops with the mayor. And so that's why I ask that question of you at that time. This is interesting conversation in light of the previous discussion about how we deal with friends and how we deal with neighbors and how we deal with issues where we previously have supported, but we also can vote no, and in this particular case I know the issue, in light of the fragility of the spectator fund, in light of the fact we still don't have an agreement, and in light of the fact as dan raised that we could start the program again, and in light of the fact that commissioner Francesconi would be very angry at me if I took the money out of transportation, which is probably where it should be taken out of, i'm going to vote no. [gavel pounded] ok, I need a motion to adopt the report. This is the first time we had a report fail. Or is this automatically --

**Ben Walters, Sr. Deputy City Attorney:** It hasn't failed yet.

**Katz:** Do I need another motion?

**Walters:** No.

**Katz:** No. Ok, thank you even.

**Walters:** You do need to take a vote on acceptance.

**Katz:** I need another motion.

**Ben Walters:** The report has been submitted --

**Katz:** I need a motion to adopt and accept the report.

**Walters:** You just need a roll call. You don't need a motion.

**Katz:** Ok. Roll call. Don't argue with me. [laughter]

**Francesconi:** I'm a little concerned about consistency here in two regards. One is, in the commitments that were made to the neighborhood, and then the consistency in terms of testimony regarding the stability of the spectator fund when we had another issue in front of the council. No.

**Leonard:** Well, yeah, I guess i'd have to agree with that. I mean, I -- I understand the majority of the council supported using \$200,000 to come up with an analysis of the proposal to create the coliseum into a mart, which may or may not be supported in the final analysis by a majority of the council, yet the issue of trying to make the northwest neighborhoods more livable by relieving



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congestion doesn't seem to warrant that same kind of commitment. And I just can't -- I can't get there. No.

**Saltzman:** Aye.

**Sten:** Well, I mean, i'm not going to resist that. I wish people wouldn't grandstand. The idea if we want to take a look at making the coliseum financially viable with the project means that we shouldn't support things to make the civic stadium financially viable, i'm at a loss. Aye.

**Katz:** Well, i'm going to vote aye, too. And i'm sorry, if you're really concerned about congestion, you don't build garages in northwest Portland. Aye. [gavel pounding] 2:00 -- couldn't help it.

**Francesconi:** That's ok. You get the last word.

**Katz:** I don't do that very often, but I couldn't help it. All right, everybody, we stand adjourned. Come back at 2:00, because we have a very, very interesting and important conversation.

At 12:58, 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.

**APRIL 8, 2004      2:00 PM**

**Katz:** Good afternoon everybody the council will come to order. Karla please call the roll.  
[roll taken]

**Katz:** Mayors present. We will sit and wait for a quorum. We have a quorum. All right karla read the items.

**Item 332 and 333.**

**Katz:** Before joe comes up I want everybody – were going to try to do this in a quick but thorough process. Everybody turn to the second page where you have the summary of the council's discussion about items that were – sorry let me back up. It's the issues that were flagged by the citizens are summarized on the second page you will see the item you will see the staff recommendations and you will see the page referral. I'm going to ask joe to come up and god a summary and then I'm going to ask the council in addition to the amendments that the staff prepared were there any other items on this sheet that you want to go back and discuss. We can either be here for a short period of time or we can be here for a very lengthy period of time. But I don't want to stop discussion. So the amended ones are a given. The ones where staff is recommending no change and the council might want to think about a change those are the ones that I want you to flag. Okay joe why don't you start.

**Joe Zehnder, Bureau of Planning:** Thank you, i'm joe zehnder with the bureau of planning. And as the mayor said today, we're working through the amendments that were raised at your public hearing on the st. Johns/lombard plan. There were 25 elements of the plan that were testified to by the public through oral testimony or letters, and those are summarized on the second page of the amendments report. As the mayor said some of them we're recommending amendment for today, others we're recommending no change, and there's a full brief on what the staff's position -- how we developed that position in the amendments report. We have one additional amendment that barry has distributed today on item number 7, so if you see item number 7, commercial zoning of residential focus areas, we have an alternative amendment we want to discuss.

**Katz:** Is that one of the issues the citizens brought up?

**Zehnder:** Yes. So it's on the list already.

**Katz:** And for those that the council wants to hear, barry's got some visuals, but i'm not going to call on him to do the whole presentation.

**Zehnder:** Right. Just to wrap up my brief presentation, we took the amendment requests in this report from oral and written testimony, we also scanned through the surveys you received from the stop the lombard plan folks, and captured we believe the substance of those issues in the amendment requests that are summarized, and mostly those were curb extensions, bike lane, and some of the residential zoning. And those are all addressed in the list of 25.

**Katz:** So we'll proceed as I just mentioned. On the second page you've got amended topics, we certainly will go through the ones that have amendments. So let's go -- i'm going to call them off. If you want conversation about them, flag them to us. Public process and notification. There is no change recommended. Lombard street. These are the issues related to lombard street and the curb extensions are also related to downtown st. Johns. So if you want to talk -- and I think I said I wanted to hear a little bit discussion on the curb extensions. Let's tie 2 and 9 together, and we'll

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have a conversation on curb extensions. I'm going to run down so the staff knows and the people who are in the audience who want to testify to the amendments know what we're doing. Anybody want to talk about bicycle lanes? There's been no staff recommendation. There's been an amendment on freight -- i'm speaking quickly, so jump in. There's been an amendment on freight movement. I know that that's something that we had some pretty heavy testimony, so we will hear number 4. Skinny lots, residential density, anybody want to deal with that issue? There's been no change recommended -- no, it's -- vanderbilt street zoning -- no, i'm sorry. This is for the council. If the council wants to deal with those, and then we have an amendment, then you can come and testify. Vanderbilt street zoning, anybody on the council want to deal with that? Commercial zoning and residential focus areas, there is an amendment, so we will talk about that. Let me be a little less harsh. If we can go through this quickly, and if the council feels they have dealt with the issues that they want to deal with and we can get through in a reasonable quick time, then maybe we'll have some time to listen on those issues that the council didn't raise. I'm probably shouldn't be doing this, but you worked long and hard on these issues, and I understand that. All right. Design review, there's been no change in terms of the staff recommendation. Let's get down to downtown st. Johns. We are going to talk about the curb extensions, the freight improvements, on-street parking. Residential density and skinny lots, there's been no change. Old safeway and racket center height and design, there's been an amendment, so we'll talk about that. Philadelphia gateway height, no recommendation. Design overlay, there's been an amendment, so we'll talk about that. Princeton street zoning, no change. In the cathedral park hillside, baltimore hillside zoning, no change. Recreational trails and edison woods, there was an amendment, we'll talk about that. The willamette river front, u.p. Rail line land use, no change, u.p. Rail line crossing, there has been amendment proposed, we'll talk about that. Housing in the e.g.i. Zone, you want to talk about that, ok.

\*\*\*\*\*: Are we supposed to tell you?

**Katz:** Yes. Anything -- let me finish. Marquam, site zoning, there's been no change. 40-mile loop, no change, special pedestrian connections, amend and boat launch amend, we'll talk about that. So we've got one, two, three, four, five, six, seven, eight, nine, 10, 11, 12 items -- just a minute -- 12 items we have to talk about. You've added 31, 33.

**Saltzman:** Vanderbilt.

**Katz:** You want to talk about vanderbilt. Ok.

**Francesconi:** St. Louis, is that 12 or --

\*\*\*\*\*: It's item 12.

**Katz:** I don't have 12. Oh, I see. I'm on page. Is that the residential density skinny lots?

**Barry Manning, Bureau of Portland:** It could be grouped into that category.

**Katz:** Page 1119, 31 and 33 has been added to that. Ok. Let's start then with even though there was no recommendation --

**Manning:** Could we just review that again? Did you add -- I heard somebody mention vanderbilt street.

**Katz:** Vanderbilt was added, residential density, skinny lots was added, u.p. Rail line land use was added, housing in the e.g.-1 zone was added and in addition to all the ones you recommended, amendments. Let's take -- curb extension was not added but I mentioned I thought this was a conversation that probably needed some discussion. Needed to understand why people were so upset about the curb extension and what you're recommending for further work.

**Rich Newlands, Portland Department of Transportation:** I've got a short power point presentation to help this discussion. Rich Newlands, Portland Office of Transportation. With the curb extensions essentially there's a wide variety of issues that were raised over the course of the planning process, and you heard in the testimony they range from traffic capacity, flow impacts, turn movements, lots of different things, but I think it's fair to say that the traffic capacity issue is

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fundamental to people's concerns about curb extensions, and the relation to curb extensions at transit stops. So what I will do is review now what the proposal actually is. Here's a map of the curb extensions we are proposing as part of the plan. There's a total of 12 curb extensions, divided into eight on the main street and four in the town center. You should also note there's one existing currently at lombard and portsmouth. I should also kind of overview in that testimony that was given regarding the previous proposal and some numbers were thrown around, i'll clarify that. We started with 32 intersections proposed, but it's important to note they were divided into two tiers. We had a group of priority intersection that's included 15 locations that were based primarily on the urban development concept, and a group of 17 nonpriority locations that were intended to sort of be more out-year type projects if there was people felt that the curb extensions in the priority group were working. So it's also included in the curb extension proposal a series of design guidelines that kind of help frame how we're going to approach dealing with a lot of the issues that were raised regarding curb extensions. There's the list there. I kind of want to note particularly that there's going to be a public involvement process because we haven't done any design engineering related to these. So there will be more public input as we get into design. We're also making it clear that our intent is to minimize traffic flow impacts, turn movement impacts and on-street parking impacts, and finally an important one to note, we're not using them at consecutive transit stops, so the idea is there's going to be a bus zone between every transit curb extension as a way of mitigating potential traffic flow impacts.

**Katz:** So let me see if I understand. You're not going to have a curb extension where the bus stops?

**Newlands:** No. Clarify. When -- at a location where there's a potential to have a transit curb extension provided there's not any other sort of design flaw with it in the engineering phase, at the next proposed location if it's a transit stop, if it's the next transit stop, we will not put a curb extension there, it will be a bus zone. So the driver public, if they get caught behind a bus at the first transit curb extension, they will have a chance to get around the bus at the next stop because the bus will be pulled into a zone. What I think this boils down to, i'm going to try to frame this whole discussion around a key question. Is there anything particularly unique about lombard street that makes it somehow unsuitable for curb extensions, so I want to briefly go over three different perspectives at looking at that. The street geometry, the street network and street operations. And I will look at each of these sections of the study area we're looking at. So starting with lombard west, this is the residential focus portion of the urban development concept. This is the section of lombard that is 36 feet curb-to-curb, two travel lanes, on-street parking on both sides. It is well scaled to the needs of the town center from what we heard through the plan development process in terms of width. So it's not necessarily a high priority area, and as a result, we're only proposing two curb extensions in this location. I'm going to call your attention to those -- the number at the bottom that shows curb extensions per mile as a way of helping gauge the relative number of curb extensions replacing in each section and how that compares to city wide. But those are all transit curb extension locations. In the eastern portion of lombard this is where it's the longer portion of lombard, and it is 50 feet curb-to-curb. This is where arguably the need for curb extensions is greatest because of the crossing distance width. It has many of the same characteristics of the other section, two travel lanes in each direction, on-street parking, same traffic volume. In this section we're proposing a total of six curb extensions out of the total eight on lombard, four will be at transit stops. So this equates to 5.8 curb extensions per mile, and 4.2 if you're looking at transit curb extensions. And then as you asked to kind of combine the downtown area into the discussion, we're also proposing curb extensions on ivanhoe through the town center core, we're back down to a 36-foot cross-section, but I think what's really important to note here that makes it a unique situation, on the top slide you see there, that's looking ivanhoe looking to the west, and on the left side of the photo is where the new safeway store is going in. This is a major development for the

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town center. It's going to be shifting the center of gravity in terms of pedestrian trip generation from the lombard main street across there so we really do think it's important to have better connections there. Finally, should note on the bottom photo is where the infamous richmond-ivanhoe intersection. This is -- u.s. 30 curls off of lombard on to ivanhoe around a blind corner. We've proposed this intersection for signalization to help pedestrian crossings at that intersection, but there's still going to be a problem with site distances farther away from it. Again, so a total of three curb extensions in this section, two at transit stops, if you look at the curb extensions per mile it's the highest at 7.5. As well as for transit, but again, here we are in the town center core within the pedestrian district. So now I want to pull back and put those numbers into little more perspective. So I developed this map that shows curb extension projects city wide. We have a total of 17 that are built or planned. Total of nine that are built or planned with two lanes such as lombard street, six of which have been built, all of which have had transit service. The average number of curb extensions per mile look at all 17 is nine, with a range of 3.5 to 17.5. So the point being, what we're proposing here is relatively modest compared to the citywide average. I also kind of want to call your attention to what we think is a pretty good example of an existing built curb extension project. It is southeast woodstock boulevard through their little main street core. It was built about five years ago. It has many of the same characteristics of lombard. It's not nearly as long, it's at 7, but same curb-to-curb dimension, same on-street parking situation, importantly same traffic volume. Total of 12 curb extensions for transit stops, but do note that the total number of extensions per mile is very high, and even if you look at transit curb extensions per mile, it is higher than anything we're proposing there. And that's working pretty well, but when I -- when we presented this to our citizens working group, one issue that came up that said that we're kind of comparing apples to oranges here is that the street network surrounding woodstock is considerably different. So looking at the street network that's surrounding lombard, in fact, this is a good point. It's not like inner southeast Portland or northeast Portland where you have a dense network of arterials in the north Portland peninsula and lombard you/hm: Only talking about three arterials that serve the area. The two alternatives being columbia boulevard and willamette boulevard. But this is important and significant to this discussion only if we really find that capacity on lombard is somehow restricted. So that gets us to really the most fundamental question here, how do they really affect capacity. So first starting with the traffic analysis that we did as part of this planning process, we look at level of service, a very standard measure of volume to capacity, we find that currently there -- all the intersections on lombard are operating at level of service d, which is good relative to the rest of the city, and most cases certainly comfortably fits under regional and local standards for them. Even if we look out to 20/20 -- 2020 using modeling, still really quite good with only one intersection at ida street not meeting that level of d standard. But more importantly we need to factor it back into this discussion the direct impact of what having buses stop in the travel lanes does to traffic capacity. So the parameters there is in one month there will be only one bus serving that route. There's two currently, but the number 16 bus is going to be relocated as part of imax rerouting. So the number 75 bus has six buses per hour during the p.m. Peak period. There's six transit curb extensions in this section, and based on data that tri-met provided, the average door dwell time that the bus has the door open and is doing its loading and unloading activity is 10 seconds per stop on average. So we look this and put it into a traffic simulation model to get a better idea of real specifics of the impact. We calibrated it using p.m. Peak hour volumes and assumed the buses going up and down lombard were stopping at each stop 100% of the time. Which makes this model quite conservative, because the actual rate based on tri-met data is closer to 50%. The results of this model show that overall the net impact of traffic flow in terms of travel time is only a 4% increase during the peak period, the worst traffic period of the day. If you look at the off-peak, we didn't find any change. This is essentially because the delay in the system is primarily related to the signal system. It's sort of overwhelms any delay that traffic caught behind a

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bus experiences. Most traffic in fact is not caught behind these buses, it represents relatively small percentage of the overall volume. So that kind of summarizes the potential impacts associated to having buses stop at curb extensions, but we shouldn't forget there's significant benefits that also need to be factored into this in regards to how it affects transit service. Starting with how it reduces travel time, as you probably know, when the key reasons that we have transit curb extensions is the bus does not have to wait to reemerge with traffic. That's estimated as to be an 11% savings on travel time. Tri-met also estimates if we put them in on lombard we're talking about one minute per bus. When you factor it in totally looking at the entire traveling public and what the net benefit is in terms of people minutes, if you can think of that terms, there's a net benefit of 27% time savings to the traveling public. And then of course there's all the other sort of related benefits in terms of space for things like shelters, there's a potential on-street parking benefits, and improved site distance between bus riders and operators.

**Saltzman:** What do you mean by one minute per bus?

**Newlands:** That means the bus as it's moving along lombard street, as it hits all eight curb extensions, within the peak hour there will be a total savings of one minute because it does not have to lose time or delay regarding -- reemerging into traffic. So it's a substantial benefit as far as tri-met is concerned. If you have any questions about how -- what those benefits are, we do have someone here from tri-met who can go into greater detail about that.

**Katz:** This is what you ought to -- should have started your conversation with, the benefits, why do we need curb extensions. You're saying the need for curb extensions is to make it easier for the buses to merge back into the traffic lanes.

**Newlands:** That is just merely one. Actually, in this whole planning process, the biggest issue we heard in relation to lombard street was pedestrian crossing safety. And we have been talking about that ever since, but a lot of these other things that have been lost in the conversation. So anyway, if you're interested in looking at options of how to deal with this in that we've seen testimony against their use, I have provided a list of potential ways of amending the recommendation, looking at four things. Obviously we can limit or eliminate their use of transit stops, but of course based on that conversation I just had with you, we're losing a lot of the bang for the buck. We would still have the pedestrian crossing safety benefit, but we're losing all the transit benefit. We can reduce or increase the total number of locations, we will talk later about increasing them in the town center core, but overall the idea of reducing them, all I would have to say is, you know, based on that number per mile relative to the rest of the city, we're still at a pretty modest number of curb extensions. It's also possible to do a trial test of the curb extensions, and this is where the consideration, although there are trade-offs that should be noted, developing a good measurable set of criteria to measure success we think would be somewhat problematic. It's not that they couldn't be overcome, but our experience with testing devices like this could lead to problems and it also should be noted it will increase the cost of course of going forward with the construction project. Then finally there's other devices that we could consider to address crossing safety such as median refuge islands. We talked about this early on in the public process. Not that curb extensions obviously some people had a lot of heartburn over them, but even more so with median islands, seeing them as being a major obstruction in the roadway. You also don't get the transit benefit with them, at least directly, there's access to transit that's improved, but to the service times, you're not getting that. And that's about it.

**Katz:** Ok. What's the sense from the council about the curb extensions? Do you want to proceed with the recommendations clearly understanding that there will be further conversations with the citizens group as to the design?

**Newlands:** Correct. Yes. There will be a process when we get funding to go forward with construction in which we will revisit a more focused design level about how we can address a lot of these issues in a way that mitigates as many of the concerns that have been raised. Going back to

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the design guidelines, that was the intent of adding those, to provide that level of certainty about how we'll approach them.

**Saltzman:** What -- if you did it -- you mentioned one option doing a subset of them sort of garnering acceptance and then --

**Newlands:** That would be --

**Saltzman:** Why is there a significant additional cost?

**Katz:** The trial.

**Newlands:** The trial. Obviously there would be a more upfront process to define how we would go about testing it, the period of time during the testing. I think -- to me testing -- a potential problem is that you have trouble demonstrating both the full costs and the full benefits of doing them if you aren't doing the full project. You can only sort of imagine them. If we built a small subset of them, actually built them so people could experience how they might affect travel times, some one could come back and say, sure, that didn't -- that didn't appear to impact travel times very much, but they could also say, well, you haven't done them all, and that's when the real impact comes. So we might not have really proved anything. If we go the other route of kind of marking out with curbs or those orange poles a fake curb extension to kind of take up that space and have transit stop at them, that would be one way of measuring the traffic capacity impacts, but you would never get any of the pedestrian benefit out of it. So people might go, ok, it didn't create any impacts, but I don't see the benefits. So it's problematic, but doable.

**Katz:** Council wants to make any changes? I don't hear any strong desire. Joe, don't do this to me. If you want to talk, talk out loud.

**Zehnder:** I was just asking if we want to jump to the other curb extensions. There's a separate presentation --

**Newlands:** No, at least in terms of the issues -- there is an amendment in I think it's nine regarding curb extensions in the town center. This has been requested by Barbara Quinn and the friends of cathedral park. They would like to add back three locations that were part of the original proposal but were removed in this effort to kind of reduce the overall number and on-street parking impacts. They're located on Lombard, through the town center core, at Charleston, John, and Levitt. Why we're adding this back as an amendment is, she has asked that we place specific criteria for the eventual construction on them. Which includes we'll demonstrate there is no on-street parking loss and we will not do them at transit stops. She's also talked to a number of the adjacent business owners about this, and I believe in your testimony since the hearing you will find that there is considerable support for them at those locations.

**Katz:** Ok. So you will find the amendment on page -- a recommendations for an amendment on page 16. Does council want to move that amendment?

**Leonard:** So moved.

**Katz:** Second? Nobody wants to support that?

**Saltzman:** I'll second it.

**Katz:** Any objections?

**Francesconi:** I guess I have to ask a question. It's really hard to do this up here when you know they work so long on a total package, kind of a balance. Not having been there during the discussions, I don't know if this upsets the balance that was reached by the community group on this question of curb extensions. It sounds like there is support in St. Johns for this. I guess my question is, you having been there, does it upset the balance that was struck?

**Newlands:** The way its going to help is we're not putting it in that first -- if you notice the transportation action items that contain the directives for putting in curb extensions are in two sets. The first ones are the ones we say provide, those are the 12 locations I spoke of earlier. That's where confidence is high we want to move forward with them. Then there's a second set that we want to consider down the road.

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**Katz:** The word is evaluate.

**Newlands:** Right, we're putting them in that group.

**Katz:** Number A-16.

**Newlands:** Which I think -- which I think helps with that.

**Katz:** Let me read it for people who are watching. Evaluate curb extensions at lombard -- john, lombard, levitt, if they're not placed at transit stops and there is no resulting on-street parking loss, consider a raised cross walk on charleston street, consider, underlined, between the school and the library.

**Newlands:** I just want to make clear charleston and lombard was already in the plan, I think people are very supportive of that.

**Katz:** Ok. So I don't hear any objections. We'll adopt that amendment and then we'll have people who want to testify on that amendment, if you feel like you need to testify, we'd like to hear from you. So let's move on and then we'll come back. We're on freight movement, page 8.

**Newlands:** This is the amendment that is proposed by the Portland freight advisory committee regarding overdimensional loads.

**Francesconi:** Didn't PDOT propose it?

**Newlands:** We carried it forward, but originally this came up relatively late in the planning process as we vetted this with the freight committee. They pointed out to us that this is a de facto overdimensional route, I believe we discussed that in the hearing. The reason for this amendment is to provide for -- that that freight route continue in that function during this interim period while the Portland master freight plan is developed, and adopted by council, which will include a designation of routes and design guidelines around that.

**Katz:** Let me read that. Until the freight master plan is adopted, accommodate overdimensional freight needs and design of improvements to lombard, including height requirements, curb-to-curb dimensions, planting plans, median locations, light fixture placements, street signs and turning radius as part of the engineering process. Ok. Do I hear a moment to adopt the recommendation?

**Leonard:** So moved.

**Francesconi:** Second.

**Katz:** Any objections? Hearing none, so ordered. [gavel pounded] all right. So we've adopted the freight movement amendment. That's ok. Let's talk about vanderbilt street, page 11. There has not been a change in recommendation. So tell us why you didn't do it.

**Barry Manning, Planning Bureau:** Barry manning with the planning bureau. Vanderbilt street you heard a lot of testimony about. It is a street that lies just to the north of lombard street, runs between -- I don't have the name of the street on the map, but it runs behind lombard street from hodge avenue to the west for about three blocks. The side of the street that is most adjacent to lombard is r hitch 1, which is a multidwelling residential dwelling and across from that is r-5. Most of the testimony request add rezone from r-1 to r-5 on those block faces. The existing land uses on that street are a mix of single family detached houses, a duplex and a couple of multifamily developments currently. The current zoning on vanderbilt street on that section is r-1, and this is in the area that the community sees on lombard being the full main street area, which is the area that they hope to have desire as the most pedestrian friendly area with the greatest intensity of commercial development on lombard. Staff saw the r-1 as an opportunity to provide additional housing in the area in the future to help support the market for commercial development on lombard street and to meet housing goals in the area generally, and did not see a rationale for changing the zoning from the existing r-1. Having said that, I want to explain that the proposal as it came to you from planning commission did respond to some community concerns in a couple of different ways. One, we recognize the issue of developing on the relatively small lots that are on vanderbilt street, so we've made a provision similar to the one we made in st. Johns to lower the minimum density required in the r-1 zone. On a 5,000 square foot lot, that means going from a required three units to



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a required minimum of two units, so we could allow more of the paired row house development on that street. We also added design standards that would address some of the community design concerns that we heard from the community. One, it would require a main entrance that faces the street, it limits the area of front facing chance -- garages, required building features such as bay windows, so it breaks up the facades, limits the options of exterior finish materials and adds a minimum window requirement is requires access via alley on corner lots. So staff fit that on balance, we had responded to many of the community concerns and that the maintaining the residential opportunity in that area is really important for the viability of the main street.

**Saltzman:** I was curious about the possibility of maybe going to r-2.5 rather than r-5.

**Manning:** Certainly if council wanted to look at that option, that would be something we could explore. It does mean a diminution in the maximum potential density in that area. R-1 has a maximum density of about 43 units per acre and the r-2.5 would be a maximum of about 17 1/2. So there's a significant change by doing that.

**Zehnder:** There are multifamily properties, developments already on -- it's r-1 zoned today.

**Manning:** Correct.

**Zehnder:** It would create nonconforming uses by downzoning to 2.5.

**Manning:** That's true.

**Saltzman:** Remind me again the practical impact of being designated nonconforming use, it means what?

**Manning:** It limits your ability to expand or change the use or replace the use in the future.

**Saltzman:** R-2.5 is what we have on the south side of lombard?

**Manning:** Do you mind --

**Saltzman:** On the other side of lombard.

**Manning:** Correct. On the other side of lombard we have proposed an increase in the zoning potential from r-5 to r-2.5. So yes, we have changed the zoning, we're proposing to change it on the other side of lombard and other areas on the north side as well, within the backside of the block of lombard.

**Zehnder:** And there I think the distinction we made was we're trying to -- in the same spirit as keeping the r-1. Increasing number of units that are there to support the retail center portions of lombard, so we were reluctant to come back to reduce the density from the currently permitted r-1 on the north side of the street, and creating a new transition from r-5 to r-2.5 we took just one step to r-2.5 on the other side of the street.

**Saltzman:** Did you say there were three properties that would be nonconforming if we changed it to 2.5 or 5?

**Manning:** There are three that I am aware of. There's a duplex, which would actually be conforming under the r-2.5. There's a multidwelling development, and right here is the other one where there's a triplex. And one of the reasons -- [inaudible]

\*\*\*\*\*: There's a recent duplex right in this area, and then another duplex down here and here -- [inaudible]

**Saltzman:** Would those all fit under r-2.5?

**Manning:** The triplex and the four-unit multidwelling would not. The two duplexes would.

\*\*\*\*\*: [inaudible]

**Katz:** You said you had photographs?

**Manning:** I can show you, yeah. Here's -- this is the existing land use map. This is an existing multidwelling, this appears from our land use inventory to be an existing multidwelling, this is the newer four-unit multidwelling and I think this is in the wrong spot it should be one lot over, but this is the duplex. This is what vanderbilt street looks like. The photo on the top left is on the north side of the street, that's the r-5 zoned area. On the right side the yellow building is a duplex, that's on the r-1 side, and in the background is the multidwelling development, that's shown more up close

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on the bottom left photo. The bottom right is a single family house that's currently zoned general commercial next to a parking lot that exists on that area. Here's more photos of vanderbilt street in general, just to give you a sense of development. Both of the top photos are on the side of the street that would be r-1. The bottom left photo is an image of a new multidwelling development next to an existing house, and I included the photo on the right to give you a sense of scale and context. That -- those are not multidwellings, those are single family, but they're around the block. A comparison of the relationships between the sizes of buildings.

**Saltzman:** The top two photos are already r-1.

**Manning:** Yes. And the bottom left is also in the r-1 zone. The bottom right is not from vanderbilt street, but a location nearby. I think that's all of the drawings.

**Saltzman:** I guess I would be interested in exploring going to r-2.5 and, maybe getting further analysis on the impacts and testimony as well.

**Katz:** 2.5?

**Saltzman:** I'm not proposing it, but I guess i'm expressing interest in it right now.

**Leonard:** Because it would promote homeownership versus renters, or -- ?

**Saltzman:** I think it was because of the testimony of many of the neighbors. And some of the testimony from the neighbors about maintaining the character of their street too.

**Francesconi:** Is this an issue, are people advocating to reduce the zoning?

**Katz:** Yes, there was testimony -- let me ask the question, we'll do exactly what commissioner Saltzman wants. We'll put that on the list. You'll have to come back on that. But the citizens group, what was their -- who's here from the citizens group? We'll hear testimony from you on it. I want to hear what their conclusion was on that issue. Ok. We'll come back and explore that one. We're on number 7, commercial zoning and residential focus areas. There is an amendment, page 13.

**Manning:** There's also a supplemental amendment, it's a memorandum dated april 8. Do you see that on your desk in front of you?

**Katz:** Hold on.

**Manning:** I saw commissioner Saltzman had it, erik has it, commissioner Francesconi and leonard, I assume you all will have this amendment. It looks like karla will grab a couple more.

**Katz:** Will you get a copy -- does everybody have it? Why don't you get a copy for all of us.

**Saltzman:** This is a substitute text?

**Manning:** Yes.

**Katz:** Briefly describe the issue.

**Manning:** There was considerable amount of testimony, oral and written, and through the surveys about the zoning on lombard street, i'm not going to go back and walk through all of the discussion of the zoning pattern that we are proposing on lombard street, because we did that at the previous hearing, but in these residential focus areas i'll remind you these are areas where through the neighborhood walks and visioning process, neighborhood felt these were good areas to encourage more housing along lombard street and try to establish either more of a residential or perhaps a mixed use character in these areas, but there's some issues associated with doing that. There are some existing commercial buildings in these areas, and many of them are auto related uses. But the area does have residents in there, residential uses or residential zoning in the same area. So there's a built-in kind of combination of things. We looked at a bit more background, just from our economics work we found that the st. Johns/lombard area was overserved in terms of auto related uses. That's just a piece of information we learned during the process. We also learned there is probably more commercial zoning in st. Johns and lombard that could be supported through the next 20 years, so an oversupply. Community was concerned about transition of this -- much of lombard street to auto oriented uses such as used car dealers. So when we look at these areas, they looked appropriate to encourage more residential uses in the long run to foster more of a main street

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environment. We considered several different zoning options to get there ranging from the existing general commercial zone to the other extreme, which would be to rezone these properties residential. We settled on a compromise, which was to retain a commercial zone on these properties to allow commercial potential to exist on them, but at a lower intensity than the general commercial allows now. And to provide a bonus in terms of height and a little bit more commercial f.a.r. If residential uses were provided on site, 25% of the floor area on site if it's in residential uses you get additional height and additional floor area. So it's a -- an attempt at providing an incentive-based mixed use zone or residential zone in these areas. It's it still allows commercial uses, it doesn't allow the full range that exists now.

**Katz:** What about the parking issue?

**Manning:** We submitted an amendment last time that raised the parking maximums in this area, the c.n-1 zone has a low parking maximum, we're suggesting we raise that to match the other commercial zones that we use on lombard and elsewhere, so we provide adequate parking opportunities in this area. And the amendment that we're submitting today raises the amount of allowed square footage in retail sales and service uses and in office uses. The zone we used as a base for this area is the cn-1 zone which has a limitation on the maximum size of uses at 5,000 square feet, designed to have very neighborhood oriented uses. In a main street environment, we believe it's appropriate to allow more square footage, but keeping with the intent of the residential focus area, we don't want those uses to overwhelm the area. We're proposing a maximum of 10,000 square feet rather than the 5,000 square feet that's normally allowed in the zone that we're using. So we're liberalizing that to some degree.

**Leonard:** Portsmouth, is that the 5500 block? I'm trying to figure out, I know where it is, fisk is on the east or west --

**Manning:** Fisk is to the east.

**Leonard:** So this wouldn't affect the chevrolet dealership or the honda --

**Manning:** No. And I can show you on the maps where those are. The area we're talking about -- there are some auto dealers here, there's a used car dealer here, and an auto repair shop here, but this area runs from woolsy to stockton, most or many of the commercial use that's exist there now, there's a tax office here, a real estate office here, a meat market, those would be conforming in this zone. But this ranges from that area, and then on the other map in st. Johns, it ranges from the other side -- this is ida street, where rosevelt high is, this is the other side of mcdonald's, we started there, and take it to almost buchanan, and this would encompass the range of small houses that have been converted to commercial uses, some other auto uses that would be nonconforming, a tire shop, one repair shop here, it also encompasses a couple of office buildings, one here and one here, and the change that we've made to the square footage allowance would accommodate those square footages. So those become conforming.

**Zehnder:** Most of the automobile use that are on lombard are in the cg zone. We left spaces for both types of uses.

**Manning:** And I can point out the cg --

**Leonard:** I didn't want to get into another ron tonkin deal.

\*\*\*\*\*: No.

**Zehnder:** I understand that.

**Katz:** I do too. So let me just technical, one of these amendments is a new one?

**Manning:** Yes. The one that would allow --

**Katz:** We'll have to bring all these back and have some testimony on the new one. If there's nobody here -- they may not have known that. The public. Remember? Remember the public? [laughter] ok. So is everybody comfortable with this amendment? All right.

**Leonard:** So moved.

**Katz:** So moved, do I hear a second?

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**Saltzman:** Second.

**Katz:** Any objections? Hearing none all right. [gavel pounding]. Hold on. We've done this one, this is ok. We did the curb extensions, nine, let's do the freight improvements in downtown st. Johns. Somebody follow me, make sure I didn't skip anything.

**Newlands:** Again, this was --

**Katz:** This is page 16.

**Newlands:** This deals with the timing of how the st. Johns truck strategy is implemented. That is the approach to dealing with the freight impact on the town centers livability and weighing that against the need for freight mobility to river gate and other industrial areas. The issue is the truck strategies as it stand now does not speak to the timing between various pieces within it. This is an attempt to clarify that before we do anything on st. Louis and fessenden in terms of traffic calming to keep freight traffic off that street which is a main neighborhood livability objective, we need to implement those pieces of the truck strategy that actually improve freight mobility on the designated route of ivanhoe, st. Louis, and lombard to the west. So this is essentially referring back to the st. Johns truck strategy and saying, you need to do those first two pieces which are improvements to the intersections of philadelphia ivanhoe and lombard, st. Louis, as well as upgrading of the burgard bridge, which is currently weight limited before we go forward with any of those other, again, traffic calming type projects. It's important to note that all those elements are currently funded.

**Katz:** Ok. Let me read it. Why don't you read it just so we know everybody understands what we're going to vote on in a minute.

**Newlands:** Ensure the completion of the st. Johns truck strategy projects to improve freight capacity, parentheses, tci 1 and 2, and improvements to the burgard bridge on the designated lombard burgard Columbia boulevard freight route to handle the volume and physical loads before implementing traffic calming and safety elements tc/s 2 and 3 of the st. Johns truck strategy.

**Katz:** Ok.

**Leonard:** So moved.

**Francesconi:** Second.

**Katz:** Any objections? Hearing none so ordered. All right, let's do on-street parking, item 11 page 18.

**Newlands:** This issue is in regards to perceived impacts to on-street parking within the town center. Which in fact there is potentially regarding curb extensions that was discussed before that we can't actually quantify right now because we haven't gone to the design phase. But this amendment is simply clarifying another action item that makes it clear that there is a very good way right now, very simple way of increasing parking supply in the downtown core. A number of years ago pdot striped out the parking stalls within the downtown core, so it is more heavily regulated than in a normal neighborhood commercial kind of environment where it's more of a free market. You just figure out how many cars you can get in with x number of feet of blocked space. The current way it's striped you're losing anywhere from two to three parking spaces per block face. So if we go back in, remove those regulations, we can substantially improve on-street parking supply. So the amendment is merely to clarify the language which is honestly a mistake by staff just to in the sentence that talks about maximize utility replace that with maximize supply.

**Leonard:** So moved.

**Saltzman:** Second.

**Katz:** Any objections? So ordered. [gavel pounded] -- all right. Freight movements. On hitch street parking. Done. Residential density skinny lots. There was a -- no change recommendation, but somebody wanted to discuss it. Page -- 19.

**Francesconi:** This is on the issue -- I guess on the density questions, having higher densities near lombard street makes sense to me. But here this zoning away from lombard street, it -- changing it

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to the proposed 2.5 I think -- I would prefer it back at r-5. Because it's further from the town center. Than the other areas. Do you know which one i'm talking about?

**Manning:** I guess i'm -- my understanding of the area you're talking about is the area north of -- northwest of st. Louis.

**Francesconi:** I think it's st. Louis. It's not st. Charles.

**Manning:** And do the east of st. Louis as well? I'm going to look to the power point for a second. You can see all of the areas on the screen that were actually proposing changes to. I think the areas you're referring to, commissioner Francesconi, are this area right here. This is lombard street right here. You're referring to this area and this area specifically. Which are proposed -- currently r-5 and we're proposing r-2.5.

**Francesconi:** How much on using -- housing are we going to lose if we do that? What I just suggested.

**Manning:** I don't have a number for you today. I can say that in terms of the most important areas to keep in r-2.5, the area to the west or north of st. Louis is probably the least important in terms of its proximity to the town center and the ability for lots to redevelop or be divided for infill development. The area to the -- that you're speak ball game to the east of lombard is probably the next in priority. So I can come back with a calculation if you'd like.

**Leonard:** St. Louis? St. Louis is a bus line?

**Manning:** St. Louis is a bus line. Central is right here.

**Leonard:** Is that a bus line?

**Manning:** No.

**Zehnder:** Part of our thinking was residential areas near the town center. It's a walkable sort of location, and especially the one on the east I guess of -- is next to the large park, so it's a good location for additional housing units. And of the two as barry said, the other one is more peripheral and we could understand not taking it 2.5. Repeat what you just --

**Katz:** Repeat what you just said, the last part.

**Zehnder:** This is the area that we prefer to keep it the higher density.

**Katz:** Because it's closer to the park.

**Zehnder:** And the redevelopment sites, residential redevelopment sites we have in the middle of the town center. This is more -- was more of a stretch, more of a peripheral --

**Katz:** You wouldn't have tremendous amount of heartburn on that --

**Zehnder:** Correct.

**Francesconi:** I'll change my recommendation to that. Because with the park there there should be higher -- I agree.

**Katz:** The citizens group felt strongly about this one or not?

**Manning:** I guess would I say the whole issue of residential densities in the town center have mixed emotion, but most would be favorable to this change, although there would be some that would question it.

**Katz:** We'll hear testimony on that. So how do I describe it here, that we have an amendment --

**Manning:** An amendment to not implement the plan I guess east of st. Louis for r-2.5. West of st. Louis, my -- I guess for our clarification, are we talking about only the area north of lombard, or are we just talking about --

**Francesconi:** No, just north.

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

**Katz:** You'll come back and give us some of the implications of that?

**Manning:** I can give you numbers of units potentially, and we'll also bring another zoning map.

**Katz:** This is an amendment that we'll need testimony. Ok. 13, old safeway and racket center, height design, an amendment was recommended. Page 20.

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**Manning:** Yes. The safeway site and the racket center site are a couple of key parcels in the center of st. Johns. This is what people call the old safeway site b. A 30,000-square-foot store. This is the city-owned currently tennis barn or tennis racket center, probably another 30,000 square foot building on a good-sized site. During our neighborhood walks those were identified as key opportunities for the community and we heard a number of different ideas about how they could be developed. Some folks wanted more community services, others felt housing and mixed use development in those areas would be a benefit to the town center. Through our planning process, we derived a height scheme that is implemented by maintaining the current relatively low density cn-2 zoning but providing a bonus if you provide residential on that property. For those sites 55 feet was selected which equates to a five-story building. To provide additional flexibility for development on those sites allow tuck under parking, things of that nature. The amendment that you see in front of you specifically relates to the design guidelines that are applied in that area, specifically the desired characteristics and traditions for the development in the downtown st. Johns area. Am I correct in this Margerite? I'm sorry.

**Katz:** The amendment is new development should incorporate architectural features and exterior materials that compliment the quality of respective nearby civic and institutional buildings, including james johns school, the st. Johns branch library, and the community center.

**Manning:** Yes, that's exactly the amendment to the desired characteristics and tradition statements, we would maintain the heights as recommended.

**Katz:** Ok. Any objections to that? Do I hear a motion?

**Leonard:** So moved.

**Katz:** Second?

**Saltzman:** Second.

**Katz:** Any objections? Hearing none so ordered. That's a good amendment. All right. 15, design overlay, there was an amendment recommended, page 24.

**Manning:** Two or three bits of testimony on this. One set of testimony on the design overlay in general, and concerns about added costs and regulations of design overlays in this area. And other bits of testimony related to better honing and reflecting the character of that area in those desired tradition and character statements, and another bit of testimony requesting a higher level of windows in street-facing facades in new development in the standards. I'm going to turn to marguerite to have her explain this, because she worked on these.

**Margerite Foyer:** Marguerite foyer. Do you have any questions on those?

**Katz:** If everybody turns to 26, you'll see the amendments, it basically relates to siding material and appearance, window and door trim, right?

**Foyer:** Correct. And we're doing the same thing for the desired -- we just did. It talks about landscaping, setbacks --

**Foyer:** The focus really is the st. Johns neighborhood association wanted to call attention to the existing civic buildings north of lombard, and that's what that language essentially does.

**Katz:** Any objections? Do I hear a motion?

**Leonard:** So moved.

**Saltzman:** Second.

**Katz:** Any objections? Hearing none, good. [gavel pounded] let's jump to item 18, also recommended for an amendment, recreational trails in edison woods. Page 29.

**Manning:** This is a relatively minor amendment.

**Katz:** It says evaluate -- amend the planning commission's recommendation, add new willamette river front action item, evaluate a planning recreational trail designation to decanter street rather than edison street north and west of baltimore street, as part of river and greenway planning. Time frame, next five years and implemented.

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**Manning:** This is a request from the local neighborhood association to reevaluate where we have our recreational or greenway trail designation to the north of st. Johns. And in checking with both b.o.p. and parks it seemed appropriate to flag this as something they'd want to look at in their planning work. I can show you a graphic if you need to look at the area.

**Katz:** Any objections? Hearing none, we adopt the amendment. [gavel pounded] item 19. There is no change, but there have been a request for discussion.

**Francesconi:** That was me. It wasn't just what the railroad operators said, it was how they said it that concerned me. The depth of concern was pretty deep. They're afraid of hitting somebody. So I guess I'm in the situation on 19 and 21, 21 for slightly different reasons, for different reasons, that commissioner Saltzman was in on number 6. That is, I don't know what we should do. But I think there's a problem, especially on 19, and 21 -- I need to go out there and look at it and get a better feel for this one. Plus I need some testimony on it. So I guess what i'm flagging you, is i'm undecided on this. But i'm concerned about 19, about the conflict of use.

**Katz:** Let's talk a little bit about 19. What do you know about 19?

**Zehnder:** Since the public hearing, we actually met with the engineers -- the union representative engineers who raised some of the safety issues. And it's not an unusual circumstance where we have freight lines in neighborhoods. The kind of issues they were raising is one we probably encounter a lot in the city. What we do have in st. Johns are some unprotected crossings, and I think one thing we would anticipate is that as development takes place along the waterfront, we would have to protect those crossings. Put gates on -- take them to the next level if we really introduce additional users down there. And the engineers are also raising concerns about an -- the engineers pointed out to us that there's new technology in those crossings so the whole ability to make it safe and make it safe in a way that's more compatible with -- more active uses next to the rail line is out there. And we see examples all over the country where these freight lines run through residential areas, typically there's a fence or some sort of separation and the crossings are always the most critical point. But -- so we believe there are ways to deal with that safety issue. We're saying two things. One is that in terms of the sound, and that kind of nuisance that the market will be the one that will determine what it's going to bear in terms of putting uses next to the rail track. We're not creating zoning down there that requires residential development, we'd like it in places, but it doesn't necessarily need to be up against the track, so those could be: Mployment uses. They can be design, there's enough setback to design them safely to be next to a track, we have precedent in the code elsewhere of requiring buildings themselves to be sound proofed. We do this out at the airport, so if we wanted to take that extra step we would have to explore that, we're not exactly sure what we would apply, but there is that precedent to do that. And then in terms of requiring improvements to the crossings for safety purposes, I think I would turn it over to rich to talk about that. One observation, this rail line right now doesn't -- it's a u.p., a significant piece of the freight infrastructure, and we're not going to undersell it at all. It's not heavily used, but it could be. That's the point. If you have to reroute trains that use other routes now, it could be significant track. Right now it goes through cathedral park as well, and the crossing of the line through the park is unprotected. So I think to the extent we have safety issues here, we've got safety issues that have nothing to do with our zoning proposal. I think the ones that do deal with our proposal we can deal with the crossings, but i'm more than willing to go out -- I think it is worth taking a look if that's --

**Saltzman:** Is this the rail line that serves the port property to the north?

**\*\*\*\*\*:** It's --

**Manning:** It serves terminal 4 there. Are other lines that serve other port --

**Zehnder:** From the other side, right. This goes between the terminal and the albina yards.

**Leonard:** It connects to terminal 6 as well?

**Manning:** I'd have to break out a map to be more accurate in my response. I'm not --

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**Zehnder:** The way -- our understanding is there's a line sort of at both ends.

**Leonard:** I'm hearing it does.

**Manning:** When we talked initially to the port about the operations, our understanding is they there were probably two trains to four trains a day using this line kind of at peak times. So that was the level of train activity that we're hearing about on this line.

**Saltzman:** That's current. Two to four trains a day. Although it's conceivable if the port does more business, that could be more freight movement. I'm interested particularly in the sound proving issue. I'd like to see us pursue that.

**Leonard:** We're hearing 10 trains a day.

**Zehnder:** The railroad itself testified that the volumes that -- at the hearing was 6 to 10. What they told us earlier on, it was four, it's gone up since -- the rail volumes have gone up. And the situation, if the cut, if the rail line through the cut were to be blocked, this would be a diverter route and that would see significant uses. But it's not an unusual situation where freight lines go through neighborhoods. It's a situation I think that we face all over the city, and another important aspect of this is that especially as we're looking up and down the river at where we can get to the waterfront, other than in the central city, st. Johns is maybe the only -- st. Johns and willamette park in the southwest, there's very few neighborhoods that actually can get down to the river, and just because of what we -- how the city has developed, we always have rail lines, just about. So this is not an unusual issue. What I'd encourage us to consider is how we make those crossings safe rather than to just have it preclude the opportunity to develop next to the line or get down to the waterfront.

**Francesconi:** That was helpful. Maybe if you could come back with some amendments as opposed to us restricting it on the safety side. And I see one is this commercial barrier, but you don't like that one. If you could come back with some -- some suggested amendments to try to address this, and then I'll visit it too.

**Katz:** Back on 19, you mentioned let the market take care of itself. And I'm leaning with commissioner Saltzman. The market doesn't necessarily take care of itself. If it's for low-income housing, the market usually ignores some of these important improvements to improve the lives of the citizens living in this area. So the notion of requiring -- respond to us -- requiring sound proofing and landscaping to serve as buffers --

**Zehnder:** I think we between the hearing and today we hadn't had a chance to explore that. We do have the precedent for this in the airport zone, where we require sound proofing built within those. So we would want to look at what's possible to accomplish. What would I hate to represent is something that can't be done.

**Katz:** So you'll come back.

**Sten:** You're going to come back, I just want to get on record that this is a pretty unique development, and I think it's exactly the kind of stuff if we want to promote creative things, this is the place -- there's -- nobody doesn't know there's a railroad line there, and while I respect the port's point of view, I think this is one of those places where if you are looking in the future, if you can't make some kind of mixed use work next to an industrial here, you can't make it work, and I think the city council would be sending a really wrong signal if we sent this developer who has already done a bunch of innovative stuff, that we're not behind this. So I want to get on record saying that.

**Katz:** Ok. Help us out. Be specific about which development you're talking about.

**Sten:** The live/work space.

**Leonard:** The old columbia --

**Katz:** I would --

**Sten:** 19, 20, and 21.

**Katz:** We were talking about 19, but I think we probably need to look at it as a package.

**Leonard:** And I agree with commissioner Sten.



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**Katz:** I do too.

**Leonard:** There's actually -- having been one attending college living next to a railroad track, there's very little you can do to minimize the sound of a train.

**Sten:** That's exactly -- they had a big art show down there that was spectacular.

**Katz:** Ok.

**Sten:** That's what the artists want.

**Katz:** We didn't get to 21. We're on 19 and 20. So why don't you come back with some recommendations on 20.

**Newlands:** We do have some on 20.

**Katz:** You're right. Let me go back to the council. On 19, where does the council want to do on 19? Just leave it alone at this point?

**Saltzman:** I'd like to see something on sound proofing and --

**\*\*\*\*\*:** Setbacks.

**Leonard:** Is there such a thing as sound proofing? Have we looked at other places to see what's been done?

**Zehnder:** We have a precedent for it by the airport. We require sound proofing. But we want to research it more.

**Leonard:** You mean for the jets?

**Zehnder:** There's two --

**Leonard:** The walls for the --

**Zehnder:** Within residential within structures themselves have to be sound proof. Its technology applied to the building.

**Katz:** Let's do 20. You do have amendments for 20.

**Newlands:** In regards to the rail crossing issue, i'm going to walk to a map myself. The master street plan proposes three secondary street connections along richmond, john, and burlingame that connect to the river, and the idea is to reinforce a stronger connection between the town center core and the river. Burlington currently exists, this is an at-grade crossing. And that's it. So the first amendment is to pull off the johns street connection off the map, acknowledging that even if we just have burlington and richmond, we still have pretty good spacing, likewise a lot of the john street connection back up the hill is not in place right now. So it's a very long-term thing. There's lots of unimproved right of way before that will become a reality with getting over the rail line. And then - - so that's the first amendment. And then regards to how to address the issue of safe crossings, we're adding language to the implementation tools for the master street plan that make it clear that grade separation is really the route we need to go to make them safe crossings. We've talked to u.p. about this, and they've -- they're comfortable with that.

**Katz:** Ok. Any objections? Do I hear a motion?

**Leonard:** So moved.

**Saltzman:** Second.

**Katz:** All right. [gavel pounded] we will adopt the amendment on number 20. Let's now -- now is the columbia sportswear. Item 21. Somebody wanted to talk about that.

**Manning:** This is the e.g.-1 zone which is applied between residential zoning and the industrial sanctuary, we're proposing to allow approximately four units per acre residential in a mixed use live/work situation. So council want to talk about that? I'll show you where it is.

**Manning:** This is the columbia sportswear, former columbia sportswear, now called cathedral park place building, this is where they hosted the modern zoo last year and the one that property owners are most interested in seeing this provision applied to. The proposed rezoning of this entire area and that live/work provision would apply to this area right here. It also has moonstruck chocolates, which is a 10,000 square foot industrial type building, it also has peninsula iron works which is a foundry adjacent to cathedral park and marine independent propeller which is north of that in the

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e.g.-2 zone currently, adjacent to cathedral park. This is relatively high density housing in that area, currently existing.

**Katz:** And the current industrial users in that area are aware of what we're recommending?

**Saltzman:** They're against it.

**Manning:** Some of the current industrial users -- we had originally proposed e.x. zoning in that area and had a discussion with them about housing, and they were very opposed to that because of the concerns about significant amount of housing in that area, and we had a meeting with them early on when we proposed the e.g. 1 zoning in that area. And i'm trying to recall our conversation, if the industrial users at moonstruck, peninsula iron works and propeller are aware of this proposal at this point in time.

**Zehnder:** Yeah. They're aware of this proposal. If you're asking the industries that will be affected, what their positions are, they were very explicit that they wanted to continue their operations and didn't want to have anything to impede that. They were nervous about residential next to them, but from the experience of having those units that are right next to them built under a comp plan amendment a while ago. However, the zoning that we put in place allows them to -- it doesn't impede their ability to operate or expand, so we think we have addressed their issues.

**Katz:** It doesn't impede their -- expanding their operation?

**Zehnder:** Correct. And so this was a balancing act, where we need -- we also have the community pointing to as commissioner Sten said, this change that they're seeing in st. Johns and the uniqueness of this facility as a place where some of that creative class activity is taking place. So can we find a way to allow a bit of it, but still not tip the balance because it is an industrial area next to an industrial sanctuary and the port, major serious industrial facilities we have a long-term commitment to, and a rail line. So we allow four units an acre so even in columbia sporting goods site, at most that would be 20 units on five acres.

**Katz:** And what then -- if they are allowed to expand, what they're nervous about is people who come to move their there would be complaining about the noise.

**Zehnder:** That's been their experience. This is a foundry. The one business is a long-term st. Johns business and you -- their concerns are legitimate.

**Katz:** The neighborhood association is prepared to tell them, you knew about it when you moved in, that's the condition of the neighborhood. Is that something you're prepared to tell folks?

\*\*\*\*\*: I guess I would - -

**Saltzman:** Let me just ask a couple of things. When you say no more than 20 units, what does a unit mean? Does that mean --

**Zehnder:** A dwelling unit.

**Saltzman:** A certain square footage limitation?

**Zehnder:** A dwelling.

**Saltzman:** What's a dwelling?

**Zehnder:** No more than four unrelated individuals living together.

**Manning:** An address.

**Zehnder:** It's a household. So it could be - - that's a very large building. They could be very large dwelling units, but that's not the intent, they're trying to do this mixed use project.

**Katz:** It's not loft, live, and work.

**Zehnder:** These are very much -- today's situation is very much on the work end of the work/live, given the nature of the space. And the smaller sites that -- the foundry and those are about an acre. So four units an acre, we don't think we've created the pressure to flip one of those uses for residential purposes, because it's not enough units to make a difference.

**Saltzman:** I guess the issue now is touring the property with the owners, and they're saying right now it's hard for them to make people leave, you can't sleep there. Because a lot of the artists want to live and work there. So the owner has a condition in the lease, you absolutely cannot sleep there.

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So if you allow four units an acre, are you sort of opening it up for a lot of -- something that's not as black as white, people are living there or they're not, suddenly you've got conceivably up to 20 individuals allowed to live there, but all the other spaces are de facto living there --

**Zehnder:** It becomes more of an enforcement issue. That's true. Because it will be more difficult to tell what's legit and what's not. It does put a market limitation on it, because they're not going to be able to pull more meters for the residential units because they'd have to say they're residential units, so there's some limitations in there, but just as they're having trouble today enforcing the ban on residential, they would have trouble under this proposal as well. There's no --

**Saltzman:** Another issue i'm concerned about, again this is when I was out there talking to a woman who was in a business that had just moved in there not too long ago, website type business, and as we were talking about the trains, she said, they generally don't bother me, though one time there was an engine parked out there like all day. Dieseling all day long. And I could see how that could be rather disturbing. And I guess i'm trying to get a better understanding, is this how typical is this situation where you might have refrigeration cars or an engine dieseling all day? I could see maybe if you're only working there eight hours a day you could probably tolerate it, its part of the ambiance but if you live there you might not want to have diesel fumes coming in your balcony all day long.

**Zehnder:** These are definitely potentially ambiance-filled units. [laughter] it's work/live next to an industrial sanctuary. Our policy position is the industrial sanctuary is the thing that we're solid on and what we're trying here is to see, is this whole issue of what constitutes employment and this is a little bit diversion from that. And if we had a way of --

**Saltzman:** I could see this as a conflict waiting to happen, once you get a critical mass of people living there.

**Zehnder:** And we're trying to --

**Saltzman:** Who comes first?

**Zehnder:** Today at this table what the bureau's policy is the sanctuary comes first and the way we're trying to memorialize that is keeping to it 20 units. That's the most direct shot we have at doing this.

**Francesconi:** How does this area -- let's take the central east side. How is this area different from the central east side, so we wouldn't do the same thing there?

**Zehnder:** I think it's a conscious decision not to do it in the central east side. That's the difference. The same kind of enforcement issues that you were talking about i'm sure are taking place in the central east side today.

**Leonard:** But there are the same issues.

**Zehnder:** And we just are not -- we are choosing not to legitimize it in the central east side. The way I was thinking about this, we can show this works here, maybe it's something we want to talk about elsewhere in town, but I would not -- the way you keep it from happening --

**Francesconi:** What's the policy reason to not do it in the central east side but it 'do it here?

**Zehnder:** I think there's a pretty clear policy reason there. Are very distinct places, central --

**Francesconi:** That's what i'm asking.

**Zehnder:** Central east side is a much larger concentration and a much more threatened if you will, real estate asset because it's a better location than st. Johns in terms of what the interest might be for people to flip the property to a different use. The central east side is under a lot more pressure than st. Johns. In St. Johns the whole purpose of this plan is to bring more residents, more investment, more vitality and sort of another few generations worth of vitality to st. Johns. One of the forces that people are excited about happening out there is on its own without any zoning changes, the creative class. So this small discreet, it's a probably a 10-acre sort of corner of st. Johns, it actually also happens to be between a very serious industrial sanctuary I don't expect to change, and an

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existing residential neighborhood more like a transition zone. It's just small, relatively small, discrete, and it's got this economic development opportunity for st. Johns.

**Francesconi:** You and commissioner Sten have convinced me.

**Katz:** It's -- it's an interesting dilemma for the council. There is a new group of players in town. There are young and restless, they find places that are relatively inexpensive, like down there, they have taken over a place that was an industrial place, then moved out and created an art gallery, there are pressures on these the need to find live/workplaces that are inexpensive, and if the market is going to get terribly expensive, nobody is going to move in. And it's a dilemma because you have those conflicts. I appreciate the conversation of the council.

**Francesconi:** Can we let people testify on this?

**Katz:** They'll testify -- absolutely. Let me just get a sense, does the council want to make any change or just want to hear testimony?

**Saltzman:** I don't think I want a change, I think I want to get some clarity somehow about basically the industrial sanctuary comes first, and the dieseling engine is my classic example, that that's not something that can be forced away. Once have you 80, 40, 80 people living down there. It's probably just some language somewhere and a guideline. And secondly, this may not even be our issue at all in this planning, having been in that building, I guess I do worry about fire safety. If I was one of the 20 or so people living in there, I don't know how firefighters would ever find you? It's a hodgepodge of buildings that have been built together over time. It's very confusing to be in. I don't know how you deal with that.

**Zehnder:** One of the opportunities with legitimizing it is maybe we'll get permits pulled and then fire safety codes built into it. Right now it's a little bit ad hoc.

**Katz:** The other thing in terms of the residents moving in knowing about the sanctuary first, I think that's a responsibility of the owners of the new housing, to make sure that residents -- on one hand they want to make sure they rent and sell, on the other hand they do have a responsibility to let people know, it gets a little noisy.

**Saltzman:** Or dieselly.

**Katz:** Or dieselly. And there are people who want to live there. They like that. And the rents may be cheap enough for them to say, yes, I understand all that. But I think it is the responsibility, that's why I looked at the neighborhood association to see if they would be willing to make that kind of a statement if the complaints start coming to you. Ok. We'll come back. We'll hear testimony. We'll come back. All right. Let's take 24. Special pedestrian crossing, there's an amendment. Page 36.

**Newlands:** This is a fairly simple straightforward one, I believe. Currently there's an action item that asks that a number of routes from the river have special -- between the town center and the river have special streetscape enhancements to serve again to help facilitate better connectivity between the river and the town center. In this case burlington was called out for priority if you will in the action because the intent was we were going to have a special destination there at the connection of the river. At the end of burlington, if you note on the urban development concept. But it's been noted that philadelphia offers a unique opportunity to do a very special treatment there as well, because it's going from the town center under the bridge and you've got this incredible place if you will underneath the bridge with the arches and all that, and going directly into cathedral park. All we're doing is asking when the time comes to go forward with the project that we consider both on an equal level as opposed to having a difference in terms of priority.

**Katz:** Ok. Do you want to read that?

**Newlands:** Sure. Develop special streetscape design standards along either burlington and/or philadelphia streets to create strong pedestrian connections between the downtown st. Johns and the riverfront.

**Katz:** Ok. Do I hear a motion to adopt the amendment?

**Leonard:** So moved.

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**Saltzman:** Second.

**Katz:** So ordered. [gavel pounded] 25. Another amendment.

**Manning:** Council heard testimony on 17th about the use of the boat launch facility at the park and how well used it is in the area. There was testimony basically asking us to look at other facilities in the area such as another boat launch to serve increases in population in the area. This is simply an amendment to add an action item to the plan and i'll read that if you'd like. Consider -- this is page 36 at the bottom. Consider the need for an additional boat launch when conducting an evaluation of future recreation needs in the town center. And I would add town center area.

**Katz:** I do hear a motion?

**Leonard:** So moved.

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

**Francesconi:** Second.

**Katz:** Any objections? Hearing none. [gavel pounded] Ground rules for the public. We only want to hear with one exception, testimony if you feel so compelled on item 4, which we amended which was the freight movement, only on the ones i'm going to read. Item 6, which we were exploring the possibility of 2.5 on vanderbilt, we're going to come back and talk about that next week, item 7, which was some new -- a new amendment, item 9, which was curb extensions in downtown st. Johns, which was an amendment, freight movements, 10, on-street parking, 11, there was -- there was an amendment on 12, residential, skinny lots west of st. Louis, there was 13, there was one on 15, there was one on 18, we would like to hear from folks on the notion of the whole live and work on 19 and -- 19 and 21. And we amended 20 and 24, 25. A lot of them that we amended shouldn't give anybody a heart ache. On the ones that we amended, please come on up and let's hear from you. Do we have a sign-up sheet? How do they know what we amended? I'm just being --

**Moore:** [inaudible]

**Katz:** Go ahead.

\*\*\*\*\*: I'll pass.

**Katz:** You need to tell us which items you're going to testify on. Anybody else on vanderbilt? Come on up. Anybody else on vanderbilt? Identify yourself and you'll have three minutes.

**Susan Landauer:** I'm susan landauer, and I have laryngitis, and thank you very much for giving us this opportunity to speak. Barry showed some slides, and I spoke out saying -- he was identifying some things wrong. They're due flexes there, but they're built on a very small scales, and they're on very large lots, like 100 by 100 or 66 by 100 for two units, which is not the skinny house kind of thing. We did a -- we went door to door and almost everybody said no more apartments. And when the process started two years ago, there was only one apartment on vanderbilt street. In the meantime, they've built two. And they're just very unpopular with the people who live there, and people move in and out very quickly. Two of the places were very, very cheaply built. Which makes people not like them at all. Commissioner leonard, you asked about the renters versus people who own. That's not a big issue, but our neighborhood does have a very low proportion of homeowners to renters. It's about 48% at this time, and we feel that our community would be healthier with a higher proportion of homeowners. And the r-2.5, we didn't ask people about that, but generally the 5250 not in favor of it. And as for increasing density to provide business for the revitalized lombard, we just don't think this little bit vanderbilt street is going to make that much difference, and we really hate to see our nice little houses knocked over to make places that will make more money for landlords. I thank you very much.

**Pat Opdyke:** I'm pat opdyke, I was also on the citizen working group, but i'm here speaking as an individual, since I haven't taken this to the neighborhood association board. And I would like --

**Katz:** Were you on the working citizens --

**Opdyke:** I was on the citizens working group. And the t-cap board, our neighborhood association's board are not taken a position on this, so we didn't speak to this during the citizen

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working group, although susan and others showed up at a lot of the open houses and made comments on it, and that has been consistent. What I don't understand is that when I hear the planners with whom I have just most respect say we don't want to create nonconforming uses, then when you look at along the south side of vanderbilt in the area of concern, currently zoned r-1, that you have very few r-1 uses predominantly they are single family homes that are being -- that have been there for decades. So already when r-1, I presume, was instituted maybe about 20 years ago when there was another revising of the comprehensive plan, and the underlying zoning, already those r-5 houses were made nonconforming. I would like to suggest that it is consistent with other area plans such as in the sellwood area where there's a different approach, that is the zoning changes would reflect the current uses. And so perhaps the areas where we have r-5, we have single family homes on these lots that in fact they be zoned r-5. To me if you're going to say -- argue for we don't want nonconforming uses, yet continue to support a zoning that is in itself creates nonconforming uses, that is not consistent. And I would argue that it is important to create that consistency. With regard to -- i'm a very strong proponent of that neighborhood commercial area, you know that. I've spoken to you on several occasions about that. Is my dream, since i've been living there. We also have a huge new residential development area just to the north of that neighborhood commercial area. That is what's being called the new columbia. I prefer to call it just an extension of our -- bringing into the portsmouth area finally as some new residential development. That certainly is going to be able to provide that kind of increase in density that could make use of this neighborhood of commercial areas. So I would argue, again, as an individual, this is my neighborhood, not representing as a representative of the citizen working group, but I would argue that you need to make this conforming, r-5, and also recognize the new density that will be coming in.

**Katz:** Thank you. We will come back commissioner Saltzman recommended two five, I want you to think about the testimony you just heard, how much heart ache you would have keeping vanderbilt at r-5 versus what the recommendation has been.

**Saltzman:** I think you were just suggesting maybe keeping r-5 r-5 and the existing r-1, r-1.

**Katz:** Ok. Anybody else want to testify?

**Leonard:** I see a no to what you said out there.

**Katz:** What item do you want to testify on?

**\*\*\*\*\*:** I want to testify on action item.

**Katz:** The action item amendment? Do you remember the number - - did you track with us?

**\*\*\*\*\*:** Yes, action item ed 5 on page 57.

**Katz:** We didn't have that in front of us, we didn't act on that. That's not -- [inaudible] go ahead. It's not anything we worked on, but go ahead.

**\*\*\*\*\*:** I'll be quick.

**Katz:** Be quick.

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

**Bud Logan:** I'm bud logan, my office is at 2455 NW quimby. I testified in the previous session on this plan. Now I want to expand somewhat on the positive results of my program in st. Johns that parallels the PDC storefront improvement program. I work exclusively with commercial property owners to improve their buildings. In this formerly distressed and blighted business district. Council was presented with the results to the 20 buildings this program has rehabilitated so far to improve the commercial core. With grant funding of \$49,000 from metro, I was able to leverage \$800,000 in added real estate value to st. Johns. The area has been turned around in a very positive way by this program. Business is growing and prospering. Real estate values have increased, and formerly empty storefronts are filling. Retail activity has increased even with the bridge under construction and greatly limiting access to st. Johns businesses. I want to amend the action item ed 5 on page 57 of the plan to reflect this. And to formally endorse and support future activity in this important program. This is a continuing project. Other funding is targeted to continue. This

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important program has not been recognized and acknowledged by this plan. I question how informed this plan is if it does not address the reality of the current transformation of st. Johns. I have not reviewed any other action item, but any that are ongoing need very careful input so that omissions this important are included. To have any benefit to st. Johns, this plan needs to be accurate and truthful. A bad plan is bad for business. Thank you.

**Katz:** I need for the council to respond to you, I need language that you would like to see. How would you like to have it amended?

**Logan:** It would be -- the language points out implementers.

**Leonard:** It says currently pursue funding for continuing storefront improvement grants and loans.

**Logan:** Yes.

**Leonard:** What does it need to say?

**Logan:** P.d.c. is in there, they have funding for economic development.

**Katz:** The neighborhood association.

**Logan:** The neighborhood associations have no access to funding. Unless it's through the office of neighborhood involvement. I don't think they're an economic development entity. And the business associations can serve as fiscal agents.

**Leonard:** What do you want us to add?

**Logan:** Take out the neighborhood associations and the business associations, you could mention me by name.

**Katz:** No.

**Logan:** Or you could mention the program by name, which might be helpful.

**Saltzman:** What's the name of the program?

**Logan:** It's just a supplemental program for the p.d.c. storefront improvement program.

**Leonard:** But what doesn't PDC capture that? It says implementers - -

**Logan:** P.d.c., we operate separately. We cooperate with each other but my program basically adds another 30% to the grant that p.d.c. gives to property owners. And it's been a very, very successful program and the property owners love it.

**Francesconi:** So we need more resources in the storefront loan program. Your point is well taken.

**Logan:** I can get resources.

**Francesconi:** But this is a land use plan. You don't name programs in land use plans.

**Logan:** It is a continuing action item. This is something that's going on out there right now, and they don't take it into consideration in the plan. Perhaps it would be best because it is an economic development item to just leave p.d.c. there and let them make the decision.

**Katz:** What -- what's the name of your program, bud?

**Logan:** It's a supplemental incentive to the p.d.c. storefront improvement program.

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

**Leonard:** Maybe the staff can just look at that and call pdc later.

**Katz:** Why don't staff take a look and see what -- how you want to deal with it. Ok. Thank you.

**Francesconi:** Or refer him to the right place.

**Katz:** What item do you want to talk about?

**Ann Gardner:** I'd like to talk about items number 19 and 21, which I believe, if I understand you correctly, are coming back for further discussion.

**Katz:** 19 is going to come back for a little bit more discussion, commissioner Saltzman, maybe others want to talk about providing some guarantees to the people who live there that they aren't going to be complaining about the impacts of the industrial area, and 21 we're going to come back and talk a little bit further. We didn't do any -- we didn't do any amendment on those two items.

**Gardner:** May I offer some comments today?

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**Katz:** Sure.

**Gardner:** I'm Ann Gardner, I cochair with Bill Maris the Portland freight advisory committee and thank you very much for the support of two of the other amendments that we proposed. What I would recommend and suggest is that as you examine these two issues, items number 19 and 21, that we be very clear about the existing conditions with respect to noise, vibration, lights and hours of operation from the existing industrial businesses, and that would include t-4. And then I'd recommend that we also examine the complaint procedure that any resident of the city has with respect to those issues. And find out what happens when the single resident who moves in, the sun is shining, no business -- it's on the weekend, and then they discover over time that they can't sleep, or what other issues confront them. And who do they call, and then how then does whoever it is that they call, and I suggest it may be the nuisance department at the city of Portland, what -- how do they in fact respond to that complaint, and what then happens? And perhaps examine what has happened in other parts of the city where we do have residents living right next door to industrial operations, I'd suggest perhaps examining how ESCO respond to adjacent complaints from neighbors, and I think we should be very, very clear about what remedies the residents have and how in fact businesses may be curtailed. And I think it may shed some light on the decision-making process. Nina has been on the northwest industrial neighborhood association is on record with you in other matters that we think the zoning code in Portland needs to have clearly maintain what the industrial sanctuary says is no housing, but we believe that there should be a zone immediately adjacent to the industrial sanctuary that allows no housing, ifs, ands, or buts. There should never be, we believe, residents living immediately adjacent to an industrial sanctuary because it is our experience that the single grumpy neighborhood that isn't getting a good night's sleep can really create serious operational issues for the existing businesses. So to the extent that the freight committee or the northwest industrial neighborhood association can be helpful as you proceed with examining not only existing conditions, but what does happen if somebody gets grumpy, how that would affect the operations, we would be glad to participate. Thank you again.

**Katz:** Let me ask you a question. I don't hear -- this is not directed to you personally, but the group of people who are concerned about this issue, commissioner Saltzman and I sit on impact and we struggle with maintaining industrial uses. So we're not unsympathetic to this issue, but I don't hear the industrial community complaining that you've got jurisdiction that's want to turn industrial land into commercial medical centers, hospitals, office buildings. So there's some inconsistency on that.

**Gardner:** Mayor are you saying that the industrial community isn't complaining about having residential adjacent to it?

**Katz:** No I'm talking about other uses, like the conversion of industrial sanctuary uses in significant industrial areas to commercial, title four changes and weakening further weakening it and weakening the industrial sanctuaries. Not in Portland. This is outside of. So I just -- I didn't have an opportunity to say that to representatives of the industries, but it would be -- I hear what you're saying here, but I also am concerned when industrial sanctuaries are being turned into facilities for other uses, and nobody's arguing against that.

**Saltzman:** Your point is well taken, but I think Ann's point, it's the case of the dieseling engine outside somebody's open window and how -- what happens to that business, to that rail line or whatever once somebody starts complaining because they bought the place on a Sunday?

**Katz:** No, I'm agreeing with Ann. That is an issue. But I would like to have the industrial community also complain about further watering down the use of industrial sanctuaries.

**Gardner:** You're right, Mayor. And I do -- I understand what you're saying.

**Katz:** You understand what I'm saying.

**Gardner:** I do understand what you're saying. And I know that's a conversation that's current and ongoing, and I --



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**Katz:** We need help.

**Gardner:** And I thank you. I know you do.

**Katz:** We really do.

**Gardner:** Right. It's -- just sort of an editorial aside, I talked to a lot of businesses about participating in the public process, and most of them are so scrambling so hard just to keep the doors open that it's very hard for them to take time to participate. I know you've heard this before. It's not an excuse, but it's the reality.

**Katz:** Ok. Thank you.

**Tom Kloster:** Tom Kloster, 5932 north willamette boulevard. I'd like to comment on 19, 20, 21, and 22, which are all kind of related. And I would be commenting in support of the amendments in front of you on 19, 20, and 21, and in favor of the neighborhood position, number 22, which is different than the recommendations. And i'm also a c.w.g. member. I guess i'm not saying anything I didn't already say at the group, so no surprises here. I live on the bluff above the railroad tracks where they all converge at the rail crossing. I want to comment on living by the railroads. Most of us that live there chose to live there because we like them. We like trains, we like the ships, it's extremely noisy at my house, the house shakes when the b.n. trains are crossing the bridge. I like that. People come over for barbecues and the ships sound have the bridge open and it shakes our house and the yard and it throws them out of their chair, but we like it. So I think there's an element of self-selection going on in a noisy port area. I can hear loud speakers across the river where they're moving stuff around. So it doesn't bother me. That's part of what has to be factored in. I want to echo what commissioner Sten said, this isn't your suburban subdivision that we're going to see come in here. It's a different kind of neighborhood. The railroad raises legitimate concerns, and I think it's about design. You've gotten good feedback from your staff. Neighbors are always against density because they've seen bad stuff happen in the form of density, and railroads are always against anything that develops with their line, because they've seen bad stuff happen. It doesn't mean there's not a middle ground that can be found. I think you've gotten good feedback on the crossing issue. I want to mention this particular line, it is not connected to the b.n. line which carries a lot of -- the b.n. line goes through the railroad cut and over the bridge. That's where the amtrak line goes. That is a really busy line. This is a spur line, there's two, one goes through a tunnel under columbia park, it's also owned by u.p., which this line, they're both spurs. They carry a few trains, they go very slow. They go slow enough on a weekend you can go down and follow the line, which we do as a trail, through willamette cove park, bought but not developed, and walk on it. You see family down there riding their bikes on it. So when a train comes you can easily outwalk it. So the railroads are cringe to hear that, but that's why it's not a big issue. The main safety issue has been transients living along the line, and some law enforcement issues tied to that more than the speed of trains and people getting hit by trains. And occasionally the bluff getting caught on fire, but we won't pin that on the railroad. So I think there's a lot that can be done to make this be a jewel and figure out how to --

**Katz:** It was the railroad:

**Kloster:** I know. I'm not supposed to --

**Katz:** We did pin it on the railroad:

**Kloster:** I don't think they ever admitted.

**Francesconi:** They paid.

**Kloster:** Money talks. So I think in this case there's a chance to do something and really bring the community down to the river, and i'm anxious that the railroads can become a mental block in trying to make that happen.

**Katz:** One second. Ann raises a legitimate issue, we also have the legitimate issue about the need to provide work space for much younger, less affluent folks that like you, like to live down there. How do we minimize the conflict with the industries? How do you see minimizing it?

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**Kloster:** I've had neighbors move in and leave again in my neighborhood because they decide they don't like the noise. Many because they don't like the noise from willamette boulevard as opposed to the ships and trains, which are more intermittent. So I think you see that in any neighborhood, and it's part of the buyer beware. I would be more concerned about genuine safety issues, when there's hazardous materials allowed on those trains, whether you have freight engines idling. Those are the kind of things I think could be managed. I don't think the trains passing through at the frequency they are now would really be a big shock or a negative thing for people living near the line, provided the buildings for design correctly and with that in mind.

**Katz:** Ok. Thanks. Any more? We'll get you all, relax, we're not going anywhere.

**Jane Bogus:** Jane bogus, 6709 north yale, i'm on the citizens working group. First off, because we have been talking about it, the old woolen mill site, the old columbia sportswear site. I worked for there for eight years for Columbia sportswear, and to think somebody would live in there, you know that the floors have been soaked with the oil from the wool for all the years that it was a woolen mill? I mean, if it would catch fire, it would go in a second. It's really kind of frightening. I think you all should take a tour of it. But it is. And the trains, I probably heard two trains in eight years working there.

**Katz:** So the trains aren't the issue, the condition of the building is an issue.

**Bogus:** Yes. That -- for me. For somebody being asleep living there, I mean, that would be frightening. Skinny lots in st. Johns. I -- all at once this last month or so every street you drive on has more than one two, three, or four skinny houses going in. And I think we have had enough. We'd like to see you stop them. And I think otherwise everything else is fine.

**Katz:** As I said at one meeting, if the pictures that the artists drew -- draw on your little plans are as lovely as -- are lovely, and if we can capture those in the architectural design, I think people would be very happy. Unfortunately, it doesn't always get translated. Ok.

**Barbara Quinn:** Good afternoon. My name is barbara quinn, i'd just like to thank you all for the amendments that support pedestrian improvements in the st. Johns area. I really appreciate that. I feel like after a long, hard haul we're making some progress. In safety and livability down there. And I just wanted to comment on 21. I'm part of the cathedral park neighborhood association, i've gone out of my way to ask people that live in the host development, a three-story building on crawford, right across from the chocolate company, and about a block -- moonstruck -- and a block from the railroad, how it is living down there. And amazingly, most of the people have chosen to -- the area because they like the industrial aura, I guess, and they love the park, they love the view of the park. And they like to have the instant access for their animals, their dogs, and one young woman said with a smile that she wears ear plugs at night. But it did not seem to be -- to me to be something that people were upset or complained about. They had chosen, and they liked where they lived. That is just a comment about that.

**Katz:** Thank you. What item are you going to talk about?

**Erik Palmer:** I have several. But i'll get as many as I can. I was going to start with number 9, curb extensions in downtown. I think that's on the list.

**Katz:** We amended it.

**Palmer:** I just -- as a general matter of curb extensions, I want to put before the council with respect of mine, which is that in cathedral park I have found, i'm from that park, i'm eric palmer, land use chair of our neighborhood association, I have found nobody in our group in our neighborhood that opposes the curb extensions in -- and it occurs to me the reason for that is that we have to cross busy streets to get to downtown st. Johns, we also have to cross busy streets in our -- and our children have to cross busy streets to get to the schools that serve us. It occurs to me there might be neighbors on the other side of ivanhoe and lombard that don't have to face that experience on a regular basis, and that may account for a part of their resistance to these pedestrian improvements. So I hope that whatever considerations you all give to curb extensions I think there

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is -- our neighborhood association really needs to be better served in the area of pedestrian safety and crossing these busy streets. I also want to talk a little bit about item 21, housing in the e.g. 1 zone. By and large our residents are used to the impacts of the industrial users, employment users in the community. We hear a lot of noise at my house, and that's ok. And I think that to promote this kind of development to promote the mixed use development in cathedral park place in particular is a particularly potent way that the city can help encourage the kind of vitality and the kind of development as a whole that the neighbors in our association hope for. There was some discussion about -- I forget the item number, it was item -- 13, which I actually link to item 14, which was not discussed. But I wanted to -- the reason these issues were brought forward in our neighborhood association was because we did our own neighborhood walk about this plan. A bunch of us went around and looked at what was proposed and talked about it. And we got to a particular spot which is close to the bridge, and the neighbors said this, is where the density should be. This is where we should have the highest density. It's the garage location where which is right next to the police station. They said this, is an example of where it should be. So I thought about that, I thought, why is that? Why is that a desirable location? And it occurred to me, I realized when I first came to st. Johns -- is that my time? When I first came to st. Johns, shortly after moving to pored, I didn't live in st. Johns or anything like that, this is 1995, I crossed the st. Johns bridge for the first time just looking around town went on ivanhoe, lombard, never even noticed there was a town center there. And I realized that the reason people wanted the density made sense in that particular location was that there needed to be a stronger sense of arrival in st. Johns. It occurs to me the way to accomplish that is to get the biggest and best development up front to really let people know, when they come across the bridge, st. Johns is a community and it stand for something. These two items to my mind, 13 and 14 go together. What we're saying is, put the biggest and best up front and also mitigate the density at the old safeway site, which would also account for the neighborhood concerns both of cathedral park neighborhood association and st. Johns neighborhood association to kind of mitigate the density as it blends into the school, the park, some of the other things.

**Katz:** Thank you.

**\*\*\*\*\*:** Thanks very much.

**Sharon Ehlmann:** Here's a copy of the grant for p.d.c., north Portland economic development grant. I got a rejection letter, unfortunately. [inaudible] I lost --in north Portland, have 20+ years experience in real estate development, architecture and some construction. I have 2 stores on Lombard, one in a dead area. What I've found is looking on Lombard, I took areas that worked. What they did was they had side parking lots. ...So I thought we should do this all over on Lombard, but how can you because it's all developed. So I thought of side streets, if you take a side street and then build small parking lots. What you do there is go to a residential section you have a separation of commercial space, residential space. I've brought this to neighborhood associations, got approval. Got approval from fire department and police departments, because they liked how I handled the transportation, the traffic that can monitor the -- the traffic a lot better, the police -- the fire want everybody to go to the stoplights. This is not for a stoplight location. This is between stoplights. So basically you can pull in, and I got the numbers and everything, how much it costs to build these. What i'd like to do is have implemented in this plan, instead of going to neighborhood associations trying to make this happen. I've done this for years. It's a 20-year-old idea. Still trying to make on trying to make it happening, while I continue work. Three businesses said "yes, we love it, want to do it." they're ready to open up their pockets, make this happen, to get parking into their businesses. All i'm saying is help us do that, help us implement that, if the transportation can come in, you know, and give their blessing so we're not fighting everything. This will work well for about 20 lots up and down lombard, you know. I got a few other things I want to go over. I'd love to put this in writing. Curb extension is another issue I want to hit. My concern is, on interstate, I

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had had to get my kids to the hospital. We have kaiser insurance. Going down interstate, got behind a bus, thank goodness my kid wasn't going to die. It took me 15 minutes to go down three blocks. That's scary. I'm concerned, we got fire departments here, a lot of elderly, and if we get on a slow street because of the bus -- I won't get personal. Police, fire, ambulance, I can't see them approving slowing down lombard. I really think that transportation needs to, you know, consider that.

**Katz:** Thank you. Do you have one more?

**Ehlmann:** Yeah. Sorry, my time's up. Heavy industrial, there's toxic waste. The development is down there, gorgeous, love it, but it's a superfund cleanup site. And people in the public, if you let it be housing, they trust people to say that it's a safe place to live. I don't know it is.

**Katz:** Ok. Thank you.

**Ehlmann:** Economic study for the 80 acres that you got going there with this, it would be nice to know how it's going to affect lombard, north Portland, it could be great or could be a disaster.

**Katz:** Thank you. Ok. Grab the mike.

**Susan Morton:** Hello. My name is susan morton. I live at 6949 north mccrumb, and I want to thank you for listening. I wish to discuss lombard street. Until recently it was considered a state highway, and for good reason --

**Katz:** Let me interrupt.

**Morton:** Curb extensions is what i'm leading to.

**Katz:** Ok, thank you.

**Morton:** Ok, thank you. And for good reason, lombard provides a commute from the west side of st. Johns through the east side of Portland. Up i-5 there are three major exits into north Portland. The first, Portland boulevard exit to willamette provides a scenic route through st. Johns, but not conducive to heavy traffic. On the other end, columbia boulevard provides a route for heavy freight. The third option, of course, is lombard exit, which takes traffic through the center of north Portland, providing a route for medium to heavy traffic. Now we the st. Johns/lombard plan. The designers would designate lombard as the main street with traffic calming device, such as curb extensions and islands. These would force traffic up on to willamette boulevard, which we all know cannot handle much more congestion. From an economic standpoint, this makes no sense. The cost for each curb extension would be about \$25,000. Added to this would be the cost of adding in, maintaining islands as well. I don't understand the need for this. We have the speed limit of 25 miles an hour on lombard from north buchanan through downtown area of st. Johns to st. Louis. The police do strictly enforce the speed limit at all times. As well there are crosswalks, generally pedestrian traffic at the crosswalks is observed. On the other hand, very little, if anything, is mentioned regarding the problem on willamette boulevard and the impending ramification that would occur if the proposed changes take place on lombard. The money earmarked for safety on lombard would be better spent shoring up the embankment along willamette boulevard to prevent further erosion. Also, we've been advised that there are two access roads going behind the bluff at Portland u. Money could be spent to develop at least one of these roads, diverting traffic off willamette boulevard going to swan island. As well, off the freeway, taking killingsworth exit to going, traffic to Portland u functions would go through swan island, up the access road. Thank you.

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

**Mary Oliver:** My name is mary oliver. I live at 6853 north sky street, near roosevelt high school. I want to thank you for allowing me to speak. And I want to say kudos to the developers. I know that they've had a very difficult and have worked very hard on this project. And I admire all scientists. I admire all scientists, including the biological and chemical research scientists who I do feel have been ignored in the planning of this project. I want to know who has tested the water, when they want to go down johns street and encourage pedestrians down johns street to the water,

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and what are those answers, and have they listened? Are we asking the question? Are we ignoring the sciences because it's not pleasant and costs so much to fix? Correct me if i'm wrong. I think there are five entities that have to agree to clean up that river -- federal, state, county, city, and private. Am I correct? I don't know.

**Katz:** You're right.

**Oliver:** But we need to do this before we consider -- i'm not against more people in my neighborhood. I love people. But I want them to live a good and healthy, long life. Thank you.

**Katz:** Thank you. Anybody else want to deal with any of the issues we covered? If not, let me kind of review what we still need to come back with. Item 6 on vanderbilt, I want you to really think through the issue and how much heartburn you would have and what the pros and cons would be on -- why don't you put that on the agenda, joe, on monday with me.

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

**Katz:** The item 7 -- oh, no, that was a new amendment. 12 is the residential and skinny lots. We need new language on the west of st. Louis. Item 19 and item 21, the council still wants to talk about. We may not change much, but they want to hear more, and that's about it.

**Zehnder:** That's it.

**Katz:** Did I miss anything? I don't think so. Ok.

**Francesconi:** On vanderbilt, just -- I mean, i'd like to -- my predisposition would be rather downzoning the r-1, keep it r-1 and going to r-5 on the other side.

**Katz:** They're going to come back, and that's what he's going to talk to us about.

\*\*\*\*\*: Right.

**Katz:** I asked him, does he have any heartburn to leave it at --

**Saltzman:** One side is already r-5. The issue I was trying to raise earlier -- actually the testimony was, if it's existing single-family residences, can you make that r-5 from r-1? And if it's got a multifamily apartment on it, keep it r-1.

**Zehnder:** Consider going to -- consider this a more mosaic piece. We'll show you the implications.

**Katz:** It's currently zoned?

**Zehnder:** R-1.

**Katz:** And you want it to be rezoned r-5?

**Zehnder:** That was the testimony you heard today. The parts of it that are single-family houses. We'll show you what the implications of all that are.

**Francesconi:** How much housing is in 19? How much new housing is in 19? Not 21, but 19.

**Zehnder:** Oh. It could be significant amounts. And it could be none. I mean, it's e.x. Zoning is what we're proposing to put next to the rail line. But we're anticipating that there could be a good deal of housing there.

**Manning:** We can come back with estimates on that for you, too, I think.

**Katz:** I just want to clarify, the council's interested in rezoning, we need to notify again if --

**Zehnder:** No. I think we've notified that --

**Katz:** Yeah, I know, but if the council's interested in rezoning something that's zoned r-1 to r-5, and that was not part of the discussion during the working of the group, that's a major change.

**Manning:** We should check with the city attorney on that.

**Katz:** Great. That's what I want. All right, everybody, thank you. Oh, wait a minute, we need a date.

**Manning:** We have two, but from my perspective the best date to come back would be april 29 at 2:00 p.m. And karla, could you verify that that's --

**Moore:** We have that penciled in for you.

**Manning:** April 29 at 2:00 p.m.

**Saltzman:** Is that a thursday?

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**Moore:** That's a thursday.

**\*\*\*\*\*:** Yes, ok.

**Katz:** Ok. Thank you.

**Manning:** Thank you. [gavel pounding]

At 4:14 p.m., Council adjourned.