



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **14TH DAY OF DECEMBER, 2005** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Potter, Presiding; Commissioners Adams, Leonard, Saltzman and Sten, 5.

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

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

COMMUNICATIONS	Disposition:
1545 Request of Paul Phillips to address Council regarding chausa.org (Communication)	PLACED ON FILE
1546 Request of Renee Fellman to address Council regarding Downtown Neighborhood Association meeting in City Hall (Communication)	PLACED ON FILE
1547 Request of Bryan Andradé to address Council regarding Committee for Appropriate Enforcement of Motor Vehicle Laws (Communication)	PLACED ON FILE
1548 Request of Richard L. Koenig to address Council regarding Committee for Appropriate Enforcement of Motor Vehicle Laws (Communication)	PLACED ON FILE
1549 Request of Kent Hoddick to address Council regarding PGE power pole at N Willamette Blvd and N Killingsworth St (Communication)	PLACED ON FILE
TIME CERTAINS	
1550 TIME CERTAIN: 9:30 AM - Appoint William J. Hawkins, III and Nichole June Maher to the Portland Parks Board for terms to expire August 31, 2006 and Keith Thomajan for a term to expire August 31, 2007 (Report introduced by Mayor Potter and Commissioner Saltzman) Motion to accept Report: Moved by Commissioner Adams and seconded by Commissioner Saltzman. (Y-5)	CONFIRMED

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<p>1551 Re-appoint Rev. T. Allen Bethel, Mike Houck, Steffeni Mendoza Gray, R. Scott Montgomery and Joey Pope to the Portland Parks Board for terms to expire August 31, 2008 (Report introduced by Mayor Potter and Commissioner Saltzman)</p> <p>Motion to accept Report: Moved by Commissioner Leonard and seconded by Commissioner Adams.</p> <p>(Y-5)</p>	<p align="center">CONFIRMED</p>
<p align="center">CONSENT AGENDA – NO DISCUSSION</p> <p>1552 Accept bid of D.S.U.-Peterbilt & GMC, Inc. for ten 19,500 pound GVWR, 4X4 trucks with 2 cubic yard dump box (Purchasing Report - Bid No. 104505)</p> <p>(Y-5)</p>	<p align="center">ACCEPTED PREPARE CONTRACT</p>
<p align="center">Mayor Tom Potter</p> <p align="center">City Attorney</p> <p>*1553 Extend contract with Miller & Van Eaton for outside legal counsel (Ordinance; amend Contract No. 33776)</p> <p>(Y-5)</p>	<p align="center">179816</p>
<p align="center">Commissioner Sam Adams</p> <p align="center">Bureau of Environmental Services</p> <p>*1554 Amend Intergovernmental Agreement with Multnomah County for laboratory analytical services (Ordinance; amend Contract No. 51574)</p> <p>(Y-5)</p>	<p align="center">179817</p>
<p>1555 Authorize Intergovernmental Agreement with Department of Environmental Quality for technical assistance on Columbia Slough Total Maximum Daily Load implementation (Second Reading Agenda 1512)</p> <p>(Y-5)</p>	<p align="center">179818</p>
<p align="center">Office of Transportation</p> <p>1556 Amend Intergovernmental Agreement with Oregon Department of Transportation for the I-405/Kerby exit ramp project to receive an additional \$164,485 of Hazard Elimination System Program funds (Ordinance; amend Contract No. 52468)</p>	<p align="center">PASSED TO SECOND READING DECEMBER 21, 2005 AT 9:30 AM</p>
<p>1557 Amend Intergovernmental Agreement with Port of Portland to provide development and project management of the East Columbia-US 30 Bypass Connector Project East End Connector (Ordinance; amend Contract No. 51093)</p>	<p align="center">PASSED TO SECOND READING DECEMBER 21, 2005 AT 9:30 AM</p>

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1558 Authorize an Intergovernmental Agreement with Oregon Department of Transportation to establish construction and maintenance agreement for a water quality swale on State owned land (Ordinance)	PASSED TO SECOND READING DECEMBER 21, 2005 AT 9:30 AM
1559 Call for bids for the construction of street improvements on Martin Luther King Jr. Blvd from NE Alberta St to NE Killingsworth St (Previous Agenda 1336)	PASSED TO SECOND READING DECEMBER 21, 2005 AT 9:30 AM
Commissioner Randy Leonard Water Bureau 1560 Authorize application to the Federal Emergency Management Agency for a \$3,000,000 Pre-Disaster Mitigation Grant to replace the Sandy River Crossing with an underground tunnel (Ordinance)	PASSED TO SECOND READING DECEMBER 21, 2005 AT 9:30 AM
1561 Extend contract with Alpha Community Development, Inc. to complete work on the large meter test bench (Second Reading Agenda 1522; amend Contract No. 32892) (Y-5)	179819
1562 Amend an Intergovernmental Agreement with Multnomah County to provide additional general heavy brushing work on right of ways, roadsides, trails and City properties (Second Reading Agenda 1523; amend Contract No. 52239) (Y-5)	179820
Commissioner Erik Sten Fire and Rescue *1563 Approve settlement agreement with Columbia Rim Corporation (Ordinance) (Y-5)	179821
REGULAR AGENDA	

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<p>1564 Establish registration and reporting requirements for Lobbying Entities and City Officials (Ordinance introduced by Commissioners Adams, Saltzman and Sten; add Code Chapter 2.12)</p> <p>Motion to accept an amendment to G (5) that oral or written communications made by a representative of a labor organization that is certified or recognized pursuant to O.R.S. 243.650 as the exclusive bargaining representative and employees of the City of Portland, to the extent that such communications are related to bargaining or implementation or application of any collective bargaining agreement provision: Moved by Commissioner Adams and seconded by Commissioner Sten. (Y-5)</p>	<p>PASSED TO SECOND READING AS AMENDED DECEMBER 21, 2005 AT 9:30 AM</p>
<p>Mayor Tom Potter</p> <p>1565 Appoint Jim Hosmer to the Charter Review Commission to review and recommend revised language for a November 2006 Ballot Measure (Resolution) (Y-5)</p>	<p>36366</p>
<p>Bureau of Planning</p> <p>1566 Amend Property Tax Exemption for New Transit Supportive Residential and Mixed Use Development and Property Tax Exemption for New Multiple-Unit Housing to change the sunset date to be consistent with the date in the State enabling statutes (Ordinance; amend Code Chapters 3.103 and 3.104)</p>	<p>PASSED TO SECOND READING DECEMBER 21, 2005 AT 9:30 AM</p>
<p>Office of Management and Finance – Bureau of General Services</p> <p>1567 Authorize contract and provide for payment for the remodel of Fire Stations 15, 24 and 43 (Second Reading Agenda 1532) (Y-5)</p>	<p>179822</p>
<p>1568 Authorize contract and provide for payment for the Justice Center Tenant Improvement project (Second Reading Agenda 1533) (Y-5)</p>	<p>179823</p>
<p>Office of Management and Finance – Human Resources</p> <p>*1569 Authorize an Intergovernmental Agreement with the State of Oregon, acting by and through the State Board of Higher Education, on behalf of Portland State University and its Executive Leadership Institute to develop and deliver mandatory Culturally Competent Management Certificate Training Program for all City Managers and Supervisors (Ordinance) (Y-5)</p>	<p>179824</p>
<p>Commissioner Sam Adams</p> <p>Office of Transportation</p>	

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*1570 Amend agreement with Portland Streetcar, Inc. to provide design and other professional services for the Portland Streetcar Lowell Extension Project (Previous Agenda 1538; amend Contract No. 31428) (Y-5)	179825
*1571 Amend contract with Stacy and Witbeck, Inc. for the construction of the trackslab, track drains and other minor civil elements on a segment of SW Moody and SW Bond Avenues between SW Gibbs and SW Lane Streets (Previous Agenda 1539; amend Contract No. 35163)	CONTINUED TO DECEMBER 21, 2005 AT 9:30 AM
Commissioner Dan Saltzman Parks and Recreation 1572 Extend term of contract with Genuine Parts Company for Stores and Warehouse Business and Operations Services for Portland Parks and Recreation (Ordinance; amend Contract No. 35183)	PASSED TO SECOND READING DECEMBER 21, 2005 AT 9:30 AM

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,
OREGON WAS HELD THIS **14TH DAY OF DECEMBER, 2005** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Potter, Presiding; Commissioners Adams, Leonard,
Saltzman and Sten, 5.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; and Larry
Sparks, Sergeant at Arms. There was no City Attorney present.

	Disposition:
1573 TIME CERTAIN: 2:00 PM – Honor recipients of the 2005 Spirit of Portland Award (Presentation introduced by Mayor Potter)	PLACED ON FILE

At 3:20 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,
OREGON WAS HELD THIS **15TH DAY OF DECEMBER, 2005** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Potter, Presiding; Commissioners Adams, Leonard,
Saltzman and Sten, 5.

Commissioner Adams arrived at 2:13 p.m.

At 3:13 p.m., Council recessed.
At 3:33 p.m., Council reconvened.

Commissioner Saltzman arrived at 3:34 and Commissioner Leonard arrived at 3:44.

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

1574 TIME CERTAIN: 2:00 PM – Adopt the Infill Design Code Amendments (Ordinance introduced by Mayor Potter; amend Titles 17 and 33)	Disposition: PASSED TO SECOND READING DECEMBER 21, 2005 AT 9:30 AM
1575 TIME CERTAIN: 3:30 PM – Adopt and implement the Division Green Street/Main Street Plan (Previous Agenda 1541; amend Comprehensive Plan and Title 33)	PASSED TO SECOND READING DECEMBER 21, 2005 AT 9:30 AM

At 5:00 p.m., Council adjourned.

GARY BLACKMER
Auditor of the City of Portland

By Karla Moore-Love
Clerk of the Council

For a discussion of agenda items, please consult the following Closed Caption File.

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

DECEMBER 14, 2005 9:30 AM

Potter: Before we begin the regular council meeting we have a tradition at city hall on wednesday mornings. We ask the question, how are the children. The reason we ask this question, because we know that children in our community are safe, well educated, when they're doing well, the community does well. And each week we invite experts in to talk to us about how are the children doing. This week we have three young people. They're part of the title seven indian education project through the Portland public schools, and if you would come forward, I would appreciate it. We have sierra smith. She's in the seventh grade at winter haven. Maria george is in the seventh grade at winter haven. And sage wagner is in the seventh grade at winter haven. Speak in any order you want, but when you talk give us your name.

*****: My name is sierra.

Potter: What do you want us to know, sierra?

Sierra Smith: Good morning. My name is sierra smith. I'm a seventh grader at winter haven school. It's a challenging math and science-focused school. Kids come from all over the city to attend our school and most of the kids are talented and gifted students. My mom was a teacher in Portland public schools, and she's one of just a few native administrators in the district. She coordinates the indian education project that provides support to native students and families so more native kids stay in school longer and graduate. Her program helps natives connect with our culture, giving us more pride in ourselves. Feeling good about yourself helps to keep us strong and do better in school. I'm proud to say that i'm a good student and also a gymnast. I'm a state champion in the vault.

Potter: Congratulations.

Maria George: Good morning. My name is maria george, understand i'm from the yakima nation, also a seventh grader at winter haven. My younger brother and sister attend our school, too. I'm a basketball player and good student. My mom teaches the fifth and sixth grades at humboldt school. Only a few native teachers in our district. None of the three of us have had a native teacher so far in school. We think that it's important to have more native teachers as a positive role models for us and to teach us things about our culture that we don't learn in school, like the many contributions of the native people. Food, medicines, and protecting the environment. We want all kids to learn that our indian ancestors more than just fight pioneers. We want them to know about treaty and tribal rights and see history from our perspective. We want kids and teachers to respect us as native americans and appreciate our culture.

Potter: Thank you, maria.

Sage Wagner: My name is sage wagner. I'm an eighth grader at winter haven middle school. I'm native from new mexico, and i've lived in Portland for the last six years. I would like to see more instruction about native people's historical contributions to the city and state as well as more how native people exist today. Recently our class went on a field trip to the lewis and clark interpretative center along with other students from surrounding school districts. I was surprised at the lack of knowledge regarding native people as they live today demonstrated by the students' questions. Students and adults need to know more about native people beyond mere stereotypes.

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On behalf of the 1,100 native american indian students I thank you for your time and ask for your continued support.

Potter: Thank you very much. And that was very interesting information. Now, of the 1100 students, are they all in the Portland public schools, or is it just over this area? Do you know?

Wagner: Portland public schools.

Potter: In the Portland public schools? Good. Well, I know that the native american community here in Portland is very active in a lot of areas. We have the naya director here with us this morning, and also nara, and they do very good things for not just the native american community, but for our larger community. So thank you for being here and thank you for sharing this information. And noreen smoky smith is in the back, the mother of sierra, and brought them here this morning. Thank you for bringing them.

Adams: Thank you very much.

Potter: City council will come to order. Karla, please call the roll. [roll call taken] [gavel pounded] we'll start with communications. Please read item 1545.

Item 1545.

Potter: Mr. Philips. Thank you for being here. Please state your name when you speak and you have three minutes.

Paul Phillips: Yes. I'm paul philips, and i've been here before talking about this web internet -- web address, more than 614 catholic hospitals in the united states. I'm not particularly impressed with learning and coming back here to the city council about these facts. From 1980 to 1992 more than 77,000 workers died as a result of work-related injuries, as you recall this from the c.d.c. And industries experiencing the largest number of serious nonfatal injuries including eating and drinking places, hospitals. That's directly from the c.d.c. Doctors work at hospitals. I was injured at a catholic one. In the words of this walter hales -- no. Robert w. Jerry, when I read his letter, he was injured on the seventh of october, 1981, while working in the laundry in st. Joe's hospital, lewiston, idaho. I think his hand is quite normal. X-ray report from a hans g. Wandell suggested a remote fracture, which you remember me reading, and a medical report of x-rays and m.r.i. Done from saint anthony's hospital. And the case I would recommend a fusion rather than arthroplasty since in my experience -- that was read to you as well. Even my service animal is able to get better medical attention than what i've been able to get from this organization, unless you're impressed with catholic priests preying on children for some 50 years in the united states.

Potter: Why don't you stick with what you're talking about.

Phillips: Yes. I'm saying that the rather extensively -- go to quite a few means. In fact, ed tabor, the chief of police in pendleton, said it was a rather big organization. I've even had medical doctors actually say that they don't have to treat me. And one other thing, which I must have missed here is that possibly a ruptured ganglion cyst. Doesn't say where. That was the saint anthony's hospital x-ray report, just to make sure that you understand. Thank you.

Potter: Thank you. Karla, please read the next item.

Item 1546.

Moore: 1546. She will not be making it today.

Potter: Ok. Please read item 1547.

Item 1547 and 1548.

Potter: That's fine.

*******:** Good morning, city of Portland, city council, mayor and commissioner of police.

Potter: Excuse me. Please state your name when you testify.

Richard Koenig: Richard koenig for the committee on the enforcement -- appropriate enforcement of motor vehicle laws. The year 2005, in retrospect, has been a time of looking at things differently and realizing that what we thought we knew wasn't really that way at all. We see this on the international scale, witness the u.s. Administration's shifting position on iraq and the world's

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response to the terror that has been engendered. We've seen how the corporate looting of domestic programs has left more and more people at risk and with the breach of levees in new orleans the death and dislocation of thousands of americans. Who among us who would have thought that so many of our national guard would be engaged in a grab for national resources for the profit of a few that we the people couldn't take care of ourselves when faced with a natural disaster. Things changed in Oregon this year. Oregon department of transportation's new optional titling rule is a profound change that only a few can yet perceive the long-range effects of allowing a member who chooses to turn his car into a regulated motor vehicle. Even the near future will take some getting used to as we become conscious that the police car in our rearview mirror won't be looking at us as part of his quota for revenue-raising of the day. It will take some effort to learn to deal with the freedom that our community forgot that it has always had over the last seven or eight decades. What will it mean when we realize that most of us have had corporate personhood imposed upon us with all the taxation attendant to doing business, when what most of us do is merely trade the moments of our lives for the fuel to get up and go back and do it again, whatever it was. Now that the city of Portland has come to grips with the economic reality that more money in the pockets of the people is a good thing, and the legal reality that police officers don't have the authority to take money from the people through the enforcement of traffic laws, a new era of community development awaits us. Altering the flow of cash back to the people's pockets will be challenging, but with the help of loyal public servants, like commissioner of police, mayor tom Potter, we will get through. The committee for appropriate enforcement of motor vehicle laws wishes to thank the commissioner of police, tom Potter, and his legal staff for the keen insight reasonable presented in traffic proceedings that the laws are not applicable to the general public. I want to introduce bryan andrade.

Potter: You have to sit down when you're up here.

Koenig: He's going to present this award to the commissioner of police. He's our coordinator for the youth division of the committee. And he'll have a few words to say. The committee's also inviting mr. Potter to come out to our meetings on the first and third saturday at bud clark's coffeehouse where we'll be talking about meeting these challenges. Bryan?

Potter: Thank you.

Brian Andrade: My name is brian andrade. I'd like to take this opportunity to thank the commissioner of police, tom Potter, for his efforts, which will give rise to a new era, an era in which people will no longer fear, but rather trust the police, one in which peace, safety and happiness of the general public is once again ensured by the police, where people will no longer oppose the police, but where respect for law enforcement is widespread, an era in which citizens and the police can harmoniously coexist in their exist, stand in peace and unity together in a relationship with no room for adversity nor animosity. Because of the wonderful work did you, one day my children will know nothing other than a cooperative relationship between citizens and police, with the fullest sincerity, I thank you, commissioner Potter.

*****: Thank you.

Potter: Please read the next item, Karla.

Item 1549.

Potter: Good morning.

*****: Good morning.

Potter: Thank you for being here. When you speak, please state your name and you have three minutes, sir.

Kent Hoddick, Yes. My name is kent hoddick, I live on north willamette boulevard. Today i'm talking about a very important issue in our neighborhood. Everyone should have a handout, and with the handout of my comments i've a flyer attached, some zoning maps of the facility, and a picture of the power pole installed. I represent overlook neighborhood association, and we have the

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support of arbor neighborhood and hayden island neighborhood association. We're concerned about the construction of a powerline going from the intersection of north willamette boulevard and north killingsworth street over and down the bluff overlooking swan island. The proposed high-tension powerline is going to the new b.e.s. Pumping station. We know they need power and we're supportive of getting power to the pumping station and all the big pipe projects. The high-tension line is going to go over property owned by the city, which is zoned open space with the conservation overlay. P.g.e. has claimed to have all the required permits, however they had no permits when construction was started. P.g.e. and b.e.s., the people that ordered the pole, did not inform the neighborhood association, did no community outreach, and did not inform any of the neighbors until the pole was erected. The right-of-way across city property was obtained as an emergency agenda item from this council. Many trees have been cut without the required permits. The 78-foot-high power pole can be seen from the university of Portland all the way over to interstate -- by the freeway. It will impact all persons who drive, walk, bike and run along the scenic viewshed area. Major biking and running events such as the Portland marathon and the bridge pedal go right next to the pole. Neighbors and others are concerned with maintaining their view and property values in the neighborhood. The community has been stripped of our due process. We consider this viewshed area to be a Portland treasure. We are requesting the city council allow public comment on this issue with notification to all interested parties and to not allow any emergency readings for this project and not allow it to be put on the consent agenda without public input. We suggest that the lines be constructed underground or take a different route. In closing, I want to thank the council for their valuable time and summarize that we feel p.g.e. Has had no respect for the neighbors, the community, and the zoning and regulations of this city. Thank you.

Potter: Thank you, mr. Hoddick.

Adams: I want to thank you for your service to your neighborhood over the many years. Your leadership has been invaluable. Also, I just want to report to council that gordon johnston of my office has been working with stakeholders on this issue, and I think yesterday had a meeting with some of the stakeholders to work on it. And you have my commitment, anyway, we won't let anything get on consent without notifying the neighborhood, and I think the rest of the council feels the same way.

Hoddick: Ok. Thank you for the input and the time. And thank you, commissioner Adams.

Potter: Ok. We're moving to the consent agenda. And does any commissioners wish to pull any items from the consent agenda? Is that a perhaps down here?

Leonard: No. I was just getting ready to vote.

Potter: Oh, ok. Does anybody from the audience wish to pull any item from the consent agenda? Ok. Thank you. Karla, please take the roll.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded] move to the 9:30 time certain. Please read items 1550 and 1551.

Items 1550 and 1551

Potter: Commissioner Saltzman.

Saltzman: Thank you, mr. Mayor and members of the council. It's a pleasure to introduce our three new appointees to the Portland parks board. Maybe you could come up as I introduce you. Bill hawkins, nicole maher, and keith thomajon. I just want to remind the council, and Portland's park lovers, the important role that the Portland parks board plays today. This board truly is Portland's oldest citizen committee, with its first meeting taking place on october 20, 1900. It consisted then of the mayor, the auditor, the city engineer and five court-appointed citizens. It has a long and proud history of advocacy and stewardship of our parks. The board meets the first wednesday morning of every month in the lovejoy room at city hall at 7:30. I invited interested citizens to join their meetings, but they do a lot of good work, play a vital role in advising parks management and

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the council on issues related to parks and recreation centers and the budget. They help establish priorities for us, which is increasingly important as we're turning budgets in the years -- at least in this year ahead. So we'll be looking to their wise counsel. And also as the clerk said, we're also reappointing reverend bethel, mike houck, steffeni mendoza gray, scott montgomery, and joey pope. I'd like to give them a chance to introduce themselves.

Darlene Carlson, Portland Parks: Darlene carlson, Portland parks. I would like to briefly tell you the process that we go through with the board to select people to bring to you for approval. The bylaws set the process and the terms are three years with a maximum of two consecutive terms. The board chair appoints a nominating committee in march each year, comprised of no more than three voting members of the board, the commissioner and his or her representative, and parks director, or a representative. This year the board nominating committee was chaired by rich brown, and included reverend d. Allen bethel, and others. I was the parks representative and staffed the committee. The entire board worked to reach out to the community. The information was on our webpage as well. The goal of the board was to increase diversity, to find a resident from southeast Portland, and to round out the membership to reflect the community at large. There are three -- there were three board vacancies, and we had 11 applications, which were received and reviewed by the nominating committee, which then brought the recommendations to the full board, then brought to commissioner Saltzman for approval, and then to the mayor, and today we're here before you for the final step. Thank you.

Nichole June Maher: Good morning. My name is nichole june maher, pleased to be here and participate on the parks board. I have two very specific interests through my involvement with the parks. First is just generally increase the livability of Portland by having a quality of life and opportunities for engagement for the community through physical activities and greenspace. I'm really excited about that. In addition i'm really committed to seeing the parks bureau increase its diversity and staff, increase its engagement to the entire community, and also to ensure that marginalized communities who often don't participate in our parks activities, such as the hmong community, slavic community, native american community, have increased access. Thank you.

Keith Thomajan, CEO Campfire USA: Good morning. My name is keith thomajan. I'm humbled and flattered to serve on the board. My background is in education. I was a teacher in south central los angeles and east oakland, california, for a number of years. I was a wilderness educator without outward bound for seven years as a field instructor and a program director and ultimately a fundraiser. As I say, i've been with campfire for the last four years. I think in terms of impact on the community, the parks is -- is really at the heart of what makes Portland unique, our urban greenspaces, our wilderness, and so i'm hopeful that my background in community and fundraising and business and strategic planning will help me to be an able steward of our really exceptional park system. So thank you.

Bill Hawkins: Mr. Mayor, commissioners, my name is bill hawkins. I'd like to make a little historic note today. At that first meeting of the park board, my great-uncle, lester leander hawkins, he's a legend in our family, but his participation in the parks has come down through all these years. I would really enjoy the service to the city to try and continue those legends, all those who worked so hard in the early years, have given us a superb parks system. Thank you very much.

Saltzman: It's nice to have that historical connection. Thank you.

Potter: Thank you folks for being here today.

Adams: Thanks for your service.

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

Potter: Need a motion to accept item 1550.

Adams: So moved.

Saltzman: Seconded.

Potter: Karla, please call the vote.

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Adams: Again, thanks for your service to the city. We really appreciate it. Aye.

Leonard: Aye.

Saltzman: Welcome. We look forward to working with you. Aye.

Sten: It's such a great board. I'm expecting really good things. You got your work cut out for you, but I think this is really one of the most owe from what i've heard from people -- hard but rewarding tasks. I'm glad you're willing to do and look forward to hearing more from you. Aye.

Potter: I was in a meeting with folks from out of town this morning during the breakfast hour, and they asked me what was unique about Portland. Our form of government? I said, yeah, that's one thing. But I said it's really our people. And I think you folks personify that what makes Portland livable, what makes it a great place to do business and to enjoy our folks like you, and I really, really appreciate it. Thank you very much. I vote aye. [gavel pounded] need a motion to accept item 1551.

Leonard: So moved.

Adams: Second.

Potter: Please call the roll.

Adams: Aye. **Leonard:** Aye.

Saltzman: I wanted to acknowledge that scott montgomery is here in the audience, one of our reappointees, and thank him for his continued service. Aye.

Sten: Aye.

Potter: Aye. [gavel pounded] move to the regular agenda. Please read item 1564.

Item 1564.

Potter: Commissioner Adams.

Adams: This is an issue that's been before the council. This will be the third time. It had significant public outreach and media coverage. It begins a process of perfecting a lobbying registration and recording system for the city of Portland, and I really want to underscore it begins a six-month process we've put together an ordinance with the help of the public input based on what we know and the support that I could get for different elements of it, but i'm the first to admit that we won't know exactly what the final system is or should look like until we take it for a test drive. And that's what the next six months will allow for. So unless there are any questions from council, I think we can just get into testimony.

Potter: Yes. Karla, please call the names on the sign-up.

Moore: Ok. We have six people signed up. Come up three at a time.

Potter: Folks, thank you for being here. When you speak, please state your name and you each have three minutes.

*******:** Please start.

Michael Dehner: Thank you. Michael daner, laborers local 43. Good morning. I'm here to speak on an issue which I believe actually commissioner Adams and I have -- and his staff -- have spent a significant amount of time over the last several months addressing. And in connection with that I do want to commend commissioner Adams for the process that has been utilized to come to today. I know there's been an involved process to try to ensure that you've heard from all the stakeholders and been pretty involved in that. I'm appreciative of the opportunity to give you our two cents' worth. I just want to speak again to the -- an issue which I think we generally have an agreement in principle, but I have an ongoing concern about the -- the specificity or the particular language that's being used in the exemption that -- that concerns us most, which is, of course, the exemption relating to organized labor and the -- the fact that unions need to engage in communications very extensively with -- both with high-level managers of the city and the bureaus as well as city council directly. And so our goal is to have an exemption that allows that -- that acknowledges the sort of special role that the unions occupy and their relationship -- contractual relationship with the city, but also honors the spirit of this -- this regulation, which we certainly support in terms of the -- the

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goal to obtain additional transparency to the operations of the city government. I just want to, again, make a pitch for a slight adjustment to the language of the exemption that's been proposed, because I feel that it does reflect what you yourself have stated is the purpose of the exemption. And i've forwarded that language to your staff, but generally what i'm going for here in terms of the exemption for labor organizations is one that instead of carving out communications that are unrelated to the -- that -- well, with the current language being that the communications do not deal with actual or potential ordinances unrelated to the collective bargaining process, I continue to have a concern that that language is too narrow, and that what we do necessarily, both under a legal obligation and contractual obligation, embraces more in that an adjustment to this language that would include implementation or application of a collective bargaining agreement. In addition to the collective bargaining process would be more appropriate.

Potter: Thank you, sir.

Irwin Mandel: Good morning. Irwin mandel. I don't know how many years it's been since we found it necessary to come up and speak to a city council on a particular issue we're concerned about. It's the behind-the-scenes way you are arriving at your decisions. We are tired of having "the Oregonian" be your ballot box with decisions made before privately -- in private before public testimony is given on an issue. By this covert decision-making process, you are clearly demonstrating an old adage about government. It's not the form of government that matters, but who we elect to serve us to govern us. A miniature version, you're turning this council into a miniature version of our federal government with back-scratching politics. In today's paper we had the interesting time earlier this morning of reading about the fact that one commissioner has already decided his vote on this issue simply because he was asked to decide. It seems that karla no longer tallies the votes of this group, but "the Oregonian" is the ballot box. This is contemptuous of the public process that we -- we engage in. She'll carry on for the rest.

Lili Mandell: My name is lili mandel, and i'm an outraged, angry, citizen. You all have already lobbied each other for votes, and your ears are shut and your minds are closed. These hearings are a bad farce, and we citizens are playing the role of the fool. I don't like my role at all, and I think it is about time it has stopped -- it should stop. Process, wonderful process, I just heard about here before. I don't think so. I think it stinks. I'm not even going to say thank you for listening, because i'm not sure about that.

Adams: I will say thank you. I think in clarification that the -- the question that I asked other members of council is if they would cosponsor it, and the answer given was what you read in the paper in terms of their cosponsorship of this ordinance.

Dave White: Good morning. My name is dave white. I'm regional representative for the Oregon refuse and recycling organization, a state association out of salem. I work in the tri-county area. We have a local group of haulers called the tri-county council. We work a lot with bureau staff at the office of sustainable development on franchises, collection rates, now containers in the right-of-way, noise, organics programs. There's a lot of ongoing correspondence and discussion that we have at the staff level. Occasionally i've spoken, I think, with a couple of commissioners, and susan anderson at the office of sustainable development, which is the director. So I wanted to let you know that we support the efforts that make the legislative and administrative process transparent, educates and informs the public, and increases their confidence in that process. I did take some time to look at the proposed code change, and having said that we support anything that helps the citizens understand the process, i'm not sure that I will be qualified as a lobbyist under this, because I never really work 16 hours a quarter talking to elected officials and bureau heads, but we certainly support this and any efforts that you make to move in that direction will be on board -- we'll be on board. So thank you.

Potter: Thank you.

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Chris Smith: Good morning. Chris Smith. As I understand it, this resolution has three cosponsors, and since commissioner Leonard and I have already had a dialogue about this and we respectfully agree to disagree on this, I think, mayor Potter, I'm trying to influence you this morning. I'd like to see you vote for this. One of my formative experiences in working with city government was spending about two years trying to work on the northwest parking plan and really bring the neighborhood association closer to the middle and try and work with the business association to bring them closer to the middle, and spent months in discussions trying to locate a parking structure, or several structures that would be in locations acceptable to the neighborhood. And was very disappointed to have it fall apart when we came to council. And what I learned in that process is that while I thought I was negotiating across the table for my partners to figure out a solution, that in fact the developer who was interested in developing in a particular location had three lobbyists working the building and had secured three votes before our negotiations were ever finished. And as a result, we wound up with a neighborhood plan that is the first neighborhood plan in the history of the city to pass over the objection of the neighborhood association. By the way, I hope that's something that council will look at when other parts of that plan come back on remand from Luba later this year, because I think that's still something that needs to be fixed. The commissioner of transportation at that time, who should have been the person really leading to bring the parties together, was in fact one of the three votes that had been lobbied in advance of the process. Of course, that commissioner of transportation was also for candidate for mayor at that time, and that experience led me to look for someone else to support for mayor, someone who shared my values about transparency. And mayor Potter, I was happy to find that in you as a candidate and happy to work for you because we share those values. My belief, is that this ordinance, while it's burdensome to some people, including organizations that I represent, is an important step toward the transparency that you and I both value, and I really hope that you'll support it.

Amanda Fritz: Good morning. I'm Amanda Fritz, speaking only for myself. I learned a lot of things on the seven years that I was on the planning commission. The first is that we definitely need something like this, because right now the process isn't transparent. Decisions are made between lobbyists and commissioners, and we need to at least know who is talking to the commission. The second is that we can't achieve everything with regulation. The transparency and accountability that we're looking for can still happen with this regulation, because the people who believe in those values will post your calendar online, will tell us why you're making the particular votes you made, and who you talked to and why and how they influenced your vote. Nothing this ordinance prohibits you from doing that. And third thing that I learned is that sometimes it's time to vote and move on. This regulation has had a lot of process. You never get everybody coming into all of the process who would like to have been involved, as we've heard from the Mandells, however I was really impressed with the roundtables that tried to bring a lot of different interests to the table, like commissioner Adams did, and I feel we've had a lot of discussion on this. Nobody is going to die if you adopt this ordinance. Nobody's civil liberties in terms of access to city officials is going to be infringed because of the good work that commissioner Adams has done, and I think we need to adopt it and try it and see if it works. I think it will improve the state of accountability and transparency, and it's one step in the process to do that.

Potter: Thank you, folks.

Moore: One more. Robert King.

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

Potter: Good morning. State your name, and you've got three minutes.

Robert King: I'm Robert King. I'm president of the Portland Police Association. This ordinance I think is a long time in coming. We've discussed it, I think, as everybody here has said over and over again, and we've arrived, I think, at an ordinance that works. There's language -- we appreciate there is language that commissioner Adams has adopted that allows the access on the

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part of labor to you, our employer, that we think makes sense. So having said that, I thank you for your openness and your willingness to consider our view and i'm happy to be here today to say that it looks like we're getting closer and closer to an ordinance that will work for everybody.

Adams: Question for you. Are you ok with the suggested language changes that michael suggested? Would you take a look. It's language that a majority of council last time we had a public hearing seemed comfortable with.

King: That looks fine.

Adams: Ok.

King: Yeah, it's the same thing essentially. Yes. Thank you.

Potter: Others? Is there anybody here that wishes to testify on this matter that didn't sign up?

Adams: Could I make a --

Sten: I'm sorry.

Adams: Could I make a motion to amend the draft ordinance to include this language that just memorializes what the majority of council said was ok with them last time and addresses michael's concern?

Sten: So moved.

Saltzman: Second.

Potter: Has everybody read the language?

Adams: Yeah.

Sten: It's been forwarded to me. [inaudible]

Potter: Why don't you read it into the record.

Adams: Ok. So we will be amending -- this amends what -- can you step -- you got to step up here.

Moore: State your name.

Mary Jo Markle, Commissioner Adams Staff: Mary jo markle, commissioner amends this item g, number five.

Adams: So the item would be amended, oral or written communications made by a representative of a labor organization that is certified or recognized pursuant to o.r.s. 243.650 as the exclusive bargaining representative and employees of the city of Portland, to the extent that such communications are related to bargaining or implementation or application of any collective bargaining agreement provision.

Saltzman: How does that differ from the existing --

Adams: I don't think that it does, it just clarifies that -- it clarifies the intent of the exclusion. We don't see it, any discussion with the city attorney's office, they don't see it as a substantive change, but it provides clarification to some of our stakeholders, and so we support -- we support the clarification.

Saltzman: So is lobbying by collective bargaining units on bargaining agreements covered or not under this ordinance?

Adams: As part of collective bargaining, no. If they come in and lobby us on budget issues, then yes. If they lobby us on proposed cuts to positions in a particular bureau, yes, they would be covered, but as we're bargaining, no.

Saltzman: And the rationale is?

Adams: The ability to engage in that process with us, and that that process, by agreement of the two parties, is a matter of public record. By agreement of one of the two parties, is a matter of public meetings.

Saltzman: Are those meetings required to be reported on our calendars as official city activities?

Adams: Yes.

Potter: Did I hear a second on this? Ok. Karla, please call the roll.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye.

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Sten: Oh, I just wanted to mention to my friends, the mandels, I think they're right on this, I do want to draw a distinction with you, however. I believe when a topic has been heard three times in front of the council and there were no material changes in it, and it's brought to me for a cosponsorship and i've made up my mind based on the public hearings, long and arduous, that i'm not premature in signaling which way i'm going to vote. I had not determined where I was going to go on this for quite some time, and actually made the opposite distinction, that having been very clear in -- in my uncertainty as to which I was going to go, that what I needed to do in the paper was signal to people very clearly that I was intending to support this at this point, but it is a controversial ordinance, and i've gotten there after the public process. Just wanted to share that, because I think your point is a fair one. It has grown to be a bother to me as well when things are not done in the way you say. In this case i'm going to beg to differ just a little bit. [inaudible]

Sten: That I understand and agree with. Aye.

Potter: I have no particular problem with the wording on the language. Aye. [gavel pounded]
Karla, please call the vote on the -- oh, it's nonemergency, moves to a second reading.

Leonard: Are we going to move on?

Potter: Yes.

Leonard: I want to say a couple things while the audience is here. I've been involved in political life in one form or another most of my adult life, so i'm very familiar with how things happen, and I have a high degree of tolerance with the political process, maybe more than some observers have outside of the process. But I find a couple ironic things occurring in this ordinance, and they just wreak of irony. And one is, you know, I have really appreciated the relationship Chris and I have developed since he and I have been on the council, and I like his point of view and his ability to change his mind. It is very helpful for me to work with people like chris. But I just find it ironic that, you know, another person testifying supports this ordinance as is as long as neighborhood organizations are excluded, who in my opinion are amongst the most potent, as they should be, lobbying forces in the city. And if one were to argue that they want a transparency in government, as long as it does include their activities being involved in reporting, it's a little hard for me to understand the consistency of that position. Nonetheless, they have been effective, ironically, in neighborhood organizations come excluding themselves from this ordinance and their lobbying activities. Second, unfortunately, you know, and i'll say commissioner Sten right along has been pretty consistent on his position on this ordinance, because I talked to him, but of late the irony is that this ordinance appears to be going the way it is because of some -- I don't know how else to put it -- back room horse trading. I find not a little bit of irony in that, and unfortunately find some credibility in the mandells' concerns. I wish I could sit here and say I don't, but I do. None of this reflects on the work of mary jo markle, who has been an outstanding advocate on this, and I appreciate her hard work, but I think if we're talking about transparency in government lets allow the process to be transparent. And i'm deeply concerned that this is a flawed ordinance, I will vote against it next week, because I think it is overly onerous in its details, and excludes some of the most potent political lobbies in the city, and I cannot in good conscience support something because some of the most vocal activists in the community want it that way. Thank you.

Adams: I would just say by way of response, I appreciate everyone's attention and partnership on working through these issues, and neighborhood associations are excluded as long as they adhere to criteria that are set forth in this ordinance for, you know, the public nature of their work. So they're not excluded. They're only excluded to the extent that they adhere to the city's requirements for open meetings and notices, and they can fall in and out of that category based on their success or lack of success on that. Neighborhood business districts, which are also recognized by the city, can opt in to an exclusion or not based upon how they conduct themselves. So it's based on a set of criteria that are objective and called for more openness, but part of the six-month trial will be to determine whether the exclusions still make sense or not after we have the experience of six

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months. In terms of horse trading on council, everyone on council engages in horse trading from time to time. That's not new to the political process, and anyone who tells you otherwise, you know, I just firmly disagree with. So horse trading is part of it. This has had almost a year of both public and council process, and it has been improved and will continue to be improved. And any concerns, we'll have a chance, after the six-month trial test run to make additional fixes to it. Again, i'm not claiming that this is the end product. This is the beginning of test driving the product. Thank you.

Potter: I just want to add, before we move to the next issue, that i'll reserve most of my comments for the next reading of the ordinance, but like commissioner Leonard, I think everybody on this council is committed to making the council's actions more transparent. And the question is, does this ordinance move us in that direction and is it of substance that we'll actually make us more transparent. Each of us, I think, do things to try to be more transparent. I've, since day one, publish my calendar of all my meetings on the internet so that people can see what I do every day and who I meet with. The budget process this last year, I think, was one of the most open budget processes in many years. So democracy is always a process. It's never a final product. And we're moving down the road to, I think, a better community and a better process for your government. So i'll reserve the other comments specific to this ordinance next time. Moves to a second reading. When is the date of that reading, Karla?

Moore: That will be next wednesday, the 21st, back on regular agenda.

Potter: Thank you. Please read the next item.

Item 1565.

Potter: Is jim here?

Moore: I believe he was not going to be able to make it.

Potter: Ok. There was a vacancy on the charter review commission, and mr. Hosmer agreed to be a replacement. I think he'll bring additional value to the charter review commission. Do we just take a vote or do I have to have a motion?

Moore: We can take a vote.

Adams: I think it's great you're appointing someone from gresham and a longtime employee of the bureau of transportation. Aye.

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

Potter: Aye. [gavel pounded] please read item 1566.

Item 1566.

Barbara Sack, Bureau of Planning: Barbara sack, the bureau of planning, and with me is Brian Morisky representative of p.d.c. Today we're bringing you an ordinance that will extend the sunset date of two of the city's multifamily tax exemption programs. These are the city's transit supportive programs, and the new multiple unit housing residential tax exemption program. These programs are contained in chapters in the city code. The current sunset date of both partnerships is january 1, 2006, and this ordinance will extend it to january 1, 2012. Planning and p.d.c. staff recommend that the sunset dates of these programs be extended to make them consistent with the new sunset date in the state statutes that authorize these programs. In 2005, the state legislature extended the sunset date when it passed senate bill 839. This was a bill that the city lobbied in favor of. Extending the sunset dates will allow the city to continue to accept applications for the program, the transit supportive development program. It also allows the city, in council chooses, to accept applications for the new multiple unit housing program after the moratorium ends in april 2006, or at some later date. Approving this ordinance does not change the council's decision not to accept applications under this program for six months or to make other changes to the program. Lastly, and most importantly, extending the sunset date will allow the city to keep its commitment to two projects that have already been approved for a tax exemption but have not yet completed construction. These are the yards at union station, phase c, which was approved for a new multiple unit housing

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tax exemption in 2004 and the gateway towers project, which was approved november 30 for a todd exemption. Code regulations require that projects be complete by the sunset date of the program, which is in two weeks -- or three weeks. So in order for these projects to go forward and for the owners to be able to take advantage of the tax exemption that the city council granted them, we need to extend the sunset date. Are there any questions?

Potter: Any questions, folks?

Saltzman: Did you say one of those projects was the multiple family?

Sack: Right. It was the last phase, phase c. It's in permitting, but it's not completed construction.

Saltzman: Given that we've imposed a moratorium on the multiple unit tax exemption, I guess i'm not -- except maybe to deal with the specific situation for the yards, why would we otherwise extend the sunset date for that tax abatement at this time? Because we haven't decided whether we're even going to continue to offer that.

Sack: Well, it would be a problem for that project.

Saltzman: What i'm saying, suggesting, art, isn't there a way to extend it for a particular project, but otherwise not extend the deadline for the multiple unit until we know what we're in fact doing with that one, after our moratorium, 180 days.

Sack: I would have to check with the city attorney. I don't know the answer to that question.

Saltzman: Well, this is a first reading, so I guess i'd like to --

Sack: Sure.

Saltzman: If there's other interest on the council on this point, I guess, i'm raising, we haven't imposed the six-month moratorium under concerns some of us have about not being family friendly, for one instance. Could lead to a decision maybe not to continue it at all.

Sack: That's true.

Saltzman: Yeah, i'm not sure why we would blanket, extend it to 2012. I do recognize the situation the yards is in, though we've granted them the abatement, they need an extension, but if we can fix that I don't think we should extend the sunset on the multiple unit. I am ok with the transit oriented development being extended to 2012. So anyway, I guess if you could look into that before next week.

Potter: Other questions? Thank you folks.

Sack: Thank you.

Potter: Is there a sign-up list for this?

Moore: I didn't have one set out.

Potter: Is there anybody here who wishes to testify on this issue? Ok. Any further questions from the council? It moves to a second reading. It will be next week?

Moore: Next week.

Potter: Ok. Please read items 1570 and --

Moore: Did you want to do items 1567, 1568, and 1569?

Item 1567.

Potter: Yes, I do. Is that second reading?

Moore: Second reading.

Potter: Please call the roll.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded] please read the next item.

Item 1568.

Potter: Second reading. Please call the roll.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Potter: Aye. [gavel pounded] please read the next.

Item 1569.

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Yvonne Deckard: Good morning. For the record, my name is yvonne deckard, the director for the bureau of human resources. The subcommittee assigned to this project related to bureau innovation number five interviewed four finalists and chose Portland state university's executive leadership institute. P.s.u.'s executive leadership institute will deliver 10 four-module sessions with the intent to train approximately 1/4 of our city managers and supervisors by june 30 of 2006. The university of also provide a trainer to trainer component, ensuring the city will be able to train all managers and supervisors over the next 24 months, and provides an ongoing program for newly-promoted managers and supervisors and those who intend to become or desire to become managers and supervisors for the city of Portland. The contract meets the goals set out by bureau innovation number five and meets council's goals in providing one-time money for the program. A comprehensive training program of this nature is an important step and will prepare managers and supervisors to effectively manage multicultural work groups, establish criteria for evaluating managers and supervisors and culturally competent management and provides training to potential and practicing supervisors and managers to support them in establishing criteria -- and establish criteria. This ordinance also asks that council make these trainings mandatory for all managers and supervisors citywide. The component in the four modules will consist of orientation of diversity development and culturally competency, creating a multicultural work force, managing diverse work groups and creating and maintaining an inclusive work environment. I recommend that the council adopt this ordinance. Joseph and I are here to answer any questions that the council may have.

Potter: I also want to add that this was the result of the bureau of improvement project number five committee looking at implementing a training program for managers and supervisors. The council did authorize one-time money for this purpose. The training has four modules. One is the orientation to diversity development and cultural competency. Second is creating a multicultural work force. Third, managing diverse work groups. And fourth creating and maintaining an inclusive work environment. So that was the purpose behind this.

Deckard: Right.

Potter: Does the council have any questions for yvonne or joseph? Thank you folks.

Potter: Is there a sign-up sheet for this?

Moore: Didn't set one out.

Potter: Anybody wish to testify on this matter? Ok. Please call the roll.

Adams: Sounds great. Good work. Aye. **Leonard:** Aye.

Saltzman: Yeah, it sounds good. I'm always looking forward to more opportunities to work with Portland state university. I'm glad they were the most competitive of the -- of the proposers. Aye.

Sten: I agree. Aye.

Potter: I think this is an excellent program. I think it will help strengthen the ability of our managers and supervisors to provide the kind of leadership and increasing the diversity in our city work force, and working more positive with our different groups within the city, including our labor force. So I vote aye. [gavel pounded] ok. Please read the next item.

Item 1570.

Potter: Commissioner Adams.

Adams: We were able to -- pdot was able to come to agreement with the p.d.c. For the hillside property also known as the field of dreams property, which is great, because it makes that property available for affordable housing in the south waterfront area, and as a result of that we have the resources to pay for 1570. 1571, I need held over for another week.

Moore: I'll go ahead and read it.

Adams: I'm sorry. Should have answered yes to your question.

Potter: Please.

Item 1571.

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Potter: Please call the roll.

Moore: On 1570.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye.

Sten: Well, I just want to say I appreciate the creative problem-solving and the money that's going to pay for this, coming from p.d.c. to buy enough affordable housing sites, it's actually a double win. Good work, sam. Aye.

Potter: Aye. [gavel pounded] please read the roll call on item 1571.

Moore: Wanted to continue that until next week.

Potter: Move it to next week. Ok. Please read item 1572.

Item 1572.

Potter: 1572. Commissioner Saltzman.

Saltzman: Thank you, mr. Mayor. Members of council, in august of 2005, the city council extended the genuine parts company contract to give Portland parks and recreation purchasing and the union time to review the comprehensive audit report and return to council with recommendation of future operation of the stores. The extension we're asking for here, until april 2006, will allow parks and purchasing the needed time to implement a set of positive standards and guidelines as set forth in the audit of this contract that was done. The audit, among other things, did show that we actually saved close to \$300,000, however the audit also showed that we -- or genuine parts did not do, you know, a spectacular job in contracting with minority women and emerging small businesses. These were some of the issues the audit found. There was a lot of detail. And Lydia Kowalski, the manager of parks services, is here to explain the next step in determining the future -- future of this, which will lead to a request for proposals in the spring -- or --

Jeff Baer, Acting Director, Bureau of Purchases: I'll step in here first.

Saltzman: Ok.

Baer: I'm jeff baer, the acting director for the bureau of purchases. And commissioner Saltzman nailed it right on the head here, that what this extension will allow us to do is to go back and address the issues found through the audit findings and take those into and draft it together a request for proposal that can identify where we need to make some changes. This was all designed as a pilot project so that we didn't know what we were going to get into over that 18-month period. We found out what we needed to find out, and from the audit we are taking those forward and carrying that out into the next step, which is a competitive selection process.

Saltzman: Leah?

Lydia Kowalski: Park services manager. We have a number of recommendations from the audit as jeff said that will provide for a better and more stable, secure management of the stores operation, no matter who manages it. Our objective in this case is to set these within an r.f.p. that guides whoever manages the store in the future on implementing areas that will increase security, that will improve the service delivery, and that will bring the services back out into the field and save on our operations costs for people going out and purchasing individually with p-cards. We did have a lot of problems with inventory and security control. So we're looking to improve the entire situation.

Saltzman: I would just add that this r.f.p. will be open to public sector entities, as well as private sector entities.

Kowalski: Yes, it will.

Sten: A question.

Potter: Question.

Sten: I guess in the ordinance on part five, could you elaborate a little bit? It's \$240,000, \$260,000 savings based upon increased inventory. And I mean I guess I don't completely understand what that means.

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Kowalski: A condition of the napa contract was that they would be saving money for parts. And one of the ways of doing this was going through bulk purchasing in which they made agreements to purchase large things. For instance, we use a lot of mower blades during the year. So instead of buying them on a month-to-month basis, they would buy enough for the entire year and save a substantial amount in doing that. So their primary savings were inventory, savings in large purchasing, bulk purchasing.

Sten: Why isn't that something we can do ourselves, that we would need napa to do?

Baer: Well, I guess it goes back to the original intent of the program, which was to look at creating some efficiencies in the warehouse itself. I know they had an antiquated inventory system, and we wanted to, instead of looking at going back and doing a significant software upgrade and creating this whole inventory system, to bring in a private sector or a different provider of that service, that already had an established program they could put in and implement very quickly and create those efficiencies and cost savings.

Leonard: But the auditor's report says that he has a concern that the aggregate savings being reported are due primarily to the increased level of overall inventory purchases.

Kowalski: We have to complete an inventory in january.

Keith Crawford, Auditor: My name is keith crawford. I conducted the audit review. My concern was, in the original r.f.p., the city had a requirement that they would retain ownership of the inventory. Now, the downside of that is that it created a situation where napa didn't have a ceiling on the amount that they purchased. In fact, the purchases went up from where they were at, just over half a million dollars, to just slightly over a million dollars in purchases from the year before and then the year that we looked at. My concern was that as the amount of inventory purchases went up, that contributed to the savings. However, in order to find out if that became a problem, an accurate physical inventory needs to be conducted. And january would be the best time to do that physical inventory to find out what the specific level is at, to see if there was an issue there.

Leonard: Didn't you also find that there was no way to track the stock on hand due to the different identification processes between napa and what the stores had used previously?

Crawford: They had a -- they had a problem in the transition when they first took over the parks stores, because parks stores had their own inventory and bar-coding type system set up for the parts. And when they did the conversion, a lot of cases the inventory part number that was translated was not cross-referenced. So in order to do a review tracking inventory through the system, it was very labor intensive, we had to backtrack to the original part number and add those two things together to get what the final inventory purchase for the year was. So it did make it extremely difficult to track. That's one of the things that my report points out that needs to be -- accountability and accuracy needs to be a key performance measure of any contract in the future, regardless of who does the contract.

Leonard: And this doesn't have that, in your opinion, in terms of comparing apples to apples and tracking?

Crawford: There were still issues with that, yes, that's correct.

Leonard: And on the issue of just cost savings, how is a cost saving determined? What was the comparative items that were used to determine when something was a savings? So you buy a mower blade. It costs, you know, \$10. How did you determine that was a savings from what? From there were several different methods. The first method was when they go to order a part, when they pull up the inventory on the screen, one of the strengths of their system was to --

Leonard: When you say, "their system," you mean napa?

Crawford: That's correct. It showed the last price they paid, the average price they paid --

Leonard: When you say, "they"?

Crawford: Napa.

Leonard: Ok. Again?

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Crawford: Napa would look on their computer system, inventory management system, and see the last price that was paid from the vendor they purchased from, and the average price they paid for inventory up to that time. And when they got their quote, if it was higher than that, they would try and negotiate a lower rate. So one of the ways that they calculated cost savings was negotiating a lower rate. A second method was that they would contact a vendor and they would get a wholesale price versus the retail cost that would be sold to anybody else that was in the -- in the market for those type of products. So the savings calculation was a difference between the wholesale price and the retail price that the product normally sells for.

Leonard: So napa was the -- the savings that we're looking at were based on what numbers napa generated, not necessarily what the parks could go out and buy those items for?

Crawford: Right. And then --

Leonard: I mean, that's a savings that --

Crawford: Well, the actual savings -- the actual savings themselves are based upon what they could price negotiate. So, I mean, active pricing --

Leonard: I understand that, but what I'm asking is one might be lead to believe, when you look at a quarter of a million dollars savings, we're talking about savings over what parks could have done operating the stores with its own personnel versus what napa could have done. That's not a comparison. The comparison is what napa can compare to itself and its ability to negotiate a price down.

Crawford: Right. Negotiating the prices.

Leonard: How do we know that's really a savings to us? It's a savings that napa generated amongst what they determined the prices were, but how do we know we saved any money? How do I know, if napa says, they started out at \$10 per blade, we got them down to \$9, that's a 10% savings. How do I know that parks couldn't have gone to home depot and bought it for \$7.99.

Crawford: That was part of the problem with the whole parks stores process, there's a lot of purchasing from third-party vendors such as home depot and other local vendors, and those purchasers --

Leonard: Why is that a problem? How am I quantifying what I'm doing here if I don't know what parks would have spent.

Crawford: Well, during the period roughly 44% of the purchases were made by parks employees going out to home depot and other local vendors and buying product. So napa has absolutely no -- no opportunity at all to negotiate a price savings, because the employee is making the purchase.

Leonard: How do I know that's bad? I mean, as a person on the council voting for --

Crawford: The reason that causes a problem is that the parks employees are burdened with going out and shopping. So instead of working on their projects, they're spending a significant amount of time driving to the store, doing research online for prices and --

Leonard: Have we quantified that? Do we have a way to measure that, what you just described?

Crawford: Yes.

Leonard: How is that?

Crawford: The tracking of the inventory items showed exactly what napa purchased in terms of product from their own inventory, napa-type of products, sole source, which are things like toro lawn mower parts, when they can only buy toro lawn mower parts, and then third-party vendors, which are all the procurement card purchases that were reported back and purchased by parks employees.

Leonard: Ok.

Crawford: So if you take the sole source, purchases done by the parks employees, that's roughly 2/3 of the total inventory purchase. So there's absolutely no opportunity to effect a savings on that. The savings that they're generating is on slightly less than a third of the inventory purchases.

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Leonard: That was not my question. My question was you said that -- what I inferred from what you said was, some of our savings are through efficiency because we don't have employees going out and buying items at home depot. And I asked you if you could quantify that and you said yes.

Crawford: Yeah. Would you like to look at the detail?

Leonard: I mean, what i'm hearing you describe is the comparison between prices that employees got at third-parties versus what napa did.

Kowalski: The issues in that case would be if an employee goes out to home depot and finds something for \$2 less, it's actually taking them one to two hours to --

Leonard: I understand that. I'm asking if you quantified that. That's anecdotal.

Kowalski: There's an audit report.

Crawford: You have to look at the appendix.

Leonard: But you didn't discuss that.

Crawford: I did.

Leonard: Maybe you could point that out to me, because I think that's fundamentally important, because if we're trying to compare what's cheapest for us we are to look at all factors.

Kowalski: There are three concerns in the future operations of the store, no matter who runs it, that would address this issue. One is to improve the service delivery in the field. The second would be to provide multiple site purchasing, so that they could -- whatever company was offering this, now that we divide into zones, that staff who are in outlying areas wouldn't have to come all the way back to stores to purchase materials, and not spend their time researching and looking for parts on their own. Because that takes a considerable amount of time, particularly if they're not familiar with the system.

Leonard: Do we know, can we document, that that is a phenomena that happens?

Kowalski: Yes, we can document that. So that's one of the concerns. We're looking for efficiencies to make sure the staff know how to do their jobs in the field, are in the field doing their jobs, and not out going to home depot, looking for buys, because it costs a lot more of their time. It might not show up directly in the cost price of something, but it takes a lot of time in order to go out and purchase that. And we're looking for tighter inventory controls. And also the confidence and the communications and working ability between the staff in the field and whoever operates the stores so that the employees will feel more inclined to work with the stores and get those orders rather than going out in the field and doing their own research and purchasing.

Leonard: My understanding is pdot actually has a city-operated stores system. Is that correct?

Baer: I think the water bureau does, too. And fleet does.

Leonard: Why couldn't we coordinate all of these activities through the other bureaus that are already engaged in that, so that they were purchasing and storing equipment for multiple bureaus within one stores?

Baer: I would defer that to parks.

Kowalski: That is a possibility. What we're looking at with this extension --

Leonard: Excuse me.

Kowalski: Yes.

Leonard: Have you had that discussion with pdot or water?

Kowalski: Not yet. We're just at the point where we would be doing that now. And I did speak with buzz from the union about this, that we would beginning in january, and we could undergo some conversations about this issue. The main thing we want to do is set up a standard for how we're operating the stores in the future. Even when we were -- the staff were operating it, and when napa was operating it, there were both problems in the operations that we didn't have up-to-date systems, bar-coding, proper inventory controls, we didn't have proper security controls. What we want to do now is to prepare an r.f.p., a guidance for whomever manages it, that we operate within a

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certain level of standards that will improve how we operate the stores and save money and provide better efficiencies.

Leonard: Certainly appreciate that. I am uncomfortable when the savings reported to me are savings that one might think were based on how much we might spend on our own if we went out, when in fact they're savings generated by napa comparing itself to itself.

Kowalski: Uh-huh.

Leonard: That leaves me in kind of a foggy area in which to make a decision. I wonder if we might be open to having discussions in this next week with pdot. I spoke with commissioner Adams about this, and he's interested in it, to see if there's some middle ground we can find in terms of having an entity that already exists in the city expand their operation to include parks.

Saltzman: Well, my preference would be not to do it in the next week, but do it through the process of r.f.p. This will be open to private sector entities, as well as public sector entities. I think we need this time to get it right, to know what we want, and then to let whomever wants to provide that service to us propose to provide it to us.

Leonard: As long as we have some apples to apples comparison. I mean, i'm a little nonplussed that, you know, we would have somebody come in and compare themselves to themselves in terms of what their savings is versus us being able to compare apples to apples. How much do they charge for a lawn mower blade, how much can we get a lawn mower blade for. If we have a system where employees are going out doing that, it seems to me that --

Saltzman: Well, mr. Crawford is not part of genuine parts. He's an independent auditor--

Leonard: No, I understand that. I'm just responding to the issue raised.

Crawford: Yeah. Your concerns are very valid. Those are the same concerns I had when I looked at the whole operation. So the key is to build accountability and accuracy into the process.

Leonard: Couldn't agree more.

Sten: Before we get to next steps, could I ask one more substantive question of mr. Crawford? Keith, number seven, that there was a concern about some of the items being of lower quality.

Crawford: Right, right.

Sten: Could you speak to that a little bit more? I just want to be completely straightforward. I mean, I generally have supported taking a look at this. We were supposed to get the report back in august, which isn't your fault, but being in a last-minute piece is different than what the council had asked for. You know, unless the savings are very real, I err on the side of having our employees do this thing.

Crawford: Right.

Sten: I think we pay better wages and benefits, and it's better for Portland's economy if our employees take work in-house. When I was in charge the water bureau, we downgraded the amount of water meter readers we had, and we did it with a third of the people rather than contract it out. I know you have to get more efficient when things change, but my bias is keeping it in-house, and i'm going to push on this very hard, following commissioner Leonard's line of questioning. If the savings can be duplicated with our people, i'd rather have our people do it, because they have multiple benefits to us. They're out in the community talking with people. There's a lot to be said for it. So i'm concerned that napa appears to have, you know, have a funny photo finish in terms of winning this. I'm trying to figure out what the length of the lead is there, and the question of inferior parts is pretty significant if the savings is going to be what it's going to be.

Crawford: The item on the inferior parts, they were pursuing a lower price to purchase work gloves. And the work gloves did not meet the quality standards that the park employees needed to do heavyduty commercial work. But, you know, lost -- lost in this was the communication between the employees and the stores folks that they need a higher quality item. So they would -- they would save money by buying a lower-quality item that would fall apart of course a lot faster because of the heavy use that the parks employees are using these items for. So that is what that's

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referring to, is that they were buying a lower-priced, cheaper-quality product that wasn't meeting the standards that the parks employees were used to.

Kowalski: They did improve upon that as time went, and learned to communicate better on what they needed. I would like to underscore that parks has no commitment at this point that napa will be the final operator of the stores, but we're looking at establishing a fair ground for what we need to operate efficiently, and in that interim period, to continue with napa, just so that we have somebody operating the stores while we're setting up the guidelines for what our operations should be in the future.

Sten: I guess i'll just put my cards on the table. I'd like to hear from the employees as well, you know, is that i'm interested in giving our employees an opportunity to collaborate on a better strategy as opposed to just bidding on an r.f.p. process to set up -- because napa does it a certain way, you know, and to use this meter reading example, people came to me and said it's time to -- private companies -- get rid of the meter readers, because we can do it cheaper. And they could. But then when we went back to the meter readers and said, look, we have to take this cheaper approach, they actually came up with better strategies to undercut what the private sector could do. At the end of the day we came out way ahead, because we didn't lose the expertise of our employees, we got it down to a cheaper process and kept the people employed. My concern isn't so much, you know, I think what can be set up is a fair process. I don't know that our employees, you know, are going to be as effective at bidding against napa on napa's operation. I want to see some collaborative work done between -- you know, at the council level on down with our employees, so that they've been given every opportunity for a clean shot at recreating the stores in a way that meets park's budget operations, as opposed to bidding against napa. I don't think they're going to win against napa, but my experience tells me they may actually even go beyond napa's results if we have the right labor management climate. That's what i'd say.

Kowalski: I did speak with mr. Beetle yesterday, and did tell him we would begin to meet in january and begin a collaborative process.

Leonard: What you're not picking up on here, is the council has to vote to approve this, and we have fundamental concerns.

Kowalski: Yes, sir.

Leonard: We're concerned fundamentally with how the numbers are being reported. We're concerned fundamentally with the findings in the audit, and interested in seeing if there is a way that we can achieve those savings or more by working closer with city resources.

Kowalski: Yes, I do understand that. The issue for this morning's decision is how to operate between january and --

Leonard: -- throw out a suggestion that in the next week you have a dialogue with the stores at pdot, who I understand is open to having that dialogue, and see what can happen. And water as well. Yeah, either.

Kowalski: Well, the concern I have is that we don't have the systems in place to do that within two weeks, during the christmas holidays. Next week, i'm completely involved in our budget preparation hearings every single day, all day.

Leonard: I'd be interested in hearing what people have to say on this.

Saltzman: Well, this is a nonemergency, so there will be the opportunity, but I would remind council that we did approve extending this contract on the basis of the findings in august of the audit findings in august of 2005. This is simply giving us more time to get it right and to allow that that fair play. We can continue to look at these issues. You know, i'd say those issues of collaboration are really our responsibility, not the individual bureaus. I mean, we as a council are supposed to be searching for these types of efficiencies. So we want to dictate this through our budget process, we should do that, but I don't think we should impede or penalize an 18-month experiment that the council authorized, has found to show some savings. You know, we can dance

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around the numbers all we want, but there has been some real savings shown. And it's entirely consistent with contractual obligations on contracting out.

Leonard: I don't see how you can say there are savings when they're comparing with themselves. I have no way to judge whether we should purchase mower blades cheaper --

Saltzman: You can vote against issuing the r.f.p.

Leonard: What am I voting on today?

Saltzman: Extending the contract with napa until we have an r.f.p. in april.

Leonard: Right. What i'm saying is if I have fundamental concerns about the alleged savings, I mean i'm being asked to vote on something that i'm not comfortable voting on.

Crawford: The important thing to consider is that you want to have an orderly transition regardless of who takes over, city employees and --

Leonard: I get that. All i'm saying is we have a week. Second reading on this. I want to have some dialogue occur between now and next week about the concerns raised here today. That's all i'm saying. And then give us some options. But I don't -- I don't like having something presented to me that has a bent toward one side. And I feel like this has a bent toward one side. It's not -- it's not, to me, a thorough analysis of what the cost savings are if they are basically comparing what they can buy a product for at one point and later buy it for a different amount, that's comparing to themselves versus what we could buy the same product for.

Adams: And I would just offer the pdot folks to have that conversation in the intervening week. I mean, last night we had another budget hearing for pdot, and we're in the process of cutting \$42 million out of pdot's budget over the next five years. So we're looking for the efficiencies of scale, and we're looking for -- I don't expect you to solve pdot's problem, but if we can -- if we can save you money and save pdot at the same time, and potentially water, I just -- what I would be interested in is that you have that initial conversation, that you get a sense of whether it's doable and you get a sense of how much work it might be to do something, that would require further and longer work, but at least in the next week if you could give us a sense of whether you think that's a possible path for it or a more permanent basis. It's just feasibility.

Saltzman: I guess, you know, if pdot is willing to contractually commit to savings of the same degree that we have here, even though there will be questions about how pdot probably arrives at those numbers, you know, if they want to sign a number on the bottom line that will save us \$300,000, you know, and we're comfortable with that, you know, i'll go for it.

Adams: I'm not quite prepared to offer that yet, but I think having the professionals have that conversation is what I offered to you, commissioner Saltzman, and to your bureau.

Saltzman: But i'm just saying, I think all of us in the city government we're looking for tangible ways to be more efficient.

Adams: Right, I agree.

Saltzman: Save taxpayer dollars, not nebulous discussions.

Adams: Right. But since it's a nonemergency, if you could spend an hour talking to each other, it's an hour well served, even though you're very busy with budget and everything else you have to do.

Baer: Just to make sure we're clear on, this contract will automatically expire and terminate the end of december. So 12-31 is the deadline, and it's not extendable, unless you approve that extension.

Crawford: I would be happy to share the details at a later time.

Leonard: Thank you. Appreciate it. I appreciate your report.

Potter: Further questions? Thank you, folks. Is there a sign-up list for this?

Moore: Yes, we do. We had five people sign up. If you come up three at a time.

Rob Wheaton: We intend to talk together here in a similar fashion.

Potter: Ok, but let me explain first. You each have three minutes.

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Wheaton: Yeah.

Potter: So however you want to figure that out.

Wheaton: Exactly.

Potter: When you speak, please state your name your name for the record.

Wheaton: My name is rob wheaton.

Richard Beetle, Laborer's Local 483: My name is richard beetle.

Ken McClain: Ken mcclain

Wheaton: Let me start by saying that we believe that pdot can take this thing over january 1 without a problem. The reason why the original r.f.p. contained a mandate that the city retained ownership is in case the situation came up, in case this pilot program failed, all you'll have to do is put someone behind the counter and pull in the computer system, which already exists at the other bureaus. It's not that overwhelming. So I believe that this -- you're on the right track. The consolidation of these -- the stores facilities between b.o.m. And parks is actually a good idea, and I think it lends itself well to both the renovation project that's in charge of maintenance consolidation and as the contracting out and looking at third-party vendors. Let's get started here by saying that when you're right on the right track with the apples to apples. Let's take a look at some of the items that I found on the spreadsheet here. What we have here is a four-inch square electric box. This box, napa claims the original cost was \$2.66. They saved us 64 cents and sold it to us, parks, for \$2.02. I found this exact same box, platt electric, over the counter for \$1.33. Parks price, \$1.14. Let's take a look at something --

Leonard: \$1.14 from platt?

Wheaton: Platt electric company. This is an hp ink cartridge, original price to Parks and Recreation from napa, \$35.99. Invoiced to parks and recreation from napa, \$31.66. They claimed \$4.33 of savings which went to this \$300,000 total when I picked it up over at office max across the counter for \$29.99. I can get it cheaper than what napa is selling it to you for. Here we have a 30 amp heavyduty industrial switch. Original cost, \$35.60. Ok? Invoiced to parks and recreation, \$29.02, claiming a savings of \$6.58. I picked this up at platt electric for \$17.62. Parks price, \$16. What napa is allowed to do, when they cannot cross-reference the part, they're allowed to go to list price, not wholesale price, list. List is usually twice as much as retail. You can find these items on the thing. Do you guys have a -- you guys have this little -- got some graphs for you to take a look at. Here is what we're looking at. When he says that the total effect -- that we're looking at cumulative savings. In other words, the more that napa spends the greater the savings. So in other words to get to that \$250,000, they're going to have to spend quite a bit. If you look at a monthly comparison there, that's what we're looking at. The small blue lines are what parks and recreation employees paid. The large yellow lines are what napa paid through the same month, through alternate fiscal years. Here's a total comparison. This is obviously twice as much. If you're looking at numbers, \$511,283.49 --

Potter: How many graphs do you have, sir? Your time is up.

Wheaton: We're all going together, so --

Potter: You each have three minutes. If you want someone else to take over for you, that's fine.

Wheaton: Ok.

Adams: Can I just ask a clarifying question? When you say napa spent and parks and recreation spent, i'm not understanding -- i'm not understanding. So napa paid their money to who? Like on what you have up right now, napa spent their money what?

Wheaton: On inventory purchases. Basically when napa -- those are napa inventory purchases on behalf of the city. Ironically napa makes their profit off of spending city money. Let's think about that for a second. Is that going to an incentive to save or to spend?

Adams: Ok. So when you say napa's spending, that's what they spent on parks behalf?

Wheaton: Yes, on inventory purchases for parks.

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Adams: And this next line, when you say parks spending around a half million dollars, spending on what? To who is that paid?

Wheaton: That is the same -- those inventory purchases for parks. It's apples and apples there. You're looking at inventory purchases.

Adams: So these are identical items purchased when parks did it alone and when napa did it? I mean, between two years, is that correct?

Wheaton: It's inventory purchases between two years.

Adams: Comparing when parks had control of it and when napa did it.

Wheaton: Based on Keith Crawford's audit report numbers, yes.

Adams: Got it. Thank you for the clarification.

Wheaton: If I can say one final thing, a little geometry proof, if the increased expenses are \$537,000, basically half a million, then the average monthly increase equals 41,000. So the cost of this proposed extension is \$165,524. I would propose that parks can't afford to continue this contract. We need to come up with an alternative solution as of January 1, and we can do it. Maintenance can do it if parks can't. Go ahead.

Beetle: Richard beetle, business manager of local 43. I'd like to address my concerns with the -- I was a stakeholder, in a pilot project, a review committee. And I'd like to start off by stating that this pilot project was originally an 18-month duration, to include a full audit and review of program. In fact, the original ordinance stated that the agreement shall not be amended to extend the terms beyond the 18 months. Portland parks failed to conduct a timely audit resulting in the need to go for a four-month extension, which you granted on August 24. Since August 24, the extension, the review committee, which I sit on, has met one time. Total meetings of this review committee have been two there's been no substantive discussion whatsoever on this committee about audit recommendations, problems with the pilot, potential solutions, or how to proceed once napa's contract has expired. Now Portland parks suggests that the union make a bid. I don't think Portland parks understands our role in this process. We're in no position to make bids for Portland parks or any other bureau to assume control of parks stores. We do not have the information necessary to do that. An additional r.f.p. is not a fix. Bureaus will not bid on it. The union cannot bid on it. In the end we'll have just napa as a bidder. Now, if this is the plan, why waste the money and issue another r.f.p.?

McClain: Ok. My name is Ken McClain. I have an extensive work history in material and inventory control. My last 16 years of work, I worked at the parks stores. I worked there and made it happen, and I understand the stores more than any one person anywhere by far, and I know the history. We've been through changes like this. I worked for purchasing at the same location. I worked for the water bureau at the same location when they took over the management and made a contract with the water bureau in order to do so, and that was actually a saving -- it saved us and was very good. I feel that the effort was political and not practical. And stores is a service as much as stuff. You know, you provide a service. You help them with whatever they need. And it's more than just materials. Let's see. I think the conflict here is paying a private company to spend city money, is public money, and a private company is essentially spending it. You're paying a private company to sell you merchandise, and they're -- they're the vendor, and they're selling you merchandise. One thing nobody seems to have mentioned in the difference between the supposed savings, the 10% markup that they have also on top of everything. They charge 10% to mark it up. Also the city pays employees salaries also. And I don't know how many people are aware of those things. I think to issue an r.f.p. is a mistake. If a new company comes in, you will just deteriorate more. When I worked there, it was very efficient. The inventory system was not antiquated. It was simple. It was basic. It needed some more aspects, but it worked fine. It was not antiquated. That's not so. I don't know where that came from. The motor blades, I'm the person that used to buy the motor blades. My p-card, by the time I left, was good for \$80,000 per month. I spent that

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money wisely. Wisely. I know that. No markup. You know, i'm not here -- I have nothing to gain by being here. I'm retired. I've been retired two years. But i'm ready to come back and work and help fix it because that's what it needs, and it does matter to me. I don't need the money. I can stay home. And the bar-code system, I was there when we implemented that. There's a contract for the toro mower parts, the biggest, most expensive segment of the inventory, and even though we have a city contract for it, they mark it up another 10%. And I don't get that, you know. Just doesn't make any sense to me. You know, i've been through it all. And if anybody, anybody anywhere, has any questions, i'm the person to ask, really, because I know it better than anybody. It should be fixed, because it's broken. It's been broken again. You know, i've seen it before.

Potter: Thank you. Thank you all.

Potter: Good morning, folks. When you speak, would you please state your name for the record and you each have three minutes.

Michael Murphy, Parks and Recreation: My name is mike murphy, I work for the city of Portland, parks and recreation, i'm the facility maintenance, locksmith and alarm person. Just two questions. I can answer these guys' questions back here, but they won't like it. My first questions is to the commissioners. How much of the taxpayers' money are you willing to waste before you stand up and do something about it? I think with the graphs here, you've seen it. It's a half million dollars. When we ran stores, we got our parts at vendor cost. Now with the 10% markup, it's actually 11.1% markup. Now 1.1% adds up to a lot of money. My second question is for the mayor. Why would you rather pay a contractor to continue his profit rather than an employee a livable wage? And that's all I have.

Dan Froner, Parks and Recreation: My name is dan forner. I work with Portland parks and recreation. I'm a maintenance plumber there. I represent the employees of park and rec, and even some of the supervisors, that taxpayers have seen their money wasted with the napa contract. I have a lot more I wanted to put on that issue for the members, but let's get back to the fact that napa buys our parts. Napa cannot get me the plumbing parts. I have to go out, purchase the parts myself. I call up the vendor. I call up napa, they give them the p-card number, they purchase it. I do all the work. And they mark it up 11.1%. That's not a savings. When ken had the stores, I would do the same thing. I would go down to my vendor, get my parts, call up stores, ken would give them the number. I was only charged whatever it cost for that part. Not 11.1% added on to that. I know napa cannot get all these things that I need, because they don't handle plumbing and electrical parts like what we need. We do have to go to our own vendors. It has ended up, napa first come in there, they got so frustrated that finally napa told us to go get our own parts, that we could get it cheaper. You see, on p-card purchases, when they first took over, was real low. That was because we were ordered by our supervisors not to purchase anything but to go through napa. When that failed, and they could not get us the parts that we needed, and when they did get the parts, they were wrong, incorrect parts, we were then ordered to go ahead and get our parts ourself, because we could get it cheaper. Thank you.

Potter: Thank you.

Moore: That's all who signed up.

Potter: Is there anybody here who wishes to testify on this matter that hasn't signed up? Ok. Any questions?

Leonard: Well, I would just like to see a plan next week that would allow us, if we chose as a council to transition to even pdot or water stores january 1.

Potter: Other issues? This is a nonemergency. Moves to a second reading. When will it be heard?

Moore: On the 21st.

Potter: Last item on the agenda. Council is adjourned until 2:00 p.m.

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At 11:24 a.m., Council recessed.

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DECEMBER 14, 2005 2:00 PM

Potter: Good afternoon, everybody.

*****: Good afternoon:

Potter: That's the spirit. Thank you all for being here. I want to congratulate all the recipients for these awards. They're very special awards. They're presented annually to Portland neighbors who have made outstanding contributions to the community. Winners are selected from nominations submitted by citizens, so each year the selection committee is comprised of representatives from the council member's office, neighborhood coalition, neighborhood business associations, and past recipients. The nominees are evaluated using four categories in which they exemplify a commitment to the community. One, assistance with implementing outstanding projects, two, enrichment and revitalization of our community and neighborhoods, three, a provision of a special service to citizens, and four, demonstrating responsiveness, creativity, and civic values. There has been some discussion about how this is going to occur today, and I just want you to know that as you get your award, you are welcome to make a few brief remarks. We've got quite a few awards to go through, but if you want to introduce your family and say a few words, we would think that would be worthwhile. So please feel free to. If you choose not to, that's ok as well. So we're going to go ahead and start. I'm going to come over to the other microphone and give out the mayor's award. The mayor's award this year goes to Gary Cobb. Could you please come up? [applause]

Potter: It's kind of nice to have your own rooting section. I hope you other folks brought your own rooting section.

*****: They cost me, too.

Potter: Gary Cobb was born and raised in Kansas. He grew up with a father who was a chronic abuser of drugs and alcohol. After dropping out of school in the seventh grade, Gary began abusing drugs and alcohol and committing petty crimes. As a result of his activities, he was eventually arrested and given the choice of jail or enlistment in the military. In the late 1970's he joined the U.S. Coast Guard, but continued abusing cocaine, marijuana, heroin, and alcohol, for the next two decades. His turning point occurred five years ago. Homeless, malnourished, and at rock bottom, he knew it was time to change the direction of his life. He moved to Portland and participated in central city concerns recovery Adam Plumondore. His first -- program. His first steps toward recovery included a move into a low-income house centering for recovering addicts. Now an advocate for those battling and recovering from substance abuse, Gary Cobb is a community activist and leader. He's now employed at central city concern and actively participates in community meetings and opportunities to impact public policy relating to drug treatment, public safety, and housing. Gary works with the recovery association project and I'm sure many of you are familiar with R.A.P. [applause] and currently serves as cochair of that board. He credits R.A.P. For, quote, standing up for me when I was falling down. Gary also serves on the Oregon state health service commission subcommittee on chemical dependency and mental health and was recently appointed by commissioner Sam Adams to the Portland police bureau's chief's forum. Gary, congratulations. [applause]

*****: Thank you very much, Mayor Potter. I'm actually for once I think in a long time quite speechless at this point. It's quite an honor to be standing here today given some of the history that -- and the past that -- the path that has led me here. I'm very grateful to the recovery association project, central city concern, the city of Portland to allow avenues like I'm able to advocate for services, receive services, and Portland is an awesome place, it's a trend setter on the recovery movement, and it needs to be recognized and folks need to know that people do recover, and they can turn their lives around. I would like to present something to the mayor and to city hall on their

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work and working with r. A.p. And others in trying to stop homelessness and addiction problems. I found this at a thrift store this weekend, I thought it was awesome. I think it says it all right here. I would like, if you guys can put it somewhere in and around city hall. [applause] the mayor's office has been a great group of people to work with, and I really appreciate you guys. Thanks a lot.

Potter: We appreciate you, gary. [applause]

Adams: It is my honor to introduce the winner of the humanitarian spirit of Portland award for 2005. Robert noelle ridgway was born in Portland and is a third generation Oregonian. He spent several years in an orphanage, the milton hershey school in hershey, pennsylvania. He served in the u.s. Army in vietnam and later got his associate's degree in education and nursing from Portland community college. And went on to get his bachelor's of science degree in nursing at the university of Oregon. Go ducks. He and his wife rose marie have three children. Mr. Ridgway first began working at central city concern in 1979 when he took a vacation from good samaritan hospital where he was the charge nurse and he took the vacation to fix some windows in several buildings of a fledgling nonprofit. He's worked at that fledgling nonprofit ever since. And it's not so fledgling anymore. Thanks in part to his 25 years as director of maintenance for all the central city concerned-owned properties and other nonprofit properties in old town. Currently he is the construction manager for the housing department for new and renovated buildings, would you please step forward to accept your award as humanitarian spirit of Portland. [applause] congratulations.

*****: Unaccustomed as I am to public speaking, I come before you to stand behind you. You're the citizens of Portland, and I serve you. Thank you very much. [applause]

Saltzman: Our next award is the large business category, it gives me great pleasure to announce that award to the ron tonkin family of dealerships. I see ed and brad. Will you come on up? This gives me a great pleasure to give this award, because not only are they an outstanding business, but ed and brad and I grew up together, and we used to hang out a lot as kids. In fact, ed and I used to be in a band, if you can believe that. [laughter] he was the drummer. I sang, if you can believe that. So the ron tonkin family of dealerships is one of Portland's most enduring retailers, established in 1960, it's now more than four decades old and through two generations. The tonkin dealerships have provided a source of stable income for countless workers while demonstrating strong civic values and commitment to the vitality of our region. Time and again, the company reaches beyond the bounds of simply being an automotive retailer to implement the tactics that serve to meet community needs and enrich livability. In that effort, tonkin stand as a business leader in community involvement and outreach. From its annual drive for schools campaign, to support education and supplement gaps in education funding, to holding an annual fund-raising golf tournament for the make a wish foundation of Oregon. And partnering with Oregon's department of environmental quality and the united way of the columbia-willamette to provide financial assistance to low-income drivers to ho need to make vehicle repairs for emissions standards. They put their commitment to giving into action on a daily basis, and in the process ron, ed, and brad, their families and employees, make an important difference for people throughout Portland. So it's truly an organization that deserves the spirit of Portland award. [applause]

*****: I'd like to thank the city very much for this award, on behalf of our company, and we're blessed to have a business that enables us to do what we've done here in the community. We're -- we always say we're products of Portland, we are born and raised here, and our business is here, and we're pleased that we're able to do what we can for the city, and we're very proud of that. So thank you very much. Ed?

*****: I just want to add to that that we were born here, raised here, live here, work here, play here, and it's great to be part of a community like Portland that cares so very much about its citizenry, and we're really happy to be a part of that. It's great people like you in this room who are

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the recipients today that not only do great work on your own for the city, but by doing it also set an example for others, and I think we Oregonians and we Portlanders really take that to heart, and I think the the city's in great hands, and the future is even brighter than we are now. So thank you very much. [applause]

Adams: It's now my pleasure to introduce the recipients of the spirit of Portland award 2005 for small business. This is a business that I have weekly contact with, and i'll explain at the end why that is. Long-time residents and business owners bud and joanie hawkman have been part of the kinton business community since 1967. They have sponsored the kinton little league team, supported four street fairs, provided free dumpsters the past three years for the neighborhood clean-up. They have been firehouse volunteers since 1977. During the first 20 years of community operation, the kinton community association depended upon bud to perform maintenance, repair, security, inside and out, and joanie for the work on the grounds and the exterior cleaning. Even with north Portland neighborhood services occupancy of the firehouse, bud and joanie continue as active volunteers. Bud and an associate or two moved a memorial bench into the naturescaped courtyard. Joanie assists with tours and before and after event walk-throughs and is still an active member of the firehouse committee. They provide key access to the building for community meetings and private events and they look out for the security of the north Portland landmark, whether or not the building is being used. 10 years ago, neighborhood volunteers turned the island on interstate avenue at interstate place into an heirloom rose guard. The neighborhood rose garden. I encourage you to stop by, because it's very beautiful. Over the years bud has furnished the volunteers with a free drop box during annual season clean-ups, and joanie has planted roses, weeded, and delivered tools.

They have been rocks or maybe shoulders for the kenton community, and as a resident of the kenton community, and as a customer of the bud hoffman sanitation service, it is my pleasure to recognize them as small business of the year. Spirit of Portland. Police come forward. [applause]

*****: I am happy to accept this honor on their behalf. Sam Adams pays his bills on time most months. We'll make sure they get this.

Potter: If anybody needs their trash hauled, sam available for that as well. I have the privilege of giving two awards. And they're to youth. And first i'd like to call up maggie zimmer. [applause] maggie is a junior at wilson high school. She's been involved in project green rose, back the track, wilson high school's annual culture night, student government, and students for environmental action. She is cochair of project green royce and culture night. Her other interests include writing for the student newspaper and being involved in school sports such as cross-country and track. She also participates in the students for peace and social justice club and is on wilson's site council as well as the superintendent student body advisory council. Having volunteered as a counselor at tryon creek day camps as well as being a student counselor at outdoor school, she enjoys the outdoors and assisting in nature programs. She has served on student government for two years as sophomore human relations officer, and now as junior class treasurer. She avidly volunteers throughout the wilson community while still maintaining a 3.9 g.p.a . [applause] isn't that wonderful? Surrounded by supportive teachers, neighbors, and classmates, she thrives in the organizations she venture noose. She has found her niche in high school where she can involve herself in new and long-lasting projects in and around wilson. Congratulations, maggie. [applause]

*****: I would just like to thank linda and dave for nominating myself and daniel, and I would like to thank daniel for opening tons of doors for me and helping me through them. And i'd like to thank my family, my mentors, and especially my friends for supporting me. Thank you. [applause] could my family and friends please stand snuff. [applause] stand up?

Potter: Thank you, maggie. And also referencing the next youth award, daniel roenig, could you please come forward? Flaws applause -- [applause] a junior at wilson high school in the past year, daniel has participated in various committees, clubs, and activities related to wilson high school to

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improve it for future students. He began a culture fair in his freshman year. Named culture night, the annual event embraces the various cultures found within wilson as well as within the surrounding community. He encourage everyone to come to wilson's third annual culture night this spring april 26 --

*****: 22nd.

Potter: April 22, change in dates -- april 22, put that in your calendars, 2006. Daniel continues his leadership role with a school improvement club called project green rose. The club raises funds to pay for school improvements that will clean up wilson for the upcoming 50-year anniversary of the school's founding. Some projects already completed by the project include planting five shade trees in the school central courtyard and working in cooperation with the Portland city office of transportation in getting bike racks for wilson students. In addition to his two primary clubs, daniel is also an active member of the interact leadership and model united nations clubs. Being a track and cross-country athlete, daniel has also given his efforts toward the school's back the track campaign. The campaign for resurfacing wilson's new -- now eroding track surface. Just recently, daniel has joined the superintendent student advisory council representing wilson as a concerned student. He has also remain add sped I member of wilson's site council. Daniel encourage all to support public education, as he has seen a decline in materials, resources, and teachers in his academic career with the Portland public schools. That's good advice, daniel. [applause]

*****: Hello. I don't know if i'm going to be as eloquent as maggie, but i'd like to thank linda doyle and day individual hilldreth for nominating us, maggie and myself, and my family. I don't know if they want to stand up. [applause] and my cousin and aunt up in the balcony. And all the friends that came out to support us here today. Thank you very much. [applause]

Adams: It was probably four years ago that I worked as the mayor's chief of staff to vera katz, and as part of that I would go to neighborhood meetings, I would just sort of show up at neighborhood meetings unannounced to listen in on what was going on in the neighborhood, and this particular night it was a spring night, I went to linton, and linton used to be this independent city out highway 30 that back around the turn of the century just after the turn of the century was absorbed into the city of Portland. And I sat in the back row and they were talking about the problems they were having with speeding on highway 30, the school -- Portland public schools had just cut their bus service for students, the Oregon department of transportation had a project that was kind of on the back burner that would add medians, and this was a neighborhood that I felt a lot for, because it had good bones. It needed a lot of tender loving care. And there were four folks that seemed to be sort of running the meeting, and the first among equal of the four folks who later became known in the neighborhood as the four moms, pat wagner, and pat wagner was very eloquent, passionate, and determined. And when she figured out who I was in the audience, she made sure that we connected again and because of the perseverance of her and her neighborhood, this -- to address those issues, they're getting the spirit of Portland award 2005 for neighborhoods. So she unfortunately couldn't be here today, but in her stead, please let me introduce dan wagner and mark guylee. Are they here? [applause] congratulations. Do you want to say a few words?

*****: Sure. I have it written out, because i'm not very good at making things up on my own. In the spirit of Portland, we're gratefully accept this Portland spirit award on behalf of linton, a town too tough to die. Thank you from all of linton. [applause]

*****: Thank you so much for this award. A concerned group of people who are committed to the world of excellence, linton. A town that is too tough to die. Thank you so much. [applause]

Sten: It's hard to follow linton, but i'll try. Our second neighborhood of the year is west Portland park. I think west Portland park has some similarities in the sense that it's on the southwestern edge of the city, and like linton, doesn't right now have all of the things some of the other neighborhoods have. It doesn't have all the infrastructure, and what -- the reasoner in getting this award, i'll tell you as we go along, is that a group of dedicated people for years have done all sorts

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of partnerships, things frankly they probably shouldn't have to do to get parks and streets and other things functioning out in west Portland park. First off, west Portland park, this surprises me a little bit, I suspect it will surprise people. One of our more diverse neighborhoods. It has median income 13% less than the city average, 45% of the kids at the elementary school receive free lunch and 20% speak english as a second language. I think sometimes we have preconceived notions around what parts of the city are diverse, and this may be a surprise to some. About half of the homes are apartment and half are single family, so it's a diverse mix of housing types. And many of the streets are unpaved, and this is not a good thing either, there are only two streets with complete sidewalks throughout the neighborhood. So that's the scene people are taking on. What these neighborhood association volunteers have done is put parks in place. They have been key players in acquiring three public open spaces, one through metro, which was a 20-acre wild forest green space, a team -- they teamed up with lake oswego and Portland to buy a 10-acre woodland that's going to be walking trails, and they recently complete add public-private partnership with the Portland parks foundation and Portland parks that will end up with a 1.7 acre city park in the middle of the neighborhood. When there's a design in plan coming along for the recreation committee. So this group said, we will go to every government, every foundation, we'll get this thing done. They've also had a crosswalk installed at jackson middle school, and have graveled a trail to connect that to the rest of the neighborhood, and have done a really some of the city's best work on crime prevention. It's one thing to have a plan, their work has resulted in a 34% decrease in crimes in the neighborhood from 2000 to 2004. So I think we have a lot of great neighborhoods out there, there's no doubt that west Portland park has earned 2005 neighborhood of the year.

[applause]

*****: My name is adam, i'm vice-president of west Portland park neighborhood association. I'm here to accept this award today. David, the president, could not be here today because he had to be in hawaii for vacation. So we're all very sorry about that. I'd also like to recognize our other board members. Amanda fritz on my left, betty mccardle and nancy dre. We've also had -- we've had a really great tradition in west Portland park. We're fortunate to have long-serving board members. We also have powell matson and roger youck, and jim mclaughlin. Birk martin. So anyway, one of the things commissioner Sten touched on, I think this is really a testament to being able to work in partnership with the city bureaus, and I think that's one thing we've been successful in. We've been able to work with them and have a positive attitude throughout, and be persistent, which is often required. And we've been able to do great things. That's really how this all turned out. I'm going to turn it over to the other folks. They don't want to talk, they just want to enjoy the limelight. Thank you very much. [applause]

Potter: The next spirit of Portland award is for community harmony. The group receiving it this year is the albina ministerial alliance. Could we have a representative or representatives come up, please? [applause]

Potter: The albina ministerial alliance has served the citizens of Multnomah county for the last 50 years. In the mid 50's a group of african-american ministers established a ministerial association to serve as the precursor to the establishment of the albina ministerial alliance. Membership today is diverse in both ethnicity, denominations, and has over 125 member churches and ministers. In response to the mores of society and organization that's began to address social issues that impacted the african-american community, this organization with the intent of adding a ministerial voice in addressing the civil and human rights needs of the community. Throughout its history, the a.m.a. Has sought to address the challenges of the city and business community, employment, and training, including youth and housing concerns. A.m.a. Has graduated two incubator programs, head start and self enhancement inc. And participated in several other collaborative partnerships. Adding that ministerial voice, a.m.a. Has taken a lead role in the city during the most recent cases of officer involved use of deadly force. Along with other organizations and concerned citizens,

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a.m.a. Coordinated efforts for community meetings, dialogue, participation with the attorney general sessions on use of deadly force, and continuing dialogue with the Portland police bureau. A.m.a. Continues to work towards training and legislative reforms for the use of deadly force and that of all the citizens of Portland may leave and return home safely from their daily activities. I'd like to congratulate you folks on the work that you do. [applause]

On behalf of all of the churches, all of the ministers that are a part of the a.m.a., including all of the citizens of the community, on behalf of those who are here present today, dr. Haines, first vice-president, reverend bailey, bishop grace osborne, who are board members, and our other board members, we thank you for your awarding us this award. We're very proud in receiving it, we continue to work towards making this city a safe place not only for african-americans to live, but a safe place for every citizen of Portland to live, reside, to play, to work, to have fun, and as young folks say, when I grew up, anyway, that they'll be able to kick it in the city. Thank you so much.

*****: We would like to thank the mayor and the commissioners for this award community policing is a concept that everyone wins. The people of the community and the neighborhood win, Portland police bureau win, the citizens win. We have an opportunity to not make many of the mistakes of major urban cities, and to come out with a motto not only for the state, but for the whole nation, so we thank this commission and the mayor, as we move forward for us making Portland a greater city than any. [applause]

Sten: The title of the next award is outstanding partnership. It goes to brian hoop, who is standing there with quinn patrick on his chest, his son. I think most people know brian through his work at the office of neighborhood involvement. His official title is the neighborhood program coordinator, which frankly I don't think much for you, if you hear it. We should give him a new title. Brian basically makes everything happen so that the neighborhoods have the resource and training they need to be successful, so he's really the guy that's trying to run around and we run a wonderful neighborhood system with very few resources, so it depends very deeply on brian and his colleagues getting things done, making partnerships happen. So that's why he won the outstanding partnership award. What I found really interesting is all of his background. This is an award for things he's done for many years, and i'm going to share with you some of these things. Some of which I knew and some did I not. He's a very young guy to have done all this. He was the associate director at Oregon action and organized members on campaign finance reform and economic justice issues. He's been a union organizers, leading an effort to organize the staff at cascade aids project. He also had a leadership training program for gay and bisexual young men and men of color. He worked under tim nesbitt with the state organizing efforts to defeat bill sizemore's antigovernment funding initiatives. He worked on many anti-o.c.a. Initiatives, there were too many of those. He did a voter registration campaign at the university of Oregon and registered over 7,000 students which got him recognized in mother jones magazine. He was the student government at u of o and led a community factor -- faculty campaign, and they passed a requirement for new curriculum on race class and gender for all incoming freshman at u. Of o. He's been in environmental groups as well, and actually participated in the great peace march in 1986 from l.a. To Washington, d.c. So this is a president bush who's been working and struggling on every front and I think that we're very, very lucky to have land him in the city of Portland neighborhood structure system. His wife is also an activist is here too, and I wanted to recognize her as well. So help me in thanking brian kelly and -- you can imagine how many things this guy is going to go to before the next 20 years are up. His activism in the future as well. [applause]

*****: The real honor for me is the pleasure of getting to work with all the community organizations, neighborhood associations, business associations, and the district coalitions that care enough to fight to build a wonderful community that we all live in. So thanks. [applause]

Leonard: Roy, do you want to come up here? Cynthia? I get to give the independent spirit awards. Because I like independent spirits. This award is for project clean slate. Project clean slate is a

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joint community effort of the african-american chamber of commerce, Multnomah county district attorney's office, the Multnomah public defenders office, the independent development enterprise alliance and the alliance of minority chambers of commerce. Project clean slate was formed to help individuals in Portland start over by clearing up minor delinquent fines and small criminal matters. These issues follow a person through their life and can negatively impact them when they're seeking employment opportunities and housing. The first project clean slate helped 1300 people expunge their records so they'll be able for driver's license, public housing or jobs. It's now in the works with 1,733 people who signed up for the last event but were turned away due to time restrictions. Every Friday hundreds of people will be -- will now have special hearings. Another 8,000 people who signed up after the event will also be processed. Under the leadership and commitment of Roy J., the african-american chamber of commerce, they assisted in clearing up delinquent fine and penalties, allowed staff to concentrate on hard-core criminals, reinstated drivers licenses, and posed meaningful and relevant community service requirements and established an effective follow-up and monitoring program to monitor results. Most of all they've helped bridge and build relationships between community members and the law enforcement and criminal justice systems. It's my pleasure to present this on your behalf and I wish you'd make it clear I did not need to go through project clean slate. [laughter] it's a vicious rumor going around town.

*****: You know how the media is. [applause]

*****: I'm usually a person of few words --

Leonard: Oh, really?

*****: This is very nice, this isn't for me. I want everybody that has worked on this project, you this is an ongoing labor of love. I want folks to see who all is involved on this on a day-to-day basis ongoing. I want -- everybody else, where -- [applause] Renee Mitchell, thank you. My cousin Joe in the cheap seats. Am the people from the metropolitan public defenders and everybody else, this is -- people are always asking, how did this start? How could you guys do something that Miami, Chicago, New York, Philadelphia, Los Angeles, has not been able to do? And the only thing I can tell them is that this is Portland. We do things differently. And for all the 8,000 people that are waiting to come on board to try to get their lives back on track, to pay taxes and become part of this society, we're saying thank you on behalf of the african-american chamber of commerce, thank you on behalf of the judges and the attorneys and everybody else out there in the 8 lie answer and minority chambers, where's my friend Jamie from the Filipino chamber, that come together on a regular basis, it's the things you do when you don't see the cameras or the reporters, it's what's very important. Ladies and gentlemen, thank you. [applause]

Leonard: Actually I get to make a special presentation on behalf of the entire council. About three weeks ago we voted to do our part to help with this project, and we're donating space in the Portland building to project clean slate. So on behalf of the entire city and whoever is calling me on my phone -- it's one of my kids. Here are the keys to 420 Southwest Main across the street from the Multnomah county courthouse in the Portland building.

*****: Here we government our new home: [applause]

Saltzman: It's my pleasure to continue the independent spirit awards. This award goes to Robin Plants. [applause] Robin Plants is a remarkable individual. In the years I've gotten to know him he is everywhere, especially when it has to do with St. Johns. He's been a resident there for only five years, but he -- his recent community involvement is pretty impressive. He's been the chairman most recent chairman of the St. Johns neighborhood association. He's chairman of the Portland Harbor Community Advisory Group. The chairman of the St. Johns Bridge Association Committee --

*****: Just a member.

*****: He helps neighbors in need in North Portland to clean up nuisance properties, he helps fundraising with community participation for the Pier Park skate park, which is one of our newest skate parks, or refurbished parks in the city of Portland. He formed the Friends of Pier Park in 2003, and

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he previously served on our Portland utility review board. He's an all-around nice guy and he also is a great barbecue chef. He cooks a real mean louisiana dog, which i've had the pleasure to enjoy over the summer. So congratulations. [applause]

*****: Thank you, dan, commissioners, and the people that not nated me. I'm humbled by this award, looking at the people that already received this before I stepped up here, and the groups and organizations such as project clean slate, i'm humbled just to be mentioned in the same room as these projects. Things people do around this city are so great. This award, one of the people I do want to thank, her name should be on here along with mine, my wife pamela. [applause] as most of you know, it takes a support of your family members and your friends in your neighborhood to accomplish anything in your community. And I really embrace the support i've had from her. She's the person that tells me when i've had too many meetings one week and -- or two weeks, or whatever, so it's with great pride that I enjoy our hopefully next year will be our 10th year marriage, and it's been exciting. And I keep pushing the limit with her a little bit, but I also want to remind everybody that this award for me is for the community as a whole. The things i've done has not been done by myself, it's been done with other people partnering up and stepping up, which is a good example for all of us. All these communities that receive this award, it shows we can make a difference to not only keep Portland great, but make it better for all of us. [applause]

Sten: Our next independent spirit is paul eisner. [applause] paul was the president of the tabor negotiation, and he served in that capacity for five years, which is a lifetime in that capacity, from 1998 to 2003, and is still on the board. Paul has been involved in all sorts of things. I don't think the city screened this, but it doesn't mention all the work he did on the tabor reservoirs and other controversial issues that were really tough, tough meetings I watched paul both facilitate and participate in. I think he's earned it for all these things. Specifically what we're recognizing him for today is his work on the 55th and division neighborhood school and community project. For about a year now paul has been pulling together, in is a long list, the neighborhood association, the atkinson p.t.a., the community, the government, Multnomah county sheriff, the u.s. Attorney, the u.s. Marshal, all these people together on an agreement to transfer property. We needed d.e.q. Involved in this to assess environmental contamination on the site, and develop a clean-up plan. And then went to the insurance industry to find insurance to clean up the site. Ultimately he's designing a new project with p.s.u. Students, and opsis architects to put on a community design workshop for the site. So it's kind of from start to finish, reclaiming something for the community. If it's sounds like he's really sharp, he s paul is enrolled in the doctoral program at p.s.u., he's the executive director of the center for public participation at p.s.u., also serves as the vice-president of southeast uplift neighborhood program, and is on the diversity representation committee. He's found a little time to serve on the mayor's bureau innovation project, and is on a national committee that's working on ways to increase public government. Public participation in the government, which obviously he knows a lot about. So this is well deserved, and probably overdue. Congratulations, paul. [applause]

*****: Thank you commissioner Sten. As others have said, I think that you see me here, but really i'm accepting this award on behalf of the hundreds of people out in the community that have helped make this project work. I think what we're seeing here, the theme over and over again is there are few of us in the room, but the real spirit of Portland I think is out there in the community. It's a vital, it's alive, and things are happening out there. And I think that's something that makes Portland very, very distinct. And some of the players that are in this, we have wonderful civic infrastructure in our community like southeast uplift that stepped up to the plate to help give the community a vehicle to take this piece of property to make the community center, has provided all sorts of technical assistance, is our financial person that's helped us work with the insurance industry, people throughout the community, parents, others have stepped up for fund-raising providing resources. It's been a remarkable experience for me just to be carried along on this wave.

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And I think this is where the real heart of the community is out there and people are doing things. And so many others have said for all of us activists, there has to be a patient family back there that's letting us go to all these meetings and supporting us, and my wife and daughter who have been to many meetings here in this room, are here, and also my in-laws, it's great to have them here as well. On behalf of all of the hundreds out there that are making this project possible, I'm very honored to receive this award. Thank you. [applause]

Leonard: Rick Rivera. As president of the crime prevention association of Oregon, Rick has been instrumental in revitalizing the organization to meet the needs of our community by looking outside of the box of traditional community policing and crime prevention models and implementing new and progressive ideas. While president of C.P.A.O., he led the organization in a statewide training titled how to talk back about meth. This training developed into a one-of-a-kind opportunity for a statewide networking event among diverse elements of public safety partners. The hope that CPao had was this train would go connect crime prevention representatives, police officers, community members, neighborhood volunteers, and others in a meaningful way and provide them with the tools they need and can take back to talk about meth in their respective communities. It was a tremendous success. He is also involved in the statewide program meth watch, which has been instrumental in making availability of pseudoephedrine a key ingredient of meth, available to clandestine manufacturers. Rick was also involved with the D.V.D. Produced by a CPao member and promoted by CPao, "Crystal Nightmare," dealing with the personal issues involved with meth use. It's been presented at law enforcement, community volunteers and civic groups, mostly to the Oregon Sheriffs Association. Thank you very much for your excellent work. [applause]

*****: First I'd like to introduce my wife Doreen over here, which -- [applause] I'm just happy to say we celebrated our first anniversary. Just briefly, would I like to thank the city of Portland, Mayor Port, the awards committee for nominating me for this award. I am honored by this recognition and the fact I was nominated is an honor within itself. But the award represents the work of many members of the crime prevention association of Oregon. Without them these accomplishments were never have been possible. These men and women who have come from throughout Oregon including the city of Portland, are all volunteers, dedicated to making you and your community safer. The crime prevention association has worked hard in educating law enforcement agencies and communities about meth. I'm proud to say that while I was attending the state leaders forum, the national conference on preventing crime, recently in October, I noted that the state of Oregon is far ahead of other states in working to eradicate this menace. This is due to the hard work and dedication of our members and law enforcement. Thank you again for this honor. [applause]

Leonard: Michael Roth. Michael Roth demonstrates creativity, responsiveness, and civic values in professional and community endeavors. He doesn't only come up with great ideas, but he works hard to implement them. He's been an innovative board member of the Rose City Park Neighborhood Association during the last seven years on the board he's served as vice chair and newsletter editor. He is currently the chair of the environmental committee. He's initiated many new projects for the association, including the George and Esther Memorial Award, the biennial contest for elementary school children and the theme "Why I Love Rose City Park." the Random Act of Neighborliness program. He's also helped resurrect the neighborhood clean-up program. He's developing a central Sandy Business Guide and is helping organize an effort to start a new central Sandy business district in northeast Portland. He also participates in the neighborhood emergency training net team. Michael has been a volunteer, development director, consultant and board member for many Portland nonprofits including S.M.A.R.T., Rose City Park elementary school reading buddy program, Sisters of the Road Cafe, Kids in Tennis, Independent Living Resources, William Temple House, Carousel Company Theater for children, Friends of Freeze and numerous other causes. He is the author of "The

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guide to business giving in Oregon." with this award the city of Portland recognize and applauds his generosity and spirit and dedication to our community. Thank you very much. [applause]

*****: This is a special honor for me, and I thank you, commissioner Leonard, mayor Potter, and the rest of the commissioner who I think are doing really an outstanding job in showing integrity and reviewing the policies and procedures of government in Portland in making it a better city and involving the citizens in a dialogue to look at everything we do and try to do it better. I'd also like to thank my wife for putting up with all the time that i'm out volunteering with things, and taking time away from home. And my southern, who also -- my son, who also has to put up with me being out volunteering with things. I'd like to introduce my parents-in-law. [applause] my dear friend and mentor and connie norton, our dear friend. And my brother thomas roth who I believe is up in the gallery too. Thank you for all your support. This is a great city. We make the community by what we do every day and how we do it, and the more you involve your neighbors and get to know them and meet them, and interact with them makes our city greater. Thank you very much. [applause]

Sten: Another true independent spirit, amanda fritz is our -- I think our -- [applause] amanda has been active on all sorts of things, for example, schools, to land use, to the environment, to parks. She's been on the p.t.a.s, she's chaired the marquam elementary school committee, she started the mull tri-- multicultural event, she's -- she has three children who have been through the public schools and keeps fighting it. I've worked with her the most on her time on the planning commission. She was on the commission for I think seven years, and amanda was always the person that you could count on to have a full analysis and know exactly what you ought to be thinking about. I agreed with her a lot of the times, sometimes we didn't, but I always listened to her. And we actually had to have a special debate on the city council as to whether or not minority opinions of the planning commission were given full status to be aired in the city council chambers, because some of her colleagues who were on the majority side were trying to say, let's not let that voice end there. Talk about an independent spirit. I argued, and I think successfully that we ought to hear from everybody on the planning commission, whether you won the vote or not. So amanda I think is really responsible for keeping a lot of really important issues in play, and she has an amazing I think mix of technical ability which is rehard with the planning issues and the land use, any of you who have been caught up in a zoning mess know it's very, very complicated. And that's because we're a well-planned 70 and because there's all sorts of regulations in place, burt she has a great mix of seeing what's port for the city and getting results. In addition, I haven't worked with her in these capacity, but she's volunteered for the salvation army, audubon, the league of women voters, the coalition for a livabl future. The tally we have is that she's helped win grants for these groups of \$723,000 for parks and school. She does walk her talk and i've told her career as a nurse, I don't know when she does it's, but I know she does a wonderful job, and you can see her vocation is helping people as is her happy and passion. So thank you so much, amanda you're truly deserving of an independent spirit award. [applause]

*****: First I thank god for bringing me here to Portland. If I may have had ended up in another city I may not be receiving a award, I may be encased in concrete and at the bottom of the river. My mother and father will be watching this in england over the internet, and the people here think you did a good job, mum and dad. When I was first appointed to the planning commission, my children were 10, 8, and 6. And edward and emily just spent uncountable hours baby-sitting nurturing, doing the intergenerational thing which many of us miss so much, so thank you. My kids, luke, maxwell and ellie are wishing I hadn't said that. And my husband steve is so supportive of everything I do. I also thank bonnie mcknight, who is my friend and colleague from northeast Portland who nominated me for this award. The city staff and metro staff, the grants i've helped win many of them were written by Portland parks and recreation staff who just do an incredible good job. You heard earlier about the successes of the west Portland park neighborhood

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association. We could not have done that without excellent staff work throughout the city and metro. We are well served by our government here. And also by volunteers such as the Portland parks foundation who have been incredible in raising money for the park in west Portland. And we are independent spirits. The people who have received these awards. However, I was so -- I also recognize we are interdependent. We cannot do things without inspired leadership, but we also cannot do things without the citizens of Portland, because together we need to make a better Portland. [applause]

Saltzman: We will -- the next category is for spirit of Portland is for a nonprofit organization. That is mercy corps northwest. Do we have representatives from mercy corps? [applause] I think all of us recognize the absolutely outstanding work that mercy corps does throughout the world. They are in fact the preeminent, one of the preeminent organizations providing relief to people in emergency need, people in need of medical care throughout the world. And we're really proud they're headquartered here in Portland. But today we're honoring mercy corps northwest, which is u.s. Economic development office of mercy corps. And -- which is, as I said, the international relief and development agency. Mercy corps northwest was established in 1998 as a program of mercy corps to share its international development expertise at home. And its mission is to assist all low-income populations to achieve economic self sufficiency and community integration through entrepreneurship and self employment. Their work in Portland is -- and its surrounding region is guided by a mission to alleviate suffering, poverty, and oppression by helping people build secure, productive, and just communities. Mercy corps northwest has provided over 600,000 dollars in start-up business capital, and financial literacy training to 289 low-income entrepreneur and has made 72 loans on unbankable entrepreneurs for over \$525,000. In 2005, this year, mercy corps northwest initiated a number of new initiatives, including the online entrepreneurial center, which is a free information resource. The new agricultural project, which provides training, land, and market access to emerging refugee farmers. And the new prison project, which will provide self employment and life skill training for prisoners during and after incarceration, and this project will focus, and I think this is great, first on women prisoners and their children at coffee creek correctional institution in wilsonville. And then with men at the columbia river correctional institution. So congratulations to mercy corps northwest. [applause]

*****: I want to very quickly say thank you. It's very heartfelt and very humble thank you to everybody for this award. We are indeed very, very privileged to every day get to work with so many small entrepreneurs, small microbusinesses in Portland, and we're looking forward to doing a lot more of this in the many years to come. Thank you. [applause]

Saltzman: The second nonprofit organization we're recognizing with the spirit of Portland award is the Oregon council for hispanic advancement. Come on up. [applause] this is great. The Oregon council for hispanic advancement is a fantastic organization. Their mission is to provide culturally specific services to latino youth to help them in achieving a higher level of academic success and access to improved opportunities for jobs and careers. They have four core programs that deliver these services to latino youth and young adults. The Oregon latino initiative, which is kind of what we're -- the Oregon leadership institute, which I believe these young women represent, was created in 1986. It's a youth development and mentoring program that uses a unique culturally specific curriculum developed by ocha to help train college students to mentor high school students. The goal is to educate student participants in order to build leadership capacity, improve academic success, increase community service, and position the student for a successful transition into post-secondary education and a career. In 2004, i'm proud to say ocha received funding from the city of Portland's children's investments fund. We recognize this as a proven program that really works. So the children's investment fund investente invested to implement the learning institute at middle school level, so we expanded the model by training high school students to mentor middle school students. The program places an emphasis on student achievement, student empowerment, and

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community service. And in the spring of 2005, 50 leadership institute students initiated multiple neighborhood graffiti clean-up projects and solicited help from parents and community members in these efforts. So we have a number of the mentors and the mentees here as well as the staff. And I would give the award --

*****: Is this the photo op part?

Saltzman: Yes. To Stephanie Mendoza Gray, their executive director. [applause]

*****: Thank you so much. I want to thank Mayor Potter and city commissioners for all their support to the students that were so privileged to serve. And I want everyone to look at the future leaders of Portland that are all behind us and acknowledge all the work they've done. [applause] I also want to thank Marsha Dennis with the office of neighborhood involvement who nominated our students for this award. And I also have to acknowledge because sometimes I think I'm just the air traffic controller, and I really don't do the hard work, and truly this award also goes to the two middle school mentoring manager and coordinator Nate Shull. [applause] and Lupe Ramirez. When you talk about spirit, I see the spirit of leadership, I see the spirit of commitment, and I see the spirit of the youth that we're so privileged to serve, and this is a fraction of the children that we work with. And I want to acknowledge that when we think about the spirit of Portland, they embody everything that enriches this community, and when they did the neighborhood clean-up, in true leadership fashion, they were the ones that negotiated the agreement with the businesses, they got the waivers signed so they could paint over their graffiti, and they enlisted support from parents and other leaders in their neighborhood to do the work. So with that I want to honor them so much, because they provide so much spirit to all of us, but they really embody the kind of community lead there's we're building. With that, you have a great last name, who is the leader of high school mentor and was the leader of this group. Make a few comments about this program and what it has meant to her. Anna. [applause]

*****: I'm kind of sick, so -- my name is Anna Mendoza, I've been mentoring for two years now. I actually want to thank Nate and Lupe for giving us -- giving me this chance, and for my partners behind me, and over here. And I think this was a great experience, because I kind of got interviewed on T.V., which was fun, but one of the questions they asked me, why was I doing this, and my answer was, because I don't want to see painting over somebody else's property, other business walls, and since I don't do it, I don't want other people to do it, so it was a great experience to paint over graffiti that wasn't looking good for other businesses. And I want to thank especially to the organization of OCHA for giving us the opportunity to go paint somebody else's wall, make it nicer, and I want to thank also my parents who are not here, but they have been a great help to me, and my sister, Vanessa, who is right now in -- a mentee, who has been great to work with her too. Thank you. [applause]

Potter: I think collectively we should give another round of appreciation to all the wonderful recipients. [applause] This morning I was at a breakfast meeting with folks around the United States looking at Portland. And one of the folks said, "what makes Portland unique? Is it your form of government?" I said "no." they said, "is it your livability and the wonderful natural environment?" I said "that contributes." but they said "what is it?" I said, "it's the people. And I think our spirit of Portland awards today exemplifies the kind of people we have here are in Portland. Multiply these people by thousands, and you can see the kind of spirit, the kind of sense of community that Portland has. I think we're very fortunate to have the folks that are here today and to thousands of people out in our community that day by day do little things to make our city a better place for everybody. Please join the council and myself down on the first floor, it's the floor right below us, for a reception so we can congratulate these people in person and let them know how much we appreciate them. Have a good day, everybody. Thank you for being here. [applause]

At 3:20 p.m., Council recessed.

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

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Item 1574.

Potter: Please call the roll. [roll call] please read item 1574.

Potter: Good afternoon.

Gil Kelley: For the record, i'm gil kelly, planning director. With me for the first time in a starring role is bill cunningham for the planning bureau. He's worked with us for several years, and in the last couple years really dedicated his energy and focus to this project that we're calling infill design. I want to explain a few things about it, and turn it over to bill. The infill design project here that you have in front of you is meant to address a certain segment of the spectrum of all housing being built in the city, and this segment is really the medium density development, which you may often see expressed in terms of row houses or even low-rise apartments. And this is actually the primary form of multiunit housing being built outside of the central city, and represents a lot of the total new housing being built in town. We'll get into some of the numbers in a few moments. The emphasis here has been on taking this piece which we haven't focused on much recently, we have focused in the single family or low-density zones, we've put a lot of energy into the central city, the pearl district, the south waterfront, those kinds of housing types. We haven't put a lot of energy into reexamining how well we're doing in terms of how well these kinds of projects contribute to the community character and for the livability for residents. So that's been the focus here, because this is clearly a burgeoning area of construction and family housing in the city, and is probably some of our most affordable housing stock being built for families in Portland. The focus here has been how to encourage not just to encourage new development, but how to make that development compatible and fit with the neighborhood and serve those residents. That's really been our on focus here. We have taken as our mantra making the right thing easier to do, easier to do than the wrong thing, so try to remove obstacles to doing good design and good development. At least not make it any more difficult to do than doing something else might be. And we think this is very compatible with the initiative that commissioner Leonard initiated some time ago that had to do with the skinny houses, the infill design. This is at the next scale up, which is the -- instead of detached housing this, is attached and low-rise apartment scale. So the philosophy that commissioner Leonard employed in that project we have also used here, which is to say this isn't only about regulation, this is about both regulatory and nonregulatory devices to try to get there with an emphasis on design. I think we're probably best suited by switching the lights down and pointing you right -- getting you right into the presentation. I'll do the first images to set the context and turn it over to bill for the remainder. This graph shows you the -- Portland on the straight bar where you see the line "goal," 20% some years ago, a decade or more the city council set as a policy goal or target that the city of Portland would accommodate at least 20% of the region's residential growth within the city limits of Portland. And that was making good on our commitment to the region 2040 plan that we would, as a large metropolitan region, we would prefer to grow up and in rather than out the good news is we've exceeded that goal in every year since we adopted that, and this graph shows you we're somewhere upwards of 30%. I think average we're 33% of all the new housing construction in the metropolitan region has been within the city of Portland. A lot of that has landed in these zone that's we're talking to you about today. If you look at the next image here this, is a graph of how

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that 33% breaks down by housing type, and you can see multifamily houses are now exceeding the number of single family housing that's being built in a city, and if you add row house and duplex to that, we're bumping up against almost three-quarters of the housing stock as being built in other than single family.

Leonard: Is multifamily designed -- defined as duplexes and above?

*****: For these purposes --

*****: Triplexes, both rental and condominiums.

Potter: Why not duplexes?

*****: That's how the city class identifies the housing types. They're classified somewhat differently. But they are often at similar densities.

Kelley: And they're technically speaking multifamily. By the common definition they're multifamily. We turn those two wedges to blue you can see the effect. Most of our housing stock is being built in two or more units at a time. The next image here shows you how that has occurred across the landscape, and while the central city, the circle on the left, has accommodated the most concentration of the highest density units, that's understandable, particularly given the development in the river district and now the west end and south waterfront, that actually as many or more units and multifamily format are being built in other parts of the city. And those are spread across, you can see the red dots and the green squares, those are all multifamily construction during this period of 1997-2004, but you can see the other red circle to the east where there is a growing concentration of this housing east of 82nd avenue in east Portland. And so for us the importance of this project has been, let's make that new infill housing, which is growing rapidly, really work for both the surrounding neighbors and for the residents of those projects themselves. So in essence, this project has been about getting more the imagery on the left side than on the right side, and again, it's more than sort of curb appeal, it's really providing internal spaces that are useful to residents and families in particular of these sites over the kind of image you see on the right, which is not as friendly. With that introduction I'd like to turn you -- turn it over to bill.

Bill Cunningham: Bill Cunningham, project staff on the infill design project. I should note that the record for the project is in council chambers just back here, and so it's available if they're needed for reference. This project isn't focusing on what's really been the high-profile projects in south waterfront or the pearl district, but the medium density infill that's happening in neighborhoods, which is the type of development that's key to adding to the mosaic that makes up the neighborhoods. And while they're not as high profile as larger projects that are often key to neighborhood concerns about growth and change, because they're often right next door. To highlight where the zones are, the medium densities are shown in the blue. The city goals for concentrating development along transit facilities so they're typically along transit corridors. The highest density zones are in the central city in green and a few other centers. But this project is really focused on those medium density blue zones. Another thing I should mention too, regarding that zoning map, this project was not revisiting where we have the multifamily zoning mapped, given where it is and what the density is acquired, how can we improve design in those areas. We're also not changing what the community's goals are for design. This graphic is from the -- from building blocks for outer southeast neighborhoods, which is created in conjunction with outer southeast community plan, intended to highlight how high density development could serve as a positive contribution to community. Avoiding bar racks like masses like you have in the upper right image. And part of our charge is trying to narrow that gap between that vision I just mentioned and the reality that we're often getting in neighborhoods. You aren't getting quite that human scale or pedestrian oriented design. The community input that went into this project, some of the key aspects where we had a 24-member infill design advisory group that was composed of a wide variety of stakeholders, including neighborhood representatives, developers, and builders, architects, and affordable housing providers, and city agency representatives, just to be -- to sort

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through the issues and come up with solutions. We also had public open house events at other discussion was builders and designers, meetings with neighborhood groups, and also benefitted from a project done by Portland state university planning student who did a project in conjunction with ours where they focused on looking at outer southeast Portland and talking to residents of new housing and neighbors to ferret out the issues there. The advisory group discussed and highlighted certain things as issues we needed to grapple with, and one was related to a couple issues. One is most neighborhood plans call for new development to respect existing neighborhood character, and a key aspect of residential areas in Portland in most residential side streets are the landscape setbacks you have, and this is an example in the r1 zone. There's a concern about new development coming in like this, which entirely interrupts that front landscape pattern and some of the very residential character of areas, which people see as a contrast to the more hard escape of commercial areas. And also it tends to run against goals for pedestrian oriented design. Another concern with the project was a need, a felt need for a greater diversity of medium density housing types. Row houses have been the primary ownership housing type, so it's provided a lot of need in terms of providing ownership housing. There's been a concern that the city could use a greater diversity. Community members have expressed interest in courtyard-type housing where you can get medium densities at -- in a form that provides more of a land escaped emphysema sis and often allows forms which continue the patterns of neighborhood houses, less of a wall effect. What we heard from builders and designers, however, is very often it's difficult to do this as ownership housing, because you can't get each house to face into a street which we typically require if you're creating a new housing lot. We actually do have newer provisions that are already in the books that allow a common green, which is a street tract design for pedestrians, and that allows you to do more courtyard arrangements, but we've found it doesn't lend itself to small infill situations, it doesn't serve as a very good substitute for row houses in many situations. So one of our charges was to see if we could do more to encourage those alternatives to row houses. We're not looking at restricting row houses, but encourage -- earn couraging cottage clusters. In puget sound it's been used for housing that's accommodating of elders who need more accessible housing than is typical with row houses, which tend to be multilevel. Also, interesting courtyard townhouses, oriented to court yards. And then another housing type that hasn't been built much in Portland, but we looked at from elsewhere, what could be called shared courthousing, wherehousing units, instead of front into a conventional street, front into a street designed without sidewalks, but is designed to accommodate pedestrians and vehicles within the same space. And it's barred partly by the dutch model of what they -- where the street accommodates cars, but they're designed so the street clearly signals it's for pedestrians with cars and entering and exiting as occasional guests over that space. Portland has that -- has a few examples shown here that are similar to that concept, but they've only been allowed to be built as condominiums and we don't really have provisions that allow that and more fee simple unit on separate lot arrangements. And that's a barrier to getting more of that built. Other types, there's been community interest in a house where you can get density in a form that continues patterns found in neighborhoods. These are a couple more contemporary examples, but they're reminiscent of the streetcar area. So we're -- staff is encouraged to look at possibilities for that kind of housing.

Adams: Is that house on the left of the screen, is that in Portland?

Cunningham: Yes. That's just off hawthorne at southeast 26th. It's a stacked duplex.

*****: Thanks.

*****: It's attractive.

Cunningham: - - and I want to highlight before we get into more detail about the code provisions you're considering, they are part of a larger project identified in what we have as exhibit b, in this infill design project report. The code amendments are part of a broader strategy intended to realize our goals. We wanted to think broadly, not relying just on regulations to achieve our design goals.

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What came out of that report were a broad range of strategies, one thing we wanted to focus on was to do more to educate and foster dialogue about design amongst the members of the community. Increase awareness amongst developers of way it could achieve better design and cost effective ways and also work more with neighbors to identify positive solutions. Also we wanted to do as much as we could to remove barriers, making good design the easy thing to do versus what you have to do to jump through hoops regulationwise. And a limited number of restricted design standards that get some of our most basic design priorities, and a range of strategies intended to encourage a greater diversity of housing types. Amongst the nonregulatory things we have a collection of housing prototypes we're finalizing that are intended to be a problem-solving tool. One thing we've heard from developers is the city can be good at saying what we don't want to have happen, but not at highlighting solutions. And the housing property types are intended to highlight configuration that's approvable through all regulations, not just the zoning code, but storm water management, transportation, etc., and they're being reviewed by those other bureaus, and to serve as solutions. Also design strategies guide that would get pieces that are difficult to regulate. Highlighting how and cost effective ways to minimize privacy impacts, how to reduce appearances of skill contrast between new higher density housing and lower density housing. And then case studies, highlighting how people who have done interesting projects have done it and made it pencil out. So moving on now to the regulations piece, today you are considering the amendments to title three and title 17 rather than the nonregulatory pieces. They could be grouped loosely into these goals. One is supporting pedestrian friendly street frontages by doing things like fostering street oriented buildings and making it easier to get rear parking arrangements in. Minimizing impervious surfaces, context responsive front setbacks, encouraging wider range of housing types, and providing additional opportunities for public input. Illustrative of the kind of issue we're dealing with when we're crafting the code was shown in this image. In some of our higher density zones, your typical Portland 5,000-square-foot lot is required to have three to five units. So part of the challenge is how do you get those three to five units plus parking on a site like that? And a common solution is something like this, which entirely interrupts the neighborhood pattern. And looking at doing some code modeling to come up with what else you can do on a site that accommodates the same number of units and parking, there are clearly ways that are similar to neighborhood patterns, such as a house form like this where you've got a narrow driveway going toward the rear and schematically it's something like this, but in terms of seeing whether a code allows it, that's where it guess more complex. Our code requires a five-foot landscape setback along the driveway, which narrows what you can do for the building. And if you're on a transit street or have anything wider than a 50-foot-wide lot you're required by title 17 to have a 20-foot-wide driveway. If you have more than one building on the site, there's a separate requirement for a pedestrian walkway. So the end result is something very different from the pattern of houses you have, very impervious services. We have an additional requirement on transit streets for loading spaces. You have to have a 35-foot-long loading space for any residential project on a 40 street, which is very difficult to find space for in a small site. The end result, instead after houselike form is something like the lower image, which meets a minimum 20-foot-wide driveway dimension. Now launching into the actual code amendments you're considering, one amendment to title 17 would allow a narrower driveway, instead of 20 feet, allowing a 10-foot-wide driveway for small projects that have no more than 10 parking spaces to be 10 feet instead of 20 feet if accesses from a local street. And transportation staff actually wrote this amendment. It would also allow examples more like the seattle examples, where they allow driveways routinely as narrow as 10 feet. The example on the left is 12 feet, on the right is 10 feet. A much less domination by vehicle facilities and less impervious surface compared to the Portland examples. Another thing we would allow is to change the definition of a driveway to allow the driveway to narrow down for small projects farther away from the street. Transportation's primary concern is making sure there's -- especially on busy streets, that there's

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room for cars to get in and out at the driveway throat. These provisions, amendment was let driveways get narrow farther down in the site where it's not needed. Also, the amendment would be allowing driveways to be closer than five feet to the property line for small multidwelling projects that have no more than five parking spaces. We're also -- one of the amendments would also allow a shared driveway arrangement. Typically if we have buildings that don't have street frontage you have to have a grade separated walkway to access the buildings, which adds to the amount of impervious surface. This would allow, if special paving treatments are used such as paving blocks and bricks for small projects that you could accommodate that required pedestrian space within the same space as the driveway. Therefore not requiring that additional walkway space. And I should emphasize that the pavers are not something that we would require in situations where they're not required now, it's an additional option. People could choose to do the conventional driveway and separate walkway. A concern we had was if we eliminated a requirement for the separate walkway, we did not want to allow a door-to-door blacktop and wanted to make sure in was a very pedestrian oriented environment instead. This may also provide options for pavers that could provide storm water management opportunities when they're engineered to allow storm water to percolate through.

Also, we're -- some of the amendments would reduce code barriers to rear access row houses, which allow continuation of neighborhood patterns. We found that in some cases our code made it harder to do rear access row houses than front garage row houses. The schematic here, if, for example, you chose to do all front garage row houses you could do it fairly easily, but currently if you wanted to do rear access row houses because of our lot coverage and lot size requirements, you'd have to go through extra code adjustments to do that. And the code amendment would make it easy to do the rear access houses. Another amendment would allow rear decks to exceed the usual lot coverage limits. A concern builders have, they say a key priority for a lot of buyers is they want private rear recreation space, and if you do an agreed -- a grade level patio, that doesn't count against your lot coverage requirements, but if you do a raised deck over rear parking, that does count against your allowances. And concern with the group was to limit the amount of site area that's devoted exclusively to vehicle areas and make more vertical use of that space, and this would allow that. It's also avoiding a situation like this, where the rear area is a no man's land devoted to rear vehicle parking areas. One of our more strict standards that's oriented towards fostering pedestrian friendly street frontages and get at one of our more basic design principles is the requirement for street-facing windows for all multidwelling projects. We currently require 8% window coverage in a multidwelling zone, but no requirements if you build in a commercial zone. This is an example here, on a designated main street, where we have regulations that require the building to be close to the sidewalk to foster a pedestrian and transit orientation, but no requirements for windows. So you miss the intent of our existing regulations by the allowances of an entirely blank walls. We would -- we currently have 15% window coverage requirements already applicable to attached houses and duplexes, but we don't have that standard for multifamily.

And this would provide consistency across those higher density housing types. 15% regardless of its -- if it's row houses or multifamily. This is illustrating the difference between our current 8%, if that applies to multidwelling zones and the 15% that's required. And it's really not something that I'd be tied to any particular architectural style. The upper right example would meet that 15% requirement as a much more contemporary design that is typical. Another more strict limitation would be to require 50% -- limit vehicle areas to 50% of the street frontage of multidwelling projects. This applies to transit streets but not to the neighborhood side streets, and would prevent projects such as this where almost the entire street frontage is paved for vehicle areas. The particular context for that project is this. You can see again that typical Portland residential streetscape with the landscaping, and the impact from the new triplex. This example here is actually the same number of units and same number of parking spaces and the same site size, but has rear parking. And these requirements would foster more development along the lines of this.

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Another requirement would be to reduce our loading space requirements for residential products -- projects along transit streets, and apply the same loading space standards that apply to side streets. In the blue again here you can see where most of our multidwelling zones are directly on transit corridors and they're fellowshipically platted out with the small 5,000-square-foot lots. Our current requirement for a 35-foot-long loading space makes that development very difficult in transit streets. Another provision would allow buildings on transit streets in the pedestrian districts to reduce the setbacks to a setback less than what is usually required if an existing pattern already exists, and some of our older neighborhoods buildings are set up fairly close to the street, sometimes closer than our usual setbacks allow for, and this would allow are a continuation of patterns that may already exist. Then we're also allowing flexibility the other way, on transit streets in the multidwelling zones our mechanics mum setback is 10 feet, which is intended to foster a pedestrian oriented streetscape, but many of our multi-- transit streets in outer east are on multilane arterials, where having residential that close to a busy street has negative impacts on our residents. We're proposing to allow additional flexibility so you could set back up to 20 feet. The example on the right is in the hawthorne district, which is set back 18 feet, allowing more of a buffer to the street while still ensuring a pretty strong street orientation. We have other amendments intended to make it easier to do those common green courtyard housing examples I had mentioned before. One would allow more flexibility along the frontage of the common greens where right now our current apartments make it difficult to do common greens on small infill sites because we require the same setbacks on the common green as we do to a public street frontage. This would provide more flexibility on the common green, but maintain our usual setbacks on public streets. It also allows more flexibility for parking near to those -- the common greens. And then we have a new provision to facilitate the shared court arrangement. And, again, this would allow a new private street type to be created that does not have our usual separate sidewalk, but allows pedestrians and vehicles to share the same circulation space. I should highlight that the bureau of development services is responsible for the standard that's would apply to the design within that right of way, and this provision will require bureau of development services to create private street standards for the shared court concept. And I should mention some of the advantages of the shared court in the netherlands, for example this, space is intended to accommodate a wide arrange of human activities than just vehicle maneuvering. It's often used as play space, so it's really intended to make a lot more efficient use of otherwise wasted space. And the provision was also allow buildings to be located quite close to the shared court in contrast to the provisions that usually apply to a primary public street. This is an example of a shared court at a somewhat lower density, to give you a greater sense of the concept. And I should also mention an advantage of this type of housing as well in terms of encouraging ownership housing, in some of the higher density small site zones, it's very difficult to get fee simple lots oriented to street frontage densities we would require, and this would allow a greater number much fee simple lots to be created in interiors of lots where there's not enough conventional street frontage. We would also be allowing shared open space to meet our outdoor space requirements for ground level units. Typically now you have to provide separate private outdoor space to meet outdoor space requirements, and this would make it easier to do courtyard arrangements. It also facilitates outdoor space such as a play area as being used to meet our outdoor space requirements where currently they used to meet the outdoor space requirements. We'd also facilitate more courtyard or more open arrangements, drop our current requirements that require outdoor space reaching it to be entirely screened from each other, which can lead to walled-like enclosures, and prevent the more open arrangements you have in cottage cluster requirements. Right now you'd require the porches terror screen bide something that's six feet tall. Also for small projects or portions of projects serving a small number of units allowing narrower walkway width a three feet instead of five feet for walkways serving more than four units. In terms of duplexes, we have arrangements or reductions to required lot size requirement that's facilitate the ability of small

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lot duplexes to meet our density requirements in the multidwelling zones. The examples below right now could not be built in the r1 zone where they would meet the density requirements because they don't meet the minimum lot size requirements. So just facilitating that type of development. Also, another facilitative change providing greater flexibility in the design of row house projects, reducing the amount of wall area we require to be attached from the current 50% to 25%. This example here has an attached house project which broke up the volume of the two units to reflect neighborhood patterns, but doesn't meet our usual attachment requirements. We require buildings to be more attached than they are here. Also an example, in 1991 we had the city life design competition for attached housing. The result -- it resulted in this winner which provided courtyard space between row house units, but runs afoul of our current attachment requirement and providing more flexibility would require -- provide opportunities for that additional private space between units. And another provision, again, related to flexibility, would allow accessory dwelling units to meet minimum density requirements in the multifamily zones. Currently they cannot be used to meet our minimum density requirements, which in certain areas it can be difficult to meet our minimum density requirements. For example, a 10,000-square-foot lot which similar to what's shown here would require in the r1 zone seven units. And there's not enough street frontage on 100 feet of 10,000-square-foot site to fit in street-facing row houses. This example was encouraged by design review staff when the applicant has to do more of a picket fence, row house project on this site, and design review staff encouraged the density requirements to be met with a.d.u.'s over rear garages instead of having all the units up front. But subsequent code changes have disallowed this arrangements, but it was an arrangement neighbors in ladds addition gave -- another amendment would provide greater flexibility for -- in the design of detached housing projects in the multidwelling zones. And this is actually related to the living smart project for skin aye houses. This provision, which would apply only to the multifamily zones, not the single family zones works all lieu within the interior of the project reduce side setbacks to allow narrow lot houses. These examples here are the more typical arrangement where have you five-foot setbacks and 10-foot setbacks between housing units, so in a 25 foot-wide lot you end uppedu winston cup a 15-foot-wide house. It allows housing that is somewhat less skinny than is typical now and would allow a return to some patterns have you in older neighborhoods, where 25-foot-wide lots are not unheard of, but the houses were less skinny because of the reduced setbacks. These are examples from the lair hill area, where there's a bit of a blurring between attached housing and detached housing. We would restrict this to the multifamily zones and -- in recognition of the multifamily dwelling zones are intended for a more intense level of development than the single family zones, and this would not affect the periphery of projects, like row houses you couldn't build any closer to a neighbor who was not involved in the land division. It would allow just the increased flexibility within the project.

Adams: In fact -- I used to live in that kind of a housing type that was three feet from the house next to both sides, and one of the things that the neighbors complained about is, for instance, if they had to repair their porch or their back stoop, they had to go through the, whatever you call it, variance process just to repair what had already been there. Because it was the house itself was -- didn't meet the city's current requirements. Does this solve that problem?

Cunningham: To some extent. The total distance between houses, this would bring -- would be six feet, which is actually still greater distance than you have in some closer neighborhoods. Six feet corresponds with what the building code typically requires for separation between houses if you're not doing a land division. I don't think it would address all those issues, and it would only apply to new land divisions, and it's partially related to making sure they do a project -- a project is done as a whole so you can design windows so they don't entirely peer into one another, if you do put side windows in. An example to the left of an actual project where they exceeded the typical 15-foot dimension is here to the left where the porch exceeded the 15-foot dimension by about three

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feet, and just getting that much additional width compared to the examples on the right just provides a much less skinny appearance and a much better relationship to the nearby bungalows you have in many Portland neighborhoods. And finally, another requirement we would have is to require that applicants for multidwelling projects of five or more units contact the neighborhood association for proposal that's would add five or more units. Most multidwelling development is in areas that do not require design review, and very often do not require any land use review whatsoever. So sometimes the only thing neighbors here about a project is once a ground is being broken for the project, in outer east, for example, there are apartment complexes of 100 or more units that are built without any public process. And this is -- this provision was seen as a compromise between neighbors who wanted greater control of what's coming in, who are pushing for design review, and builders who want to avoid the additional process and costs involved with the design review. This requires that builders offer to hold a neighborhood meeting or present to a neighborhood meeting their proposal, and be open to input from neighbors. But the input from neighbors would not be binding. Some neighborhood associations have indicated that when they have had voluntary meetings with build everythingeers, some of the little changes have had a difference in the quality of design that went in, allowed them to bring attention to key neighborhood issues that are specific to the site that aren't really captured by our regulations. And this was the a provision that planning commission paid a fair amount of attention to. They felt it was important to encourage more dialogue between community members and builders, especially when it came to higher density development in neighborhoods. Sorry about the graphic quality here. Just to remind you what you'll be making a decision on. Some of the key directives of the ordinance -- to amend titles 33 and 17 as shown in the infill design code amendments recommended draft. Another key directive is to direct the bureau of development services to create private street standards to support the shared court concept. And third, direct the planning bureau to monitor and report back to planning commission on the impacts of the amendments in three years. That was another concern of planning commission, making sure we knew what the outcome was to the amendments. That's the end of my presentation. Staff will be available for comments.

Potter: Did you say you're going to report back to the planning commission?

Cunningham: That was our earlier directive from planning commission, to report back to then.

Potter: How about the city council?

Kelley: We certainly could come back to the city council of course. I also wanted to mention we had interbureau cooperation, the bureau of development services, environmental services, were all very helpful in putting this proposal together. And I think there's a lot of good amendments in here that will actually have a fairly dramatic effect on the landscape over time, and the nonregulatory portions that bill alluded to earlier are equally important as to adopting these amendments. So doing the education, getting the illustrative materials, doing the case studies, getting the word out about how you can easily dot right kind of design is as as -- is as important as adopting the code.

Potter: Does it make any change to the amount of time it takes to process the permit or approve the design?

Kelley: We didn't go specifically after the overall permit process changes. What I would say it does in that regard is, if you want to make a adjustments to your design to do some of these features that bill mentioned, those would now be available to do as of right, or to do easily and quickly as opposed to having to go a more complicated process.

Cunningham: We had talked to b.d.s. About the idea of speeded permitting processes for design that met certain objectives, and they did not feel there was a lot of hope for that because among -- some of the things that slowed down the overall permitting process are things that are beyond zoning code review, but include things such as transportation-related improvements, storm water management improvements, so it's difficult to speed up the overall process for something that's more related specifically to zoning code review.

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Potter: I guess the other half of that question, will it slow it down?

Cunningham: It should not. Many of these as Gil was mentioning, should eliminate the need for certain common -- things that now require adjustments and additional process. So many of these really were primarily oriented to make -- shortening the time to doing the development we want to have happen. So, yes, for the most part -- I'm sorry, for the most part they'll make it easier to do development and shorten the amount of time needed for well-designed development.

Potter: Questions?

Adams: There's a lot about this I like, especially the part where you use the Dutch word,

*****: Voonerven.

Adams: I saw that when I was back in Amsterdam, and it really does work. So it allows for infrequent car access, but 85, 90% of the time is just a pedestrian walkway, and it's very pleasant, and they have entire shopping districts sort of built around that concept.

Kelley: I should just say I came from a meeting with PDOT and B.E.S., we're talking about doing this not just as a private street standard, but try experimenting with that in the public right of way and key place as well.

a key hope for the infill design advisory group, the solutions we came up with be multiobjective. So not just serve as a design function, but do things like provide additional usable space and perhaps someday a roll in minimizing storm water impacts as technologies increase and make it more feasible to use things like that in the storm water management capacity.

Potter: Other questions?

Saltzman: Good job.

Potter: That is a good job. Thank you, folks. Do we have folks signed up to testify?

Moore: Yes, we have nine people signed up. Come up three at a time.

*****: Hello.

Potter: Thank you for being here this afternoon. When you speak, please state your name. You each have three minutes.

Lonnie Port: Lonnie Port, I live in the Woodstock neighborhood. I'm on the land use committee for that neighborhood. I have the luxury of working with a gal who's been doing this for land use in Woodstock for 20 years, so she shares quite a bit of information with me on a day-to-day basis. The Woodstock neighborhood started in 1889, and a lot of people moved back into the area because it is a nice community, tree-lined streets, people walking by, people waving at you from their living room windows when you walk by, even though you don't know them. So we were thrilled to see Bill's work on this plan for infill design. We were delighted to see the early note for indication for neighborhoods, because with our land use group, we found that when we encourage the developers and the homeowners who are proposing to do this development along with any neighbors that live close by, we've had a really great situation where neighbors are able to bring up what their concerns are, the developers can address those concerns and say sure I'll extend that fence, or I'll be happy to replace that tree. It's made a potential situation where it would be very nerve wracking and upsetting for people into a very positive experience. So I was really happy to see the early notification at the city planning meeting that I attended. I actually asked for all of the even less than four units or less, but we were really happy with five or above. So I think that's a great start. And we really like to see the increase of window coverages to 15%, just to allow more pedestrian friendly activity walking by with kids in strollers and waving to neighbors. And less of that garage door effect that you saw, and I think those pictures were brilliant. I think 99% of the people would look at those and agree those are really great solutions to our increasingly growing area, and increasing development in some of our double lots that we're seeing in the neighborhood. So we are really happy with Bill's work, and I hope you all agree as well.

Potter: Thank you.

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Lee Knightly: Lee knightly, I live in the richmond neighborhood. I'm also on the board, but i'm speaking for myself today. I also would like to show my support for the project. I think it's fabulous. I attended the open house that southeast uplift had in august, and I was really struck by the quality of the design and the thoughtfulness that went into the project. When you say infill, it's usually a pretty emotional response you get, because right away they think of these cheesy, cheap-looking instruction, and -- construction, and if we approached it from the way that bill has, I think you get a much more favorable response from the community. I'd also like to support the early notification to the neighborhood association. We've used this in our meetings where bringing the developer together with the neighbors, and often it's pretty uncomfortable at first, but even if they give in on a little thing like they're going to leave a favorite tree or something that it's been very helpful. Also, i'm a real estate agent, and the thing I see more in Portland area than any place i've ever lived is an obsession with people about light. Color and light. And I think the minimum should absolutely be increased to 15%, minimum window coverage. And that's it.

Potter: Thank you.

Carol Brock: Carolyn brock, I live in infill housing in a row house on a transit street, division street, which is the also kind of on your plate these days. And so I feel very, very much involved in all this, and I love to go to open houses on sunday afternoon and visit other row houses, condos, whatever is out there. So this project has been just a fabulous experience for those of us who believe in infill housing, because as bill stated so well, of the commitment to implode rather than sprawl whenever we can, and to grow in and up. I'd like to echo the comments of the others about the neighborhood notification. It's a win-win for everyone. For developers, for already in place neighbors, and for new neighbors coming in to have the dialogue open, and even though they're there -- there can be some contentious moments, that's how you get things in the open and at least people understand how things are. The planning commission was wonderful in their reception of this idea. The plan, the whole process has been so positive, and the ensemble of ideas presented are just -- need to be accepted as is. The other thing I would like to emphasize is the potential for infill housing to diversify our neighborhoods, to allow for people of differenterring income levels, ages, lifestyles, all kinds of things, and particularly the family that we are in danger of losing in the inner city to create affordable housing for families, young families with children to support our schools, and also those young single people and old fogies like myself, and everyone else to add diversity to the neighborhood. Infill is a wonderful way to go, which this is a great project. Thank you.

Potter: Thank you all.

Potter: Thank you folks for being here. When you speak, please state your name. You each have three minutes.

Linda Nettekoven: I'm linda nettekoven, cochair of the southeast uplift neighborhood coalition. That's the hat i'm wearing today. I'm here to express our strong appreciation and support for the packet you have before you. I want to stress, even though we don't have a full council chamber today with excited neighbors that this topic is incredibly important to the folks in our coalition area. Infill pops up as topic number one, two, or three, every time we hold an annual neighborhood agenda process. To the point we actually covenanted a neighborhood development summit in 2002 with help from the planning bureau and with participation of several local developers. We were missing the bankers at that meeting and we'd like to do it again and have them present. But we felt the 100 people who attended that day considered it very important and got a lot out of it. We combined it with an infill design open house. But the tea message we -- the take-away message was that dialogue is important to people from all sides. So we wanted to thank you and stress the need for the mod if I -- notification provision. I also wanted to stress the idea that most of this package speaks to encouraging rather than requiring design, good design to happen. And we also experienced as neighborhood associations often times developers build the things they're most comfortable and familiar with, and some of these ideas are new and so we're asking that if there's

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anything you can do as policymakers or to encourage staff to be champions for the good design and the new design ideas so those really get shared with developers in ways they can feel comfortable moving ahead and trying some new and better things. So thank you very much.

Greg Acker: Greg acre, i'm an architect with the city of Portland office of sustainable development. For full disclosure, i'll mention I was on the advisory group for this -- you have to do the same now. [laughter] bill and I are both architects, so you'll probably get some redundancy here. But i'm going to speak first of all commend bill cunningham on the tenacity he had to get this through. Having viewed it from being on the advisory group, it's been a long haul, and he's done a tremendous job. My topics will be the four d's -- design, density, diversity, and driveways. So as an architect, design, you saw the photos, you saw the awful street frontages that occur without this type of regulation and flexibility in the code. I think the fact that the neighborhoods have an ability to have a little more impact is extremely important in that design category. For density, which is what sustainability is all about, is -- you saw on that nice chart pie shape diagram that 75% of the homes that have been built in the last few years have been multifamily, and I think that kind of density is really encouraged by those prototypical site plans you saw. Those are wonderful guides for future developers to show them some alternatives to be a little bit more dense and still dense with style. Diversity, there will be a lot more chance for courtyard-type units and clustered units, and there was a very, very finey slice of that pie that was accelerate -- accessory dwelling units, which I think are going to be encouraged with this, row house that's could have an accessory unit behind them and meet the density requirement. Driveways, you saw a lot of pictures of bad driveways, and a lot of times with these lots the challenge is not architect which your, but parkitecture, how to get the cars on the site.

Adams: I've never heard that word before.

Potter: Did you just make that up?

*****: No, no. Bill knows that.

*****: I've never heard that before.

Acker: Oh, I did make that up: [laughter] this idea, the variations on that theme, not only reduce paving and impervious surfaces, but also encourage pervious surfaces. So that's a huge thing. The shared court yards, I know that's some work b.d.s. Will have to do, but I think it's probably worth the effort. And of course increase of more housing on mass transit is something we're trying to do also. So that concludes my remarks here.

Potter: Thank you.

Bill Wilson: Good afternoon. Bill wilson, i'm a member of the urban design, advisory committee infill committee. I'm also principal of william wilson architects. Our firm has designed many infill housing projects in the city of Portland over the last 30 years, including one on the left that said how to get more of this earlier in the presentation. So thanks, bill. I'm here to speak in support obviously of the proposed zoning amendments, and I believe those amendments increase the livability and add to the character of Portland's neighborhoods. It certainly will increase sustainable development in the city. An important factor, it will increase flexibility both for developers and for designers of these projects. And it will bring some of the lower density zones more in conformance with some of the design standards of the higher density, multifamily zones in the city. And especially these code amendments will substantially reduce the number of projects that do not contribute to the overall standards of the design standards of the city. Many of which you saw in the slides earlier. More specifically, limiting vehicle area and street frontages will improve the pedestrian experience on the sidewalks, and increase pedestrian safety. The 15% requirement for windows I do not believe is a high standard, it will certainly improve the architectural character of the buildings and it's certainly not very difficult to achieve from a design perspective, and not even from a cost perspective. The relaxed setback standards will increase usable open space and also add to the design flexibility, which we're looking for. Reduce pavement areas will certainly increase --

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reduce storm water runoff, but also increase usable open space on the site. Shared courts and common greens will do many of the above and add to the diversity of neighborhood development. And if there's any perceptions that these amendments will increase construction costs, that's often a criticism of regulations or in this case maybe more flexible regulations, I believe this is not necessarily true with this particular -- these particular amendments. In fact, in many cases reducing pavement could actually, will actually reduce construction costs. The proposed education program, such as prototypes and case studies, will assess developers who might not be able to afford experienced design professionals, in fact may have encouraged them to hire more qualified designers for these projects. And lastly, I wanted to emphasize my support for the opportunity for community input. The requirement in which -- which has been reduced to five minutes to -- units to require neighborhood input will substantially increase the quality of the project that's been true of the projects we've built in the city. We're not necessarily advocating design control by the neighborhoods, but certainly their input is very valuable. Thank you very much.

Potter: Thank you. Pyrotechnic thank you folks for being here. Please state your name. You each have three minutes.

Jim McCauley: I'll keep with tradition, seems the center person gets to start. For the record, I'm jim mccauley, representing home builders association, metro Portland. And I don't think I'll break the string, so far everybody has come in and supported this infill project, and we've had a couple of our members very much involved in this process. Jeff fish and tom scar both speak very highly about the transparency of the process, and have appreciated the opportunity to be involved in some of the input, as well as some of the balance that's been achieved at the end of the day with this particular infill -- overall infill program. They have a couple of elements they would prefer to see as a standard, but I think on par the overall balance of what's being proposed in this infill is something that we can support as an organization. It will be helpful with the overall continued work in terms of infill, and I think as you look around the region with different communities that are going through various local debates over infill, it's helpful to see an agency in a city moving forward with policies that will actually continue to encourage those infill developments as we continue to also debate future growth expansion and things of that nature. And it's an appropriate balance for this city to be in. Thank you.

Joshua Cohen: Joshua cohen, I run a small business engaged in real estate development services. I'm going to share a couple comments in favor of these amendments. I had the opportunity to meet bill cunningham nearly a year ago when I was working on a potential subdivision near powell butte in southeast Portland. And even at that early stage in the infill design project, the report was extremely useful in illustrating new possibilities that we could consider for medium density development, and I think the reason it was really useful for us was because of the quality of the presentation, the images and the diagrams and the case studies, and the report. This week I read the code amendment proposal, and I think they did a good job of meeting the original objectives of the project. I just also want to express my appreciation for bill's work. It was very easy to bring new design ideas into the entitlements process.

Laurence Qamar: Lawrence qamar, an architect and town planner in Portland. A principal of my own firm. I have served on the advisory committee for the infill housing project with bill country can ham and enjoy that experience very much over the last couple of years. I also am here as a -- I was in that committee as a liaison to the a.i.a., and I am also here to support this project. I think it's an excellent piece of work. It has -- it was a broadly inclusive committee of people, involving both builders, developers, citizens, and design professionals. I believe this project is very strongly supporting what is our fundamental responsibility here, both as design professionals and as a city, and that is to enhance the realm of the public realm through the buildings that we design. That is done here primarily through the enhancement of that rep of buildings to the public realm. So this 15% of minimum required glazing or windows on the fronts of buildings is a bare minimum. I

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think it's a wonderful step forward. That of course enhancing eyes on the street, very well known concept, but one that shouldn't be understated. What this project also has helped to illustrate very well in its pages is that higher density can actually enhance the public realm to a greater extent when done properly. Also i'd like to strongly support the idea of -- that bill mentioned of developing a set of housing prototypes that eventually a developer or builder could come in and use as a preapproved or preunderstood type of design that could be modeled and refined for a particular site. But that would actually quite clearly illustrate the sort of design that is appropriate in enhancing the public realm. In particular, also i'd like to support the work the city has been doing over past years and is still being developed in the shared courtyard concept, and cottage clusters, and hearing from mr. Kelley about the continued work being done in developing the green streets program is very encouraging. So overall, once again, i'm very supportive of this project. Thank you.

Potter: Thank you. Thank you very much. Is there anybody here who didn't sign up who would like to testify on this council discussion?

Saltzman: I want to commend the planning bureau and all the citizens for an outstanding project. Outstanding design guidelines and standards. This really is going to really enhance the landscape of the city of Portland in a very positive way. Particularly -- I am particularly attracted to the storm water management aspects, the reduced impervious surfaces, and give the more attractive look this will have for our city. This is a great project, and i'm really pleased to see the harmony and consensus. So thank you.

Leonard: Having been thrust into the middle of a similar debate when I first arrived to council, I appreciate the consensus developed early on to develop this plan so it isn't lost on me having the divergent interest here all supporting the plan, that it required a lot of work to do that. So thank you very much.

Sten: I appreciate the industry, but I also had a chance to meet with the neighbors yesterday, and this is very technical stuff that makes a huge difference on the ground, and I really admire how much you've dug into the details and come up with anything that we can implement using the code. So great work.

Potter: Could you come back up, bill? I just want to get a closer look at you. [laughter] gil said this is your first time at city council?

Cunningham: Yes, it is.

Potter: How long have you been with the city?

Cunningham: About four years.

Leonard: How do you explain that? [laughter]

Cunningham: Previous plans being the northwest district plan. [laughter]

Saltzman: That explains it:

Potter: And we have a letter from the northwest district association complimenting you on the design of the plan itself and supporting it. It's quite remarkable. I was sitting here thinking that I don't know I heard this since i've come to city council, the unanimous support for this project from all areas and all the neighborhoods. It's just -- we haven't heard from all the neighborhoods, but certainly ones that come in on a regular basis, i'm just very impressed, bill, and keep doing what you're doing.

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

Potter: Thank you very much.

Adams: Great work. Thank you.

Potter: Any other issues? Question? This is a non emergency, it moves to a second reading. What day will it be heard?

Moore: Next Wednesday morning, the 21st.

Potter: Ok. We are about 15 minutes shy of the 3:30. We'll take a 15-minute recess. [recess]

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At 3:13 p.m., Council recessed.

At 3:33 p.m., Council reconvened. [roll call]

Potter: This is the order of business for today's hearing. This is a continued hearing, so the record is still open, and additional testimony will be taken. Planning staff will make a brief presentation on the five questions raised at the previous hearing. Then we'll have testimony from the public, we'll then close the record and council discussion will ensue. We'll entertain amendments from the council, vote on those amendments, and the entire ordinance will then be moved to a second reading next week. With that in mind, staff, could you please come forward?

Jay Sugnet: I'm Jay Sugnet with the bureau of planning. For the record, the entire project file is in the room and available for review. So as the mayor mentioned, five questions we want to return to you today with some additional information. These slides mirror the packet we prepared for council, but I wanted to go through it for the general audience as well. There are two zone changes, two design standards that are in question, and also measures of success which was what commissioner Adams asked us to come back with. So just wanted to provide a little more context as to the zone changes, the first two requests for rezoning from residential to commercial. So I just wanted to return to the original concept that the community helped to develop. This was important in terms of realizing the original vision for division, and the string of pearls concept, and focusing on commercial energy into these red areas. We also from the business community wanted to make sure we addressed the nonconforming uses, and these are commercial uses that were established before the zone was changed to residential. And as part of this process we changed 26 of the 29 nonconforming uses along division. Then finally, balance. The zone changing was not to increase density or decrease it, it was to, if we lost housing units, we would make them up elsewhere along the study area. This is the center portion of the rezoning map. The red is basically the commercial zoning. And throughout the process staff did receive requests, this was a question received --

Adams: I apologize for the interruption - did you mention before you began that you prepared us a packet for this -- today? We don't have it up here.

Sugnet: It has a cover memo.

Adams: I just don't want you talking and not --

Sugnet: And a decision matrix as well.

Adams: We don't appear to have it up here.

Potter: Would you have someone bring it down for us?

Sugnet: Perfect. Thank you, Karla.

Adams: Life-saver.

Potter: Thank you, Karla.

Sugnet: In your packet there's a cover memo. The second page is decision matrix that lays out the five different questions, issues, and then there are some visual aids that are also in the power point presentation. As I was mentioning, why rezone and why did we bring this proposal before you?

And we did have a request throughout the process, and that was a question we received last week, how many people requested rezoning from residential to commercial, and it was quite a few, actually. It's difficult to say how many, but from the beginning we were very clear we were only going to address the nonconforming issues. When we talked about a lot of people assume if they owned a single family house on division, that a lot of these uses are changing, have been changing over the years, and that eventually the entire corridor would be commercial. But as soon as the community started talking about the importance of residential housing along the street and having people live on the street and frequent those businesses, they saw the importance of retaining as much of that residential as possible. Although we focused a lot on the no net loss of housing policy, which is a state and metro mandate, really the stronger argument has to do with main streets in general, and the fact that a lot of our main streets are overzoned for commercial, and metro just

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recently released a report that highlighted this fact, that we should really be rezoning some of the commercial to residential. We should be focussing as much of the economic energy into these nodes. Basically all of our strict commercial development is delineating the energy of our commercial corridors. And there is something that's echoed in the division vision that has been percolating for the past three years, this string of pearls concept. The first request was from dr. Shannon. You can see from this graphic just how much commercial there is along the street. The other is tim, who is next to the Oregon theater, at 35th. And I have graphics for each of those. So tim shannon has purchased the house as a single family residence. He -- i'm sorry, tim shannon purchased this house as a single family residents, he is currently operating his practice in his house, which is perfectly legal. You can have eight customers per day. His request, he is to utilize the upper story basically to allow for another practitioner. Just to put his site a little bit in context on your handout, there is a photo showing the house. There's also a map that shows what the zoning is, existing zoning, so the entire block that he is in on the north side is our single family residential homes across the street are single family residential homes, across the street to the west is robert ross's new development proposal, which is a mixed use project that's going on now. Retail on the ground floor with residential above. And then farther to the east is some other additional commercial that were nonconforming uses we have rezoned to mixed use commercial. The second request was from another tim, timothy kornahrens. He purchased his house as a single family residential. He has been living there for a number of years, and has a glass blowing business that he does in the central east side. His request is for more flexibility in the future, and both of these are future proposals that they would like to do, he would like to do a storefront commercial operation there. And looking -- his argument, if you look at the map, you'll see directly across the street is disaster restoration, a commercial use to his -- to the east is the Oregon theater. But if you look to the west, he has other single family residential homes and across the street. If you go back to the original zoning map you'll notice this is a very small section of residential in a long stretch of commercial. And just some other things, if you go a little farther to the east, there is a hedge house, lauro is across the street, and some other -- and more commercial uses. The two concerns about the design standards are -- have to do with the main street overlay. These basically five standards are borrowed directly from the community design standards. So both standards that folks have expressed concern over have been in use as part of the community design standards. They've been applied as part of a main street overlay along sandy. And probably most importantly, the standards are adjustable. So if the applicant can prove they have met the purpose statement of the code, the intent of the code equally or better, then an adjustment committee will grant the adjustment, and finally I just wanted to emphasize that this -- these five standards are really the result of a long community process that is basically a compromise. When we started out there was a lot of clamor for design review. We spent the entire summer months, june through august, and into september, basically in discussions with the community working group and city staff to focus on, is design review the appropriate tool, is in something we could be more strategic with in terms of picking out standards specific to division and that address specific community standards. And so from our perspective, what we brought forward is really a very strategic package that is the result of a compromise. The setback transition is basically requires that the rear portion of the lot that's on division be -- that the height be the same as the abutting single family residential. We have some graphics that help explain how this works. This is between 24th and 25th on division. There's been a lot of work done to renovate this building. In the upper left corner. And this shows the basic building footprint as it exists today, in the top diagram. You can see the building covers the entire lot, and then next to it are the single dwelling residential structures. The bottom is just an aerial photograph and another one showing where the building setbacks are -- existing building setback and the proposed building setback. If you look at the regulation in the mixed use commercial zoning, which is the planning commission recommendation for the site, the height limit there is 45

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feet. So basically to be able to -- it's how we controlled bulk and scale of buildings, flew height limitation and setbacks, and floor area ratio. This is the maximum building that could be built. With the standard, this is what it would look like. How this gets configured within the box is entirely up to the design of the engineering architects. I don't have a slide on the materials, but that was also concern was expressed, and that was borrowed directly from the community design standards, and I think the community has provided quite a bit of testimony on that. Soy won't talk to much about that.

Adams: Is this about measures of success?

Sugnet: Yes. So the final item, the plan contains goals, objectives, and a number of implementation strategies that are laid out in four pages towards the back of the plan. And what we propose to do is return to council and just by way of reference, these are -- a lot of these actionless happen in the next phase. They're going to be a long list of all the transportation improvements that are being proposed. But they're also a lot of community actions. So what we are proposing is to come back when the streetscape plan comes to council at the end of next year, hopefully, and give you an update on how we're doing in terms of each of the goals, objectives, and implementation strategies, and do a follow-up when construction is actually complete, which should be in 2008.

Adams: But you don't have measures -- you don't have any metrics. We've got the to-do list.

Sugnet: Correct.

Adams: But we don't have any metrics to do know whether the to-do list is going to produce the desired results. And you're so close with this. What's preventing you from having some metrics that will allow us to know whether the shared economy and the -- those kinds of things are working?

Joe Zehnder: Commissioner, what we're proposing to do here is really use the next period of this project to help us develop benchmarks that could be used for a purpose like that. We have a pretty integrated set of objectives spelled out in the plan, and because we have this construction project as well linked to it, we've got concrete, like real markable deadlines, points at which we can return, and what we'll do at each of those points is come back and measure existing how it's changed from the conditions before and give us a sense of what metrics actually are most meaningful for a set of objectives like this, and be able to talk about what progress has been made on some of those goals and objectives, maybe more subjectively, but in an effort to tie these plans back to a way to monitor their progress.

Adams: I think you've done such great work, I think everyone has done such great work thus far, but you're just shy of what I think could be really breakthrough work, like support a health reinvest in our local economy, support local businesses, and a localized economy by buying local. And obvious metric would be baseline is to figure out how many local businesses are in the plan district now, and as you do all these things, you return two years later and has it been gentry identified with national firms or is it indeed still local? There are parts of this that if done well, will put pressure on gentrification. What could we do to prevent national chains from going into the neighborhoods not a lot, but I think that we should at least have those kinds of measures at some point both baseline and to find out whether all of these actions really do add up to the kind of neighborhood folks want it to be.

Zehnder: Just in terms of the baseline, as part of developing the plan, we have gathered that information, so really in spirit what we're proposing is in line with what we're talking about. We just didn't tick off the specific data collection that we would do. A little bit because we want to get in there and try to start implementing these things and see which are the most meaningful metrics for being able to design better projects in the future.

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Saltzman: I had a question on the comment about exterior finish materials. You have under discussion the concern was expressed not allowing certain materials is nostalgic and implies that modern architecture is not welcome. Maybe that was some comments by somebody, but I was more concerned about there was comments that this might be impeding the use of sustainable building materials, and that was my concern. And I understand you don't want to change the external design materials design standards, but I do have to ask about this sentence here in your staff recommendation, because you don't understand what that means. The question of regulating a minimum standard of design is a long-standing dialectic in the community. What does that mean? Is that planees -- planeese for what?

Sugnet: A lot of people -- the community sees that we're getting this increased density, we'd like to see better design. And we see the way to do that is flew a design review, and regulating design, every aspect of design. And if you talk to other folks, necessity feel that by those regulations in themselves had hindering good design by creating these unrealistic regulations. And a lot of the previous -- a lot of the community design standards has been criticized as trying to recreate the past. Although that is not the intent. These are adjustable. I would -- I know testimony was given certain metal siding would not be allowed. There is nothing in there that says new metal siding, new materials would not be allowed. It talks specifically about corrugated metal.

Saltzman: Concrete finish I think was the other issue that came up.

Sugnet: It's very general -- it's unfinished concrete or concrete block. So if you finish it in any way you basically meet the standard.

Saltzman: Thanks.

Potter: Other questions? I guess not. Thank you. Karla, do we have a sign-up sheet?

Moore: We do. We have 14 people signed up. If you come up 3 at a time, we have carolyn brock.

Carolyn Brock: Carolyn brock. I live as I said earlier, in infill housing in a row house on division street. And i've been a member of the community working group, one of my first really intense kind of political involvements since moving to Portland a few years ago, and it has been an incredible learning process of steep learning curve like you can't believe, and the final result that you have is not a finished product. It's still a work in progress with a long way to go. But it has been a very impressive collection of people from the bureau of planning people, the technical advisory group has been included, and the process has been very, very thorough although not always very smooth, which is typically the -- one of the ear marks of something that's going to end up being very thorough. I'd like to address two of the issues of the five question that's came up. The first one is the spot zoning not particularly directed at the cases here, but I do know that jay and the others who worked on this were so thorough in examining every plot of land along division street, and examining zoning porter goss bills. And if you've driven division street, you know the string of pearls concept of a little bit of commercial, a little bit of commercial, a little bit of commercial, a little bit of commercial -- residential, so anyone who lives on division street can very honestly say, i'm right on the edge of a commercial zone, because we all are. I'm a house and a half away from the shanghai bean sprout and tofu factory, and anyone on division street can say that. We've learned in the hosford abernethy neighborhood recently through the development of the clay rabbit site that the intent of a rezoning from residential to a c.m. or c.s. does not always come true. Not because of anyone's intention, but because as was stated last week, the zoning and the intent, the purpose for which a property is used, resides were the property and not with the person living there and using it. And we've seen with the clay rabbit house a site that was rezoned c.m. With the intention of someone living there and operating an in-home business. I'm going to allow the others to talk about the step-down. Stick with the step-down. It's a good idea.

Josh Warner: Good afternoon, josh warner, i'm on the board of the richmond neighborhood association and represent richmond on the division street working group and have also been

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involved witness since its inception. However the comments today are my own. I appreciate the opportunity to communicate directly with you on the importance of the division street process to the community. I think it is vital to recognize that this process had its genesis in the community when the business and neighborhood associations formed the division vision coalition. Before the city began working on this plan, the community already actively worked to make division street a more livable, vibrant main street. The green street main street plan will be a positive guide to growth that is occurring and will continue to occur along division street. There are three main points to address.

The first is about the process and the participation of the community. We as neighbors and business owners have devoted untold hours to the process. I think it is important to be faithful to the process that the city initiated at the community's edging and has been distilled into the division street plan that's before you. I was frustrated at the hearing last week by the apparent deference that was expressed to particular individuals who had little or no involvement in the planning process. If you allow individual interests to supplant the community plan, it has the effect of undermining the process and discourages people from participating. My second point pertains to zoning. One of the key reasons division vision was formed was to remedy many of the hurdles that businesses face when they exist as a nonconforming use. The working group's proposed plan accomplishes this goal. There are several rezone request that's have come in late in the game and are discussed in jay's memo to you. These individual whys would give commercial zoning to residential -- to existing residences, the case at 44th and division is is a parcel on a block face currently zoned entirely residential as was pointed out by jay. There's no logical planning reason for this to change.

The case at 35th place next to the Oregon theater is similar. By converting this residential property to commercial zoning, it undermines the community's desire to retain reasonable uses on division while supporting vibrant nodes of commercial activity. My final point is related to the proposed height limits for the properties abutting r5 and 2.5 zones. This is a reasonable compromise between residents who want density to fit into the existing neighborhood and envelopers who want to provide new housing opportunities. The richmond neighborhood association recently had to wrestle with this conflict on a development proposal at 44th and division. The developers proposed a multifamily structure which abut existing single family residences when the developer voluntarily came to the neighborhood association meeting to present his plans, height was a key concern. Unfortunately the richmond board could point to no tools that could help to reduce the impact of the new development on existing residences. I'm person lay prone of increasing density along main street corridors, and I think the proposed height step-down will mitigate future situations. Thank you.

Susan Levine: Susan levine, I have -- both live and work on division street, and i'm a member -- i'm on the board of the richmond neighborhood association, and i'm on the board of the business association. And I have come mostly to push for step-downs. As a resident, as -- i've seen what these big block buildings do to the neighborhood behind it. You're allowing them to build it without any parking, which means the streets are going to be clogged, and now you're also, if you don't have the step-downs, then you have -- you just ruin the character of the entire neighborhood. So I feel, yes, it should be done on division, it should be done here in the city as well, most major cities at this point are supporting step-downs of all major new construction. The other thing I want to talk about is the materials. You can put -- a developer goes and he's looking at the bottom line most of the time. The bottom line and the neighborhood interests are not always the same. It can be concrete, but it has to be treated, it can be a lot of other things and it has to be treated, but it has to feel like it's not slum housing, or you're not putting up cheap housing in an area where you've got the land keeper. So i'm promoting the neighborhood feel of division street. It's not considered a through-way. It is considered a collector street, which makes it different from powell, it makes it different from hawthorne street, it is only two lanes. The buses are wider than the lanes are. When you start putting 40 and 50 feet housing, you're just -- you're close can it in, you're becoming -- it's

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becoming like a chasm. It would be like a new york city street. When you start going above the 40 feet. So I am asking to please try and keep the heights as low as possible, get the step-downs and please support the building material. Review.

Adams: Are you supportive of what's in the plan or do you want to do something different regarding the 7-down?

Levine: I can live with what's in the plan, that's fine, regarding the step-down. I also do believe in a design review and it would be a nightmare for the city, but I feel a street like this not to have a design review, you lose control over the neighborhood.

Potter: Thank you very much, folks.

Karin Maczko: I'm Karin maczko a board member of the richmond neighborhood association. I also live on southeast 44th right by the development that's going in on the corner, so I have been affected. Many of my comments will refer to this development, but I believe they're indicative of future developments that will be going in on division. We welcome development on sites such as 44th and division, because for years we looked at a dirty industrial, a roofing company that stocked ladders and chain link fencing, so we're welcome can development there. The building going in, however, is massive in comparison to the mostly one-level homes on the adjoining block. There are already traffic problems getting in and out of southeast 44th, and we're sure these problems will only increase when residents and businesses become occupied. Neighbors will lose privacy light and livability due to the new addition to the neighborhood. Therefore, I believe we should do all we can to minimize the impact of future development as much as possible by firstly installing height limits at least for the rear 55 feet to match those of the abutting residential zones, and secondly, by prohibiting overuse of low-cost materials. That's it.

Tim Shannon: Dr. Tim Shannon, I was here last week. I mostly just came because jay was suggesting that I should just to be involved and see if there's any additional comments or questions that you guys need, because I guess you guys are in the process next week in terms of making a decision or something. Right? So that was my major reason. I didn't have anything -- I don't think additional to add to my original request.

Potter: We have a question, we'll call you up again.

Shannon: Ok. Great.

Rob Ross: Robert ross, 2631 southwest sherwood drive, Portland, Oregon. I prepared a bunch of stuff that I probably am not going to get all the way through, but I guess just to step back, i'm a real estate developer, so i'm a greedy, awful horrible person. But to put it in perspective, I used to work for the city plan bureau for 4½ years, implementing code. And decided to try real estate development because a lot of the stuff out there was horrible. And basically I tried to decide to put my money where my mouth is. A lot of as inspirational things we try to achieve through code are often very difficult. And I guess in general, the overall division street plan I think is great. The issue I have is the overlay zone, and I think it needs a little more work to help balance out some of the competing interests. And specifically the step-down provision is obviously contentious, and if you look at the main street overlay plan for some of the other streets, they not only do a step down in the back, but they provide the opportunity for the landowners on the commercial to make up that in -- height closer to the main street. That provision is lacking in the proposed code. Another very simple thing would be the step-down provision sets the height at the abutting residences, maximum height. So generally it's going to be 30 feet. The basic paradigm after mixed use development is the first floor is 15 feet for your retail and parking, and then you put 30 levels of 10-foot residences above it. If you were to increase that height limit to only -- to 35 feet then it would allow to you at least get two levels of residential. As much as everyone thinks, these projects are tight, the margins aren't there. My situation, I paid for the land based on a certain maximum buildout, and some of that maximum buildout is going to be taken away on the projects i'm going to be doing in the future on division. Those costs, those land costs have to be factored into less buildable area. Which is

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going to basically affect the cost of housing. I think there's things -- my take, I would love the overlay not to be there, but I think there's opportunities to improve the overlay by tweaking it and having it fit a little more in with how mixed use development occurs. And then there's a few other items in there, I -- in the handouts i've identified eight items that I think are potentially issues in the overlay, and i've tried to provide solutions. And basically I think a lot of these are workable, some have already been answered, the other things with the step-down, with the step-down there's no provision to allow for railings, so if you're going to provide the building to step back in the back, why not allow railings to be there so that that space can become outdoor living for the residents above? Adds to the quality of life, adds to the quality of the unit. Those aren't considered here. Can you have privacy screens up in that area so each residential unit has their own outdoor space? With the material limitations, there's no exemption for the fact that if you have commercial site and you build to the zero setback abutting another commercial building, it's a wall that's not going to have any windows and another building builds up next to it, you can't use just a simple block wall on there and knowing that there's going to be building behind there. There's no sense to use expensive materials if there's two commercial build can that are going to be right next to each other. There's no exemptions for that. So all i'm asking is, putting additional layers of code is expensive. It has internal and external cost. But the bottom line is, it doesn't matter where those costs lie, they all flow to the community in one way or the other. And if we put new code on there, I think we should make sure we put the best code possible, and it should balance the competing interests. And that's all i'm asking. I'm not -- you can characterize -- basically a lot of the development that occurs is based driven by economic forces beyond the developer. You go out there, you buy a piece of land, you pay a certain price for it, you get investors, they want a certain return, it's not as -- everyone believes you're just walking away with huge profits and it's not true. But it's exciting. So that's about all I have to say. Like I said, there's lots of information in that package, and if staff or anyone has questions, i'm more than happy to talk to you about it.

Adams: Did you raise these issues as part of the process?

Ross: - - when I heard about the process I had spoke to jay, and the process was characterized as a base zone rezoning, and basically transportation improvements. I was you an a-- unaware of any overlays. If I had never there was overlays being proposed, I would have been on top of this and involved more. The base zone rezoning was not going to affect me because it was going to go to a zone that was more appropriate. I called -- I talked to jay probably three or four times between april and now, I followed the stuff on the website, I -- frankly, if you go on the website and look at the proposed zoning maps, there's no reference to an overlay zone. I was a city planner, I know how to read these things, and I did not catch the fact about any sort of overlay until it showed up -- well, I wasn't -- I didn't follow it as tightly as I thought because I did not realize that was part of what was on the table. If it had, I would have been involved.

Potter: Just so --

Adams: Just so you help me or us connect the dots, the overlay you're most concerned about are the provision that's would limit your ability to go higher.

Ross: Yes. Like I said, if --

Adams: And some other things?

Ross: Like I said, even minor adjustments to just bumping that from a 30 to a 35 would basically -- you'd still have a step-down, and it would make the development of those sites that much easier. And one of the things that's not really shown when they do the graphics is residential zone, you measure the height of the building, if you have a peaked roof you measure it at the midpoint of the gable. So on a residential d. R5 site if you have a 50-foot-wide house and you build out to the setbacks, the top of the ridge could be 40 feet tall. And all the diagrams, currently on division there's a lot of single family, but if you -- there's already starting to see buildings take off the roof and putting on second stories. That's going to happen in the next 20 years. Land values are going

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up, people want to live in the neighborhood as their family grows, they're going to want to expand it. So what we see now is these larger buildings, there's going to be taller buildings even in the residential zones than there currently are now. The handouts with the power point was sent to jay, that was just drafted by -- I requested as possible amendment that's would help clean this up. And - hot off the press, so we didn't have a chance.

Adams: Thanks for all the effort.

Potter: Thank you, folks.

Potter: When you speak state your name for the record, and you each have three minutes.

Brian Laramee: My name is brian laramee, i'm an associate at meier group architects, a prominent Portland metro firm, architectural firm specializing in mixed use housing. I have looked pretty extensively into this main street corridor overlay zone that's going to be imposed on this area potentially. It says it's to encourage higher density uses, greater building heights, and mixed use housing and transit oriented development. I've personally studied the results of the differences between a c.m. as well as a c.m. with an overlay, and when you impose the overlay on top of the normal c.m. zoning, you do have about a net loss of about 10% square footage. And that is mostly due to that step-down at the residential area within that 25 feet of the residential area. Anything from an r.f. through an r.5 has a height of 30 feet, which has been discussed before. I'm here to suggest that possibly you raise that and give like a variable of a five-foot variable to allow for that 15-foot retail area with two levels of residential above that, which could greatly reduce the 10% reduction that would happen when the overlay is put on top of this specific corridor area. I would also like to mention about the corridor height. I think that creating exterior rooms in cities is what city building is all about. These exterior rooms create wonderful spaces. I've worked with metro before, i'm working in gresham right now trying to create these rooms in gresham where you can string lights across the street, and it really makes a cozy street, I believe, as opposed to making a crowded street. It puts more eyes on the street, it reduces crime, it creates an active street. I certainly don't think we're going to go down to new york and have skyscrapers in this area, but to be able to raise that area maybe from 45 like as -- which was discussed before two possibly maybe another level would help offset that area. So these zones can be easier developed, bring in more higher density residential uses, and create greater building heights, which is discussed in the main premise of this overlay zone. That's it for me.

Dana Krawczuk: Dana Krawczuk 88 craftcheck, land use council for robert ross. I'd like to talk about the step-down height issue. The purpose of this step-down is to create compatibility with the neighborhood. Let's not forget there are already two provisions, three provisions that will help achieve compatibility. One the existing code has a ratio, the higher your building is the more it has to be set back from the building. For example, if you're 46 feet fall or higher, which is high ernie perez than what would be allowed, you have to already be set back 14 feet. Secondly, there are the proposed materials regulations. That ensures compatibility. Thirdly, something unique is offered in this text amendment that will provide the neighborhood notice even if a land use review is not required. So the neighborhood will have input. So this additional step-back provision sun necessary. So that's our first solution, to remove the step-back portion from the code. But if the city council's interested in continuing with this step-back, we have two other solutions. One as mr. Ross described, rather than having the maximum height be variable depending on what the zone is next to you, have it be 35 feet tall. That way you can get the two floors of residential above the retail and a mixed use development. Also, let's not forget what the purpose of the existing main street corridor overlay zone is. I'm quoting from the code here. It's to allow greater building heights, and more flexibility in a site design, I think we need to make sure these are amendments are consistent with the purpose of this overlay zone. I think it's also helpful to look at the other two main street corridors you have in the city. North lombard and sandy boulevard. Both of those allow for housing bonuses -- height bonuses for housing. Division should be consistent with the

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exist can framework in the code. We've suggested two alternatives. Having the set-back be variable depending on the housing that's next to it, not the 35-foot suggestion we've made, but then to ricky hall lou on the interior portion of the site or closer to division, have it be up to 55 feet -- excuse me, 65 feet tall. That's how it is on sandy boulevard. We're looking for a win-win solution here. If you're taking development potential away at the rear of the site, it should be made up for in the front of the site. And an alternative is rather than having the height be variable, have it be 35 feet which again will allow for the two-story residential, it will be lower than a pitched roof home, and then we could have the housing bonus be only to 55 feet, so it will be a 10-foot housing bonus. The text of the amendments are in my materials, I encourage you to look at them and I think one of the messages, it's too soon to adopt anything right now with these outstanding issues, so we have requested that you take this under consideration. Thank you.

Ray DiCarlo: Ray DiCarlo, 2729 southeast division. Just two points. Just on the overlay issue, I was also talking with jay from early april, very detail oriented, listened to everything he has to say, looked a little am the material, asked for a lot of material that he sometimes think assist unnecessary to review, but even given all that, whenever we talked about zoning or rezoning we always talked about what is the new zoning going to be, what's the underlining zoning. So whenever I was looking at what that would mean for any particular property, would I go to the zone and I would look at the zoning code. Never -- I never did hear that there was going to be an overlay that was changing the underlying code. Whenever you're looking at your property and where it's going to go, you're looking at that code, and this is why some of the people here had no idea that the step-down was actually even in play on this corridor. So that's my first issue. It sounds like there's some suggestions for some reasonable compromises in that area, but my guess is that the reason it didn't happen during the process is none of the people with property that would be dealing with the overlay actually knew there was an overlay in process. The other thing I wanted to bring up, on the zoning on my particular building, you were talking earlier about the buying local part of the plan, and trying to keep things local. Same thing that I talked about before with my business, i'm -- I believe in working local, i'm 10 blocks from my business, my partners are both within 15 blocks of our business. Probably a third of our work force rides their bicycles, which to me is what we're looking for around Portland. The thing I didn't bring up at the last meeting is that one of the things we've been able to do which is no small accomplishment is the work we do, we bring in from other states. All of our -- about 95% of our work is coming from outside of Oregon. It's coming from chicago, new york, minneapolis, which again, i'm thinking is the kind of business we want to try to keep there. So with the difference between a c.s. or c.s.m. zone, one of the big issues with the c.m. zone is it makes it impossible to do anything on the site. You can add 249 square feet of usable space, and that's whether it's inside or it's new footprint. And that's it. So basically I just wanted to bring that back up and let you know if there's any further fox you need, even after this date, i'm more than willing to speak with you.

Potter: Questions?

Saltzman: Question for ms. Kosak. First of all, were any of these suggestions submitted to the planning commission?

Krawczuk: No. I represent mr. Robert ross and it was only recently that he found out about the step-down height limitation, so these are new suggested amendments. And I apologize for the delay, but yes working on a short time frame.

Saltzman: Your proposal for 35 feet applies to the rear portion that would be under the proposal set -- it would be 30 feet high. Am I getting it correct?

Krawczuk: The way it would work, the way it's drafted right now, there's the existing standard that depending on how high your building is you have to have a setback. So there's an area of no building whatsoever. That's in table 130-4 of the code. What's new in the proposed package is between let's say 13 feet and 25 feet from the residential zone, you are building -- your building

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height can only be as tall as the neighboring residential zone, which if it's an R5 zone, it's 30 feet, and if it's 2.5, it's 35 feet. How tall you can go is -- depends on what the site next to you is zoned. We're suggesting rather than be variable, which would eliminate a floor of housing, just have it be 35 feet. And that would be compatible still because of the pitched roof issue Mr. Ross talked about.

And then what we've also suggested is like on Sandy Boulevard, they have not just one step but a two-step process, so for the first 25 feet that are closest to the residential building, you've got one height limit. We've suggested 35 feet. For the next 25 feet, so it would be from 50 feet to the 25-foot mark from the residential housing, you're allowed to step up 10 more feet, which would be another floor. Then beyond that you get to take advantage of the housing bonus. So how that would work on Division Street is if this was Division Street right here, it will be the tallest in the front, step down Wynn Street, step down another story, to the residential housing. It's just a way to maintain the development potential while still respecting the residential property. So we see it as a win-win.

Saltzman: What -- one of the other suggestions would be to all loud suggestions -- if we stay with the 30-foot maximum to allow projections, which I guess are railings and privacy screens.

Krawczuk: And that idea is, let's think of the sort of her mid stair step building form I've described. That way you can have a balcony, a rooftop garden, another livable space that people can enjoy, sort of like how chimneys can extend beyond the maximum height right now.

*****: Thank you.

Potter: Thank you, folks.

Potter: Thank you for being here, folks. Please state your name for the record, you each have three minutes.

Greg Dolinajec: My name is Greg Dolinajec. I'm a developer, I'm working on a project at 48th and Division. Rather than repeat what Mr. Ross and his representatives have said, I would just like to tell you that I concur with their assessment. But I would like to adjust one of two thoughts to the mix. If you look at the length of Division, there are a limited number of properties that will actually be developed in the foreseeable future because of the economics. There are these nodes that are being rezoned, and within each one of those areas there's only a limited amount of property. It is going to be redeveloped within the foreseeable future, and by putting them -- in this step-down provision you're eliminating a lot of housing and driving the cost of the development up on a square foot basis, and if anything over the past few years the cost of development has gone up dramatically, 20%, 15% per year. And I don't see that decreasing. So I think when you're evaluating these arguments, you should consider the cost impact in the number of housing units that will not be available that would otherwise be available. And as I mentioned the last time I was here, there's already a set-back requirement, and I think that set-back requirement is adequate to deal with a lot of the concerns of the neighborhood. That's all I have unless you have questions.

Adams: I have a question. The retail -- what kind of affordability of retail space will be provided? Can you give us a sense of local retailers be able to afford one building size -- one development size more than the other, if it's larger does it make for more affordable retail space, or is it less affordable, or --

Dolinajec: I think so long as you're having to build condominiums and you can't build rental housing, the greatest amount of profit is in the residential portion, and to the extent you limit the number of residential units that are available for sale, you obviously are driving up the cost of the storefronts in the exact mathematics or arithmetic, I don't know.

Adams: Thanks.

Linda Nettekoven: Linda Nettekoven, representing the Hosford Abernethy neighborhood, and a member of the citizen working group, and I've been with the Division vision since the beginning. I just want to call your attention to the fact that you received email communication from three other neighbors today that all of whom were speaking in regard to maintaining what is in the plan as it

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relates to the height, the step-downs and the spot zoning. And the exterior finished materials, and I have another letter from Frank, a member of our neighborhood board, who also is speaking to again the cautionary tale from the clay rabbit about the intentions, the good intentions of a current owner asking for a rezone, which then are not necessarily carried forward into the future with the next owner, and up -- end up having unexpected consequences for the neighborhood. Another thing in relation to the spot zoning issue, when we're talking about single family houses that are kind of on the edge of our little residential strips, keeping those residential for a while longer until they're really need for commercial also keeps them more affordable a little while longer, and in our concern with housing costs and diversity of incomes, if it's -- it seems a small thing one could keep in mind and making decisions regarding spot zoning. Regarding the step-back, I think neighbors feel very strongly about that particular provision. You're going through a really difficult time in our community's history where we're being asked to absorb a lot of growth fairly quickly, and it's -- a lot of people are behind it intellectually and support the urban growth boundary and want to do their part for density. But when the big buildings start popping up around them, there's also a lot of fear and resentment and houses happening, why didn't anybody tell me, that same notion that this was going to be the case. And trying to find ways that maximize the -- it's back to the earlier discussion around infill, that we have the best kind of design happening that still is -- results in affordable and reasonable looking and sustainable buildings is really a challenge, and the neighborhood is up for that conversation, but we're already -- a lot of people feel they're already compromising a lot with the character of their neighborhood as the density comes. And so just because we're try to fit as many units as possible in a site isn't necessarily the bottom line reason that we should be coming up with code.

Adams: Can I ask you a question? Do you agree -- is it your sense that the neighborhood wants one retail, one-floor residential, or would a three-story building that included one floor retail and two floors residential the issue of 30 versus 35 feet, or -- I don't know if I got those increments right, but the -- Mr. Ross talked about? Was it -- were people envisioning that what you had approved would produce three story buildings? Or two-story buildings?

Nettekoven: I think people were wanting to be good soldiers and take their share of density for this part of the city. I don't think people were wedded to higher is better. We wanted to, again, accomplish those multiple goals that we just talked about in terms of affordability and sustainability and everything else. So it's not -- I don't think there wasn't a desire to necessarily have three versus four stories. And also we're not sandy boulevard, we're not even Hawthorne boulevard. We're only two lanes wide.

Adams: Do you get a sense, if I understood the testimony correctly, the developer was saying that under the current plan he could basically build two stories, including the retail. And it would be much more doable and affordable if it was actually three stories including the retail. I'm just trying to get a sense if the discussion was around how tall they wanted the buildings, how many floors they wanted the buildings. Did they think that -- did folks think that with 30 feet they would get three stories, or two stories? I'm trying to get a sense of if they thought, if three stories were built, they'd say, that's what I expected.

Nettekoven: You mean with the set-back?

Adams: Just on the height issue. Just the height issue. That set-back being a separate topic.

Nettekoven: Ok.

Adams: Did you think you were going to get three stories with 30 feet or two stories with 30 feet?

Nettekoven: When you're saying 30 feet, then you're referring to the step-back portion of the building? 45 feet is what we're sort of talking about in terms of normal --

Adams: You would be ok with -- then I'm confused. The plan allows for 45 feet buildings?

*****: M-hmm.

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Saltzman: That's on the side facing division.

Nettekoven: They would be a 45-foot box without a step-back. I think you're going to routinely start getting requests for adjustments as we did with clay rabbit, because it used to be a story was eight feet, and now especially with higher inbuildings, people want 10-foot ceilings, which are nice if you have smaller size units, it gives you a greater sense of spaciousness. And so I can see regular requests for adjustments coming in to 49 feet or 48 feet instead of 45.

Adams: I'll have to ask some staff some questions.

Saltzman: I want to ask linda a question too. That was the suggestion about allowing railings on that set-back portion. That would encourage the use of -- basically access community garden, a roof garden or privacy spaces, is there anything wrong with that?

Nettekoven: This is just me personally speaking, I think it sounds like a wonderful idea.

Saltzman: Thanks.

Potter: Did you it is on the -- did you sit on the group that looked at the nonconforming uses? I understand there were 29 put forth, and 26 were approved.

Nettekoven: M-hmm. Yes.

Potter: What was the criteria you used for making those decisions on the 26th? Actually on all of them.

Nettekoven: I think you need -- it would be best to ask one of the planning staff people. We basically got the reports back and there were a lot of specific parcels to try to keep in mind, so I think you can get a better answer.

Potter: What is different about those three that were not approved, I suppose the 26 number, what was different in your mind's eye?

Nettekoven: I cannot remember the specific parcels at this point.

Potter: That's fine. Thank you very much.

Nettekoven: Sorry.

Martin Eichinger: I have a piece of property on one of the developers, though my actual career by most other people is sculptor and a person who's trying to build an art school. That piece of property was part of the testimony that jay presented earlier, at 2500 block of division street. Where they were talking about the height and step-back. The thing I wanted to talk about was the difference between the stiff heavy backs that are already in the code that I prefer, and the one that's being proposed now. And I drew up what I think is a pretty accurate thing, and i'm hoping you can see it from where you are. I'm backed up to an r2.5. And the height there is 35 feet. And their setback on that residential piece of property is five feet. On this side of the property line, the red line, this side of the property line, this black line is the current set-backs that have you in your code. I believe. I'm not a planner, so I can't say this is gospel, but I believe this is the truth. Up to 15 feet it's a five-foot set-back, up to 30 feet it's an eight-foot set-back, and up to 45 feet it's an 11-foot set-back. So already the step-backs on the back of my building are significantly greater than the general set-backs of the residential property I face up against. The red line is the proposed line where it would allow a building to be at 35 feet high, and then step back 25 feet, and then go up to the remaining 45. Well, that to me seems like an unreasonable step-back, because I don't think the people that live behind me can even see that. Even if it's at an 11 feet back. That is almost an invisible piece of property. An invisible piece of building. So maybe this makes more sense in different residential zones, but i'm not -- I don't believe it makes sense when you have an r2.5. With those height limit and what my -- the preexisting limits are. So I think the -- this should be reconsidered maybe in more detail with different types of residential zones, but I don't believe it makes any sense with the way mine is. And support the other people who have properties who didn't realize there was going to be an overlay. I have been involved, i've been supporting the art development thing that's been going on down in, and i've been part of it, and I did not know this

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until I got this packet in the mail just a few days before the previous meeting you had discuss can this. So I don't think this is the 11th hour for most of us that own property there.

Potter: Questions?

Nettekoven: I do remember something about these three properties, in most cases they were so -- i'm thinking of atiyeh's rug cleaning business, it's so much more of an industrial use it's sort of nonconforming still even if the zoning were changed to commercial, and it's kind of -- it was a mutual agreement to let it stay as a nonconforming use the way it currently was between the owner and the planning staff. So that's why those zones just didn't fit to change that particular -- to change the zoning for that because it would be illegal to do in that zone. So there's just some use that's were there for -- from so long ago they just don't quite fit with the commercial zoning of today. But it was a mutually agreeable.

Potter: Thank you, folks.

Potter: Please state your name when you speak. You have three minutes.

Charles Kingsley: I'm Charles Kingsley, I live and work right off division. I've been a part of this process from the get-go. I'm not sure exactly what I want to say. It's really hard I think when we undertook this project starting three years ago, we realized citizen involvement was key, so we have had multiple community meetings, and -- to hear Rob and various people say that they were surprised, we've been talking about the quality of life on division and how development was going to relate to residential from the get-go. We didn't know exactly what all that was going to look like. It's really difficult that these questions and doubts and challenges are coming up now. To say that they didn't hear about it before, this all went before the planning commission, everybody had access to the design overlay, to the requests that went there, none of this came up at the -- with the planning commission. We had a unanimous vote in favor of this plan in front of the planning commission. And it's really hard. It's hard for us to go around and try and get all the people who live in the houses that are going to be behind these developments. And i'm speaking specifically to the scalability issue. They can't get off during the day to come down here. They don't have attorneys that they can hire to come help put forth their cause, and put together brochures and spreadsheets and strategies. So I guess I want to appeal to a value around citizen involvement and all the work that's gone into this, including through the planning commission. The discussions we had there. And the unanimous support of the planning commission, and I guess I also want to make an appeal to quality of life as well as quantity. I think the step-back, Sam, you asked the question, did we think three floors? Yes, 30 feet felt like that's three times 10 feet. That's higher than most of the ceilings in a number of our homes. So 30 feet felt very doable. If you want a 15-foot retail space on the ground floor, that's something different. How to treat that creatively, you know, that's another question. I think the idea of railings around the set-back absolutely. Let's support that. We ought to be having green roofs up there, part of the whole idea is how this space could relate to the neighbors next door, and to say that the houses are going to tower over the 30-foot set-back limit, it just is disingenuous. A lot of the houses are single floor dwellings. It's not going to happen, but yes, let's have railings, let's support porches, let's support green roofs, everything we can to create a greater relationship between the developments and the residents. And that's what all this has been about. So I just want to appeal to all of us to try and support the processes. Do little bits of fine tuning, but you're going to kill a lot of invested interest neighbors have in the process if we fry and appeal this and delay it, and maybe we can do a better job on another project, but I think we've done a hell of a job on this one. [applause]

Potter: Folks, please don't clap. We have a rule about that in the council. If you want, you can raise your hands like that and shake them, but no noise. Thank you. Thank you, sir.

Kingsley: Questions? No no? Thanks. Positioned i'd like to call the --

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Potter: I'd like to call the staff back up. Several people have indicated the overlay issue came as a surprise to them. When did you publish the information on the overlay and how was that made public?

Sugnet: Probably the first indication of the overlay was made at the second community workshop. We laid out various alternatives. This was in april. There were the options of a design review, there was the other option of do nothing, and the third was do something in the middle, which was spelled out as the main street overlay. We presented --

Potter: That was a community meeting?

Sugnet: Yes.

Potter: What date was that?

Sugnet: That was in april. April 22 of this year. Again -- but I think their concern is they didn't see the actual code language. We developed the code over the summer of this year. And the main street overlay, the code itself was posted on the website and -- in late august. The information was part of the staff proposal to planning commission. We sent out a measure 56 notice to every single property owner on the street.

Adams: When was the planning commission meeting?

Sugnet: September 27. The first week of september every property owner received a measure 56 notice that has wording at the top that says "the proposed regulation may reduce the value of your property." and explicitly laid out the zone change that was being proposed for that property, and the provisions of the main street overlay.

Saltzman: That was mailed to every property owner on division?

Sugnet: Every property owner.

Potter: Was there any avenue for an appeal process at that point?

Sugnet: They would come in and testify in front of planning commission.

Potter: Ok.

Adams: Was there any community meeting on that language?

Sugnet: No. There was not. Not a formal -- not a public workshop like we had had earlier.

Adams: Or hearing?

*******:** Correct. But it's --

Adams: A nonplanning commission hearing, a nonplanning commission workshop.

Sugnet: It was the community working group, it would meet monthly to review progress on -- everything was basically evolving through the process. The zoning proposal morphed the code language changed over the summer as well, and that's when the staff proposal brings it all together, and we had the formal public hearing in front of planning commission.

Potter: Other questions about the overlay issue?

Saltzman: I guess I wanted to ask about the idea of the projections allowed, railings, privacy screens to encourage gardens, private space. Is that something you have an issue with?

Sugnet: No. It would be allowed if it's within the height restriction. If they wanted to extend the railing outside of the height limit, that would have to go through an adjustment.

Saltzman: I think what they're asking --

Sugnet: We could craft some language, you could provide direction to craft languages allowing railings within 3½ feet. E of the height limit.

Zehnder: There was no intention to prohibit railings in this kind of screening as part of the proposal. So that's not an issue.

Saltzman: I believe they're suggesting it be above the 30 feet.

Zehnder: Correct.

Saltzman: And you're saying that's not a problem.

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Zehnder: It could be done under current proposal as an adjustment, or provisions could be -- if you're asking if that was one of the reasons the height limit was designed, no it wasn't, we don't believe that was considered to be an issue that -- if there were railings above that height limit.

Saltzman: I guess i'd like to see that put into this rather than have to require an adjustment.

Adams: Can we talk about height? Obviously i'm a little confused about height and all. This -- explain to me how tall the buildings can be where again?

Sugnet: It's probably best if you look at the packet that Karla distributed. There's a large diagram that is going to be in the code. That would be part of the code. This is part of the standard in the community design standards and elsewhere in the code. There was borrowed directly. So the rear 25 feet of a site that abut a single family residential zone, that height limit is the same as the adjoining single family -- single dwelling zone. So for the majority of properties on division, which abut r5, the height limit will be 30. A number of the parcels on the south do have -- it has a height limit of 35. So on the south side that problem is addressed, so basically the concern was by having the 30 instead of the 35, which was suggested, you're losing two stories instead of one, and that's step-back. And that's -- it's certainly something we can address, we can have consistent standard for both sides of the street, so it's 35 as opposed to 30. Instead of pegging a two -- pegging it to the zone, peg to it a specific number.

Zehnder: So the intent in setting the number at 30 was not to make it two stories, although the testimony is probably correct in that -- and that would be the effect. It's based on the model we've used elsewhere, which pegs it, the maximum height to next door. So it would be an approach we could take to set a maximum height in the set-back of 35, so that gets you the three regardless of whether it's 30 or 35 for the residential zone next door. That could be an approach.

Adams: Was that -- ok. So you've just indicated that was your intent.

Zehnder: This idea of trying to limit the number of floors by setting it at 30 was not part of the intent of that set-back regulation. It was using the model of regulation that we have elsewhere which ties the maximum height in the set-back to what's next door. If we find 30 does have this impact, it would be something we could do to just set it at 35, whether it's r-5 or 2.5 next door to address that problem.

Adams: Is mr. Ross right, that we assess the height of a residential dwelling based on a midpoint in the gables?

*****: M-hmm.

Adams: So a house would be 40 feet tall, but --

Sugnet: Douglas already with the bureau of development service assist probably the best person to answer that.

Douglas Hardy: Douglas hardy, b.d.s. We do for dwellings of the highest gable, so if on a r5 zone, the maximum height is 30 feet, but essentially it's 30 plus, that gable height.

Potter: Are you done?

Adams: Just the concerns we heard expressed that we would prohibit cinder block when we're -- when there's a wall between a wall. Is that accurate and was that the intent? Would you be prohibited from using simple or concrete block between commercial buildings?

Hardy: You mean when -- when buildings are literally side to side?

Adams: That was one of the comments we heard in testimony.

Hardy: Certainly that's not the intent of the community design standards. The community design standards, they do apply to all facades, but it's really intended for facade that's are visible. The code doesn't clarify that, but in practice b.d.s. would not apply the -- that cinder block standard to that interior, sort of fire wall or common wall if you will.

Adams: They would not get a variance for that?

Hardy: No, we have not applied it that way in the past.

Adams: Ok.

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Potter: I wanted to ask about the nonconforming uses. I'm still not clear as to what your criteria was for the -- you said you had 29 folks come forward with requests and you approved 26 of them.

Sugnet: Correct.

Potter: What was the criteria you used in the selection process, so I know why three were called out?

Sugnet: Our criteria was really to try to take care of all of them. And --

Potter: To what?

Sugnet: To take care of all the nonconforming uses, to make them -- address the problem as best we could. There was no specific criteria. I can tell you why we did not address those three. As Linda differenced, the Atiyeh brothers is an industrial use. So if you -- it's in a residential zone, but by zoning it commercial, it's still a nonconforming use. You would have to zone it industrial which would be fairly uncharacteristic. They say that would allow a future industrial use to come in at some future date which is not desirable from a community livability perspective. The second had to do with a gas station that was at 39th and Division, and that's in storefront commercial zone. And that is basically vehicle services, not an allowed use in the C.S. zone. We could change it to C.G., but all the other zoning is C.S. So we felt it was more consistent to retain consistency. The third had to do with another home occupancy business, it's a dentist office in the rear of a single family home farther out on 51st. And so the front of the house looks exactly like a single dwelling house on a side street of Division, but the back fronts Division and has a dental office. And it's been in existence since 1912. And it will just continue to exist. Sorry, that was a long-winded answer.

Zehnder: So the objective when we started was to try to bring the nonconforming uses into conformance, and we vastly succeeded. These three exceptions actually weren't appealed as part of our process. We reasoned them through with everyone and this seemed to be the best way to go.

Adams: Why is vinyl siding not included as a prohibited material? Coming from a neighborhood with a lot of aluminum and vinyl siding in north Portland, it's not such a good thing over time. Why is it not prohibited?

Zehnder: You know, we took the community design standards as they are, and we're seeking to keep it simple and not sort of open up that whole sort of issue of additional materials. Eventually we'll get to I think the discussions on this Division project pointed out the need to refine our design review tool kit if you will, and it works for both the standards like we're using here and actually doing design review through the design review process, but we saw how big of an endeavor that's going to take to get in there and fix it more holistically, so we stopped with the tool we have, and those are the list of materials.

Adams: What's included in the definition of a concrete block?

Hardy: The easiest way to describe it would be what's commonly referred to as a cinder block. It's your standard rectangular masonry unit. What the standard would allow is you to have that same sort of cinder block unit, but some of them have the decorative exterior face, it's sort of a finished face. Those types of concrete masonry blocks are permitted under the standard.

Adams: And then some of the testimony was according to code commentary, 33 -- is meant to apply to sites 100 feet or deeper however code language does not reflect this looking at the effective -- affected parcels, there are sites less than 100 feet deep that will be impacted by this regulation. The Fox Fence property at 43rd and Division is one example. So I just wanted to air that issue out.

Sugnet: That's correct. There are I believe three sites that are not 100 feet deep ideally, we wanted to apply the standard only to sites 100 feet deep. And the difficulty with writing code is we cannot address 100% of the situations. So we try our best to address as many cases as we can, and that's why we have the adjustment process.

Adams: There's no benefit in making -- I don't know what I'm asking exactly. What's the problem with saying it only applies to sites 100 feet or deeper? What would be the impact in the world?

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Sugnet: It was a complicated code writing provision that our code editor spent quite a bit of time trying to figure out. But we could go back and revisit that.

Adams: And then is this accurate, just so -- it was raised, I want you to speak to it.

Sugnet: The red part is accurate. The 25 feet, so the maximum height -- actually, it's 35. It's not 25. I mean -- i'm sorry, he has -- I can see it. The red part is correct, so there's a 35-foot height limit, and -- in the back 25 feet of his property. The other side steps are not quite as correct, basically the first floor has existing building is already at the lot line, that would remain. He would have to step back and then the only -- if he adds on buildings, adds on floors, the second floor would have to meet the 11-foot set-back. So it would have to be 11 feet for the second and third stories.

Adams: So this five-foot -- is that accurate?

Sugnet: That's between the house and the property line.

Adams: Ok.

*******:** Is that is correct.

Adams: And if anyone wants to modify the standards, is it a design review or an adjustment review?

Sugnet: It's an adjustment review.

Adams: I think that's all the questions I have.

Potter: Further questions? Thank you, folks. Does anyone wish to entertain an amendment to the ordinance as is?

Saltzman: The discussion about allowing railings, privacy screens, i'd like to see that incorporated. I think I might have stepped out of the room when the process -- what's the next step, is this the first read something.

*******:** We can bring back -- we're going to need to bring back amended language to incorporate this and have a hearing next time.

Saltzman: I'd like to see that.

Adams: I would appreciate it if you could have some discussion facilitate some discussion with the developers and the community around the three stories or 35 feet or -- is the difference of five feet - - that dozen sure three stories with the 15-foot retail which might make it more cost possible to do good buildings, if you could have that conversation, that would be great.

Zehnder: Sure.

Potter: Thank you, folks. This is the conclusion of the hearing. This is a nonemergency. It moves to a second reading next week. What time and date?

Moore: We'll put it on in the morning, wednesday morning the 21st.

Potter: Wednesday morning december 21.

Beaumont: That would be at 9:30 a.m.

Moore: In the morning session, right.

Potter: Ok. That's the last item of the day. Council is adjourned. [gavel pounded]

At 5:00 p.m., Council adjourned.