



CITY OF

PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 31ST DAY OF JANUARY, 1996 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Blumenauer, Hales, Kafoury and Lindberg, 5.

OFFICERS IN ATTENDANCE: Britta Olson, Acting Clerk of the Council; Harry Auerbach, Deputy City Attorney; and Officer Chuck Bolliger, Sergeant at Arms.

Agenda Nos. 141 and 163 were pulled from Consent. On a Y-5 roll call, the balance of the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

- 139** Accept bid of Landmark Ford for seven standard cab 3/4 ton pickup trucks for \$127,786 (Purchasing Report - Bid 75)

Disposition: Accepted; prepare contract.

Mayor Vera Katz

- 140** Confirm appointment of Stephen Leflar, Richard Dixon, Richard Varner and Craig Rowland to the Lair Hill Conservation District Advisory Council (Report)

Disposition: Confirmed.

- *142** Authorize acceptance by the Portland Police Bureau of the loan of an automobile donated to the National Insurance Crime Bureau by State Farm Insurance Company (Ordinance)

Disposition: Ordinance No. 169744. (Y-5)

Commissioner Earl Blumenauer

- 143** Set hearing date, 9:30 a.m., Wednesday, February 21, 1996, to vacate a portion of NE Airport Way east of NE 165th Avenue (Report; Petition; C-9900)

Disposition: Adopted.

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144 Accept completion of arterial streets upgrade project and make final payment to Henkels & McCoy, Inc. (Report; Contract No. 29965)

Disposition: Accepted.

***145** Contract with Otak Incorporated to provide professional services for the pedestrian facilities for transit access project (Ordinance)

Disposition: Ordinance No. 169745. (Y-5)

***146** Revocable permit to Kells Irish Restaurant to close SW 2nd Avenue between Ash and Pine Streets on March 14 through March 17, 1996 (Ordinance)

Disposition: Ordinance No. 169746. (Y-5)

Commissioner Charlie Hales

147 Appoint Jeff Blosser, Don Graham, Lee Hill, Marti Loeb, Leeanne MacColl, Jim Parkin, Joyce Polk and Gene Saylor to the Golf Advisory Committee (Resolution)

Disposition: Resolution No. 35488. (Y-5)

148 Amend Chapter 3.86 of the City Code, Golf Advisory Committee (Ordinance; amend Chapter 3.86)

Disposition: Passed to Second Reading February 7, 1996 at 9:30 a.m.

***149** Authorize acceptance of a 25 foot recreational trail easement on the Columbia South Shore Slough (Ordinance)

Disposition: Ordinance No. 169747. (Y-5)

***150** Authorize a contract and provide for payment for material and labor to construct Arbor Lodge Park improvements (Ordinance)

Disposition: Ordinance No. 169748. (Y-5)

***151** Authorize the Purchasing Agent to sign a Purchase Order as a contract with Portland General Electric for underground utilities in Waterfront Park at the estimate amount of \$324,083 without advertising for bids and provide for payment (Ordinance)

Disposition: Ordinance No. 169749. (Y-5)

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***152** Contract with EnviroCorps and with the East Multnomah Soil and Water Conservation Service, acting as agent, to provide youth crews to assist in environmental restoration projects in public landscapes for Portland Parks and Recreation (Ordinance)

Disposition: Ordinance No. 169750. (Y-5)

***153** Approve North Portland Trust Fund grant offers totalling \$34,031 and authorize agreements (Ordinance)

Disposition: Ordinance No. 169751. (Y-5)

154 Add Section 31.10.145, Maintenance of fire protection systems in five story apartment buildings, to Code Chapter 31.10, Administration (Second Reading Agenda 112; amend Chapter 31.10)

Disposition: Ordinance No. 169752. (Y-5)

Commissioner Gretchen Kafoury

***155** Amend Agreement with the Portland Development Commission for Rental Housing Development Program to increase the contract by \$2,452,599 (Ordinance; amend Contract No. 30090)

Disposition: Ordinance No. 169753. (Y-5)

***156** Contract with the Outer SE Business Coalition for \$47,000 to undertake commercial revitalization activities along SE Foster and provide for payment (Ordinance)

Disposition: Ordinance No. 169754. (Y-5)

***157** Contract with Multnomah County for \$553,781 to support service and housing programs for homeless persons and provide for payment (Ordinance)

Disposition: Ordinance No. 169755. (Y-5)

***158** Contract with Multnomah County for \$226,040 to support service and housing programs for homeless persons and provide for payment (Ordinance)

Disposition: Ordinance No. 169756. (Y-5)

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***159** Authorize extension of agreements with various parties for access to City's 800 Mhz simulcast trunking radio system (Ordinance)

Disposition: Ordinance No. 169757. (Y-5)

Commissioner Mike Lindberg

160 Amend Council Agenda Item 1324 (1995) to authorize additional funds due to administrative error (Report; Contract No. 28841)

Disposition: Accepted.

161 Accept completion of the SE Division, 3rd Avenue to 10th Avenue, sewer reconstruction and authorize final payment to Copenhagen Utilities & Construction, Inc. (Report; Contract No. 29746)

Disposition: Accepted.

162 Accept completion of the water pollution control laboratory site preparation and authorize final payment to Contractors, Inc. (Report; Contract No. 30129)

Disposition: Accepted.

***164** Contract with Century West Carollo to provide engineering services for the Combined Sewer Overflow Headworks at the Columbia Boulevard Wastewater Treatment Plant and provide for payment (Ordinance)

Disposition: Ordinance No. 169758. (Y-5)

***165** Agreement with Union Pacific Railroad Company for a 30" municipal pipeline crossing, one of two pipes being installed for the Inverness Force Main System, and provide for payment (Ordinance)

Disposition: Ordinance No. 169759. (Y-5)

***166** Agreement with Union Pacific Railroad Company for a 20" municipal pipeline crossing, one of two pipes being installed for the Inverness Force Main System, and provide for payment (Ordinance)

Disposition: Ordinance No. 169760. (Y-5)

***167** Authorize a contract and provide for payment for the Ramsey Lake planting project (Ordinance)

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Disposition: Ordinance No. 169761. (Y-5)

- *168 Authorize the Director of Environmental Services to enter into an agreement with the Oregon Department of Environmental Quality to provide regulatory oversight for environmental cleanup along the route of the Columbia Slough consolidation conduit (Ordinance)

Disposition: Ordinance No. 169762. (Y-5)

City Auditor Barbara Clark

- 169 Accept completion of the SW 41st Avenue LID by Copenhagen Utilities & Construction, Inc. and release retainage (Report; C-9799)

Disposition: Accepted.

- 170 Accept completion of the SW Palatine Street LID by Copenhagen Utilities & Construction, Inc. and release retainage (Report; C-9831)

Disposition: Accepted.

REGULAR AGENDA

- 141 Authorize Mayor to sign agreement conveying \$1.5 million authorized during 1994/96 budget planning process to Portland Public Schools for core school police functions in 1995/96 fiscal year (Ordinance)

Discussion: Mayor Katz said this was a serendipitous occasion as the Suspension of Rules item on the afternoon's Agenda regards the Portland Public Schools and she asked that this be set over to be heard with that item.

Disposition: Continued to January 31, 1996 at 2:00 p.m.

- 163 Initiate extraordinary rate review under City's solid waste and recycling franchises (Resolution)

Discussion: Commissioner Lindberg clarified that the word "extraordinary" was the franchise and Code language.

Susan Keil, Manager of Industrial and Solid Waste, Bureau of Environmental Services (BES), said this essentially authorized the bureau to look at rates again. The franchise agreement specified predetermined years to review rates. However, the amount of change in the last four years with reduced weights in the cans and the

volatility in the market prices for sale of recyclables triggers another look at the rates. She said people are shifting to smaller cans, recycling plastics at least 50 percent more and yard debris diversion is going up.

Disposition: Resolution No. 35489. (Y-5)

138

TIME CERTAIN: 9:30 AM - Support the recommendations contained within the Capitol Highway Plan (Resolution introduced by Commissioner Blumenauer)

Discussion: Commissioner Blumenauer said the Plan grew from the lack of alternative transportation facilities in Southwest Portland. In 1993 the Pedestrian Program, Office of Transportation, asked Transportation to identify and prioritize Southwest pedestrian projects. Three top priorities were identified: 1) a coordinated plan for all of Capitol Highway -- this plan is completed and presented today for Council adoption. There is approximately \$1.2 million proposed for the combined FY 96/97 and 97/98 budgets to begin implementation. Obviously this will be scrutinized by Council and, if there are no further cuts in Transportation, they are scheduled to go forward; 2) the Hillsdale Pedestrian District Plan, with a mid-block crossing, has been completed and the recommendations are contained in this Capitol Highway Plan and the Hillsdale-specific development plan being prepared by the Planning Bureau; and 3) construction of new sidewalks along Capitol and 49th between Portland Community College (PCC) to Barbur to begin next week.

Commissioner Blumenauer said this plan is a vision for the creation of a true multi-modal corridor that will link vital Southwest activity centers and the neighborhood together. It represents a real commitment to the preservation, enhancement and livability that residents cherish, have had in the past and want to recapture.

Bill Hoffman, Manager of the Pedestrian Program, Office of Transportation, said the initiative for the Plan originated with the community. The Southwest Neighborhoods, Inc. (SWNI) Transportation Committee identified the Capitol Highway Plan as a top priority. The Plan incorporates the recommendations of the Hillsdale Pedestrian Study, a separate process, to make Hillsdale a vital pedestrian district. The Plan is pan-modal, addressing the needs of pedestrians, bicyclists, transit users and vehicles. He said the Plan was responsive to the diversity of land uses and natural features along Capitol Highway and preserves characteristics that make Capitol Highway unique. It reflects considerable community involvement,

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with a total of ten public workshops, and a community consensus on transportation improvements. Mr. Hoffman said the SWNI Transportation Committee, SWNI Board of Directors, Hillsdale Specific Development Plan Steering Committee and the Capitol Highway Plan Citizens Advisory Committee have all endorsed the Plan recommendations.

Mr. Hoffman noted that the Plan presents a clear implementation strategy. Specific projects are identified, along with cost estimates and priority rankings. The Plan will guide staff in requiring public improvements of new developments. He pointed out that the Plan was a team effort with input from the Bureaus of Planning, Environmental Services, Transportation Planning and Management, Tri-Met and SWNI.

Matt Brown, Project Manager of Transportation's Pedestrian Program and of the Capitol Highway Plan, presented a slide show. The Plan will create a more pedestrian-friendly environment through the public right-of-way improvements as well as what happens behind the right-of-way. Intersection and crosswalk improvements are very important, a top priority and pan-modal. He said traffic calming and parking were key considerations. The approach to get the improvements in is rather minimalist -- sidewalk on both sides is not necessarily needed -- and will maintain the neighborhood character. In the "green" areas between activity centers, like Hillsdale and Multnomah, street trees can be planted more informally than in a straight line to enhance the rural nature of the neighborhood. Mr. Brown noted that all the Capitol Highway projects were broken into about 20 specific projects which were then generally grouped into three priorities. The first-priority projects, a third of the total project and cost, have an immediate impact with a continuous pedestrian linkage along at least one side of the street, a continuous bicycle route and key crossing and intersection improvements.

Mr. Brown said this will be a guide for the City Engineer in dealing with developers as to what exactly the community has agreed upon. Metro gave a \$520,000 grant from the regional reserve funds for some improvements in Hillsdale which will begin in the coming fiscal year. The Oregon Department of Transportation (ODOT) gave a \$44,000 grant for crossing improvements at the Barbur/Capitol/Taylor's Ferry/I-5 mess and \$30,000 from the bicycle program will stripe bike lanes from PCC to Barbur. These projects, along with design work for the Multnomah area, will be coming up in FY 96/97, hopefully to be followed by some additional design work and implementation of improvements in Multnomah.

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Commissioner Hales asked if the lettered projects were component projects rather than packaged as groups.

Mr. Brown said yes and the two grants have very specific characteristics so the right project will be matched to the right funding source.

Gregg Coodley, 1804 SW Pendleton Street, 97201, Chairman of the Citizens Advisory Committee to the Capitol Highway Project, said Southwest Portland was a collection of some vibrant neighborhoods but the links between them are tenuous, not because of distance but because travel between them is difficult except by car. This project will unite and link the neighborhoods for greater citizen interaction. He said this would be enough reason to adopt the project, but a second reason is just as good. It is an opportunity to show that exciting urban redevelopment can happen outside of the downtown core. The plan has opportunities for pocket parks and stretches of greenery. He asked Council to consider putting money into this project if funds become available in the next few years.

Betty Hedberg, 7903 SW Ruby Terrace, President of the Southwest Neighborhoods, Inc., a coalition of 16 independent neighborhoods and three business associations, said the Southwest Neighborhoods unanimously voted to receive the Capitol Highway Plan on January 24th. She said the plan began in 1993 as a shared vision of the SWNI Transportation Committee and is today a successful communication between City staff and the community.

Laura Campos, 3419 SW First Avenue, 97201, Chair of the SWNI Transportation Committee, said this plan was in response to the anger citizens felt about congested roads, traffic ruining neighborhood livability and taxes being spent to pave more of the farms and forest. She said that while the density within the Urban Growth Boundary (UGB) must be increased, it must be done in a cost-effective way. She noted the need to become less auto-dependent -- to become pan-modal - - and that Southwest residents were very leery of accepting increased density which would impact livability. An innovative approach will increase both density and livability.

Harriet Cooke, 6491 SW Capitol Highway, 97201, Citizen Advisory Committee (CAC) member, said she originally joined to protect her own interests -- her home, her parking, etc. She then came to see Capitol Highway as a vital link, given the southwest topography, and the difficulties for traffic, pedestrians and bicyclists. Ms. Cooke said

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each piece of the plan is well thought out and addresses multiple concerns.

Elizabeth Humphrey, Tri Met technical advisory representative, said this project used Tri Met input and the plan will benefit riders and make transit work better with changes such as curb extensions and signals. The Tri Met transfer project at Capitol and Barbur was incorporated into the plan. Sidewalks and safer street crossings are good for transit users who are basically pedestrians.

Jay Mower, 777 SW Chestnut Street, 97219, CAC alternate member who was very involved in the Hillsdale Planning section, referred to a Metro map of transit and pedestrian-friendly areas which showed the extreme difference between the east and west sides of town.

Shelly Shultz, 7731 SW Capitol Highway, member of the Multnomah Village Association, said she was fortunate to be able to walk to work, although it took 10 minutes to cross the intersection at 31st and Capitol Highway. She noted that it was important to link the community activity centers.

Jeremy Grand, 3707 SW Coronado Street, 97219, member of the Capitol Highway Advisory Committee, the Transportation System Plan Advisory Committee, the Pedestrian Advisory Committee and the Board of the Willamette Pedestrian Coalition, said he hoped at least one of these committees will finish their work soon. He said this project is big but a drop in the bucket, especially in light of Vehicle Miles Traveled (VMT) goals, and sidewalks are absolutely necessary in reducing car travel.

Andrew Aebi, 7253 SW 26th Avenue, 97219, said the City's biggest future problem will be dealing with growth and transportation is the biggest issue to accommodate that growth. The Southwest area is the least well-equipped to deal with additional people and cars and it has the fewest paved streets and sidewalks.

Don Baack, 6495 SW Burlingame Place, 97201, said as a small business owner in Hillsdale he supports this plan. He said a high priority should be to straighten out the intersection at Wilson High School. In the context of the day's severe winter weather, he noted that snow removal from the streets is piled on the sidewalks, leaving nowhere for pedestrians, many of whom are elderly, to walk.

Commissioner Lindberg said the Code does hold property owners responsible for clearing their sidewalks.

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Anthony Boutard, 1640 SW Davenport, 97201, said this good plan took an extraordinary amount of community work. As Hillsdale is a town center divided in half by Capitol Highway and hard to cross by car or foot, he found that part of the plan very important. Mr. Boutard invited Council to consider wooden (recycled plastic) sidewalks to fit into difficult topography.

Wesley Risher, 1627 SW Troy Street, said the priority list of Mr. Hoffman and Mr. Brown is underfunded. He challenged Council to set up a task force to look at permanent funding sources for transportation improvements, such as a Direct Benefit Assessment District concept, where the money would come back into the community. Because Capitol Highway has regional significance, Mr. Risher asked that the entire length be nominated if the Bridges and Roads program comes back to the community next fall.

Colleen Culbertson, 12105 SW Lesser Road, said she was active in addressing the Marquam issues some years ago and others talked about their individual areas. She found the Capitol Highway Plan very unifying. She said prebudgeting some front money for specific projects would bring in grants, ODOT and Tri Met participation.

Helen Farrens, 3956 SW Condor, said that although she can walk from Veterans Hospital on the Terwilliger path to Capitol Highway, she has to take the bus the next three blocks to be safe.

Scott Combs, 8033 SW 35th, member of the Citizens Advisory Committee, read a letter from Patty Lee, President of the Ashcreek Neighborhood Association, in which she said the Capitol Highway Pedestrian Plan was excellent and should be a funding priority.

Kay Durtschi, 2230 SW Caldew Street, reminded Council that a good share of this area was annexed in the 50's and 60's, after the streets were laid out. She urged that the Plan be done at one time in its entirety, not in segments. ODOT has said they would upgrade several segments if Portland had a plan.

Commissioner Hales said the Plan shows that the intersection of 30th and Capitol continues the sidewalk through the curve section and he asked if the proposal is to remove the street and to square the intersection in the future and was that included in the first level cost estimates.

Don Gardner, Office of Transportation, answered yes.

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Commssioner Hales asked if the specifications for the City's work carried over to new development and would be part of the development review process.

Mr. Gardner said that was right but the obvious problem on Capitol Highway in all the annexed areas is where there is only a small segment of infill development. For instance, would three houses be required to build a drainage system to handle the whole road. There will be some discretion but the Plan will have guidance for staff working with developers and, if it is not feasible to build, they could get waivers.

Commissioner Blumenauer said this plan was something to get passionate about -- to take people's frustrations, aspirations and hard work and translate them into reality. Responding to Ms. Durtschi's hope that the money could be found for the Plan's entirety, he said there are cuts on all transportation levels. The Federal Government is projecting cuts of between \$30 and \$80 million per year over the next seven years in Oregon. The State has failed to keep pace with inflation. This plan provides a shopping list and more credibility with regional and state partners and although there will be less federal money, spending it more creatively, i.e. multi-modal, may help.

Commissioner Hales reminded Council that just about two years ago in one land-use review case, the Mittleman Center management argued they should not be required to build sidewalks on their section of Capitol Highway because no one walked there anyway. Now, there is a better understanding of a holistic solution. He particularly noted pulling the sidewalk back from the curb and providing a planting strip. That barrier advances the possibility of street trees and a better pedestrian environment and also marginally deals with snow removal.

Commissioner Kafoury said it was good to hear the 2040 map referenced as they all are working with Metro about the UGB and Council's position is to not expand it. To do that, they must walk the talk and enable established neighborhood growth while maintaining livability.

Commissioner Lindberg said this plan was a wonderful accomplishment and it was exciting to hear the testimony reflecting the sense of community that was being built. He said it would be a challenge to meet what people want with the funding sources.

Mayor Katz said during a Portland/Multnomah Progress Board meeting a survey was cited that people thought pedestrian

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opportunities were more important than any other pan-modal transportation.

Disposition: Resolution No. 35490. (Y-5)

FOUR-FIFTHS AGENDA

***171-1** Pay claim of Barbara Canavan (Ordinance introduced by Mayor Katz)

Disposition: Continued to January 31, 1996 at 2:00 p.m.

171 Accept bid of Brundidge Construction for 6", 8" and 12" water mains in the SE Harney mains package for \$420,353 (Previous Agenda 99; Bid 72)

Discussion: Commissioner Blumenauer said last week Council requested that this be reviewed to see if there were some elements that should have been discarded. It has since been reviewed by the City Attorney and Carlton Chayer, Purchasing Agent.

Carlton Chayer, City Purchasing Agent, said he investigated the process used to open the bid and met with Jim VanDyke, Senior Deputy City Attorney. Mr. Chayer said he essentially had three choices: 1) accept the apparent low bidder; 2) reject all bids (Brundidge was the second low bid, coming in at a lesser amount than Purchasing's original estimate and meeting all specification requirements so there was no basis for rejection); or 3) award the contract to the second low bidder who met the requirements.

Commissioner Blumenauer asked Mr. VanDyke to address the assertion made last week that the missing pages of the bid submission were not important and whether it mattered that those two or three pages were gone, including the signature page.

Jim VanDyke, Senior Deputy City Attorney, said the signature page was a substantive requirement for several reasons. One is that the bidder in signing that page agrees to do things that he has not agreed to in signing other portions of the bid package. Those things include the bidder's activities prior to submission of the bid in terms of providing opportunities to MBEs, WBEs and ESBs. For instance, if an MBE has been hired and needs to be replaced, the bidder needs to come back, talk to the City and go through a similar process again. If the bidder has not signed that page, he has not agreed to undertake those activities and has not agreed not to discriminate against such firms in that process. This is a pretty substantive requirement that

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the City would not be able to waive. In addition, the form, in bold letters, also says that if the bidder fails to submit that particular page with a signature, the City will declare the bid non-responsive.

Mayor Katz said that although two Council members wanted to look at this for any flexibility in the award, two City Attorneys said it was not doable and one was shocked that the issue had even been raised. The Mayor said she was chastised. The legal response is valid: Mr. Chayer did the right thing.

Commissioner Blumenauer said having the double-check is important, to see if anything in the submission is superfluous, because Council wants to be fair to people who do business with the City, to those who administer it and to not prompt unnecessary litigation.

Commissioner Hales said the memoranda from Mr. Chayer and Mr. VanDyke were open and shut.

Commissioner Kafoury said, when given conflicting information, she will continue to raise questions, which is an appropriate role for a Council member.

Mayor Katz agreed with Commissioner Kafoury about raising the questions but the issue was to have all the documents in place to meet the City's compliance requirements.

Disposition: Accepted; prepare contract.

At 11:00 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 31ST DAY OF JANUARY, 1996 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Blumenauer, Hales, Kafoury and Lindberg, 5.

OFFICERS IN ATTENDANCE: Britta Olson, Acting Clerk of the Council; Michael Holstun, Senior Deputy City Attorney; and Officer Chuck Bolliger, Sergeant at Arms.

REGULAR AGENDA

Commissioner Charlie Hales

- 174** Adopt the Outer Southeast Community Plan and ten neighborhood plans, one business plan and implement zoning code and map amendments (Second Reading Agenda 136)

Disposition: Ordinance No. 169763 as amended. (Y-5)

- 175** Adopt the Vision Plan Map and Action Charts for the Outer Southeast Community plan and Neighborhood and Business Plans developed with and as part of the Outer Southeast Community Plan (Previous Agenda 137)

Disposition: Resolution No. 35491. (Y-5)

- 173** **TIME CERTAIN: 2:15 PM** - Consider request of Fisherman's Marine Supply for a Comprehensive Plan and Zone Map amendment from IH, Heavy Industrial, and h, Aircraft Landing Overlay, to EG1, General Employment and h, for property located at 901 N. Columbia Boulevard (Previous Agenda 93; LUR 94-00940 CP ZC)

Discussion: Commissioner Hales said there was a request for continuance and he asked why it was requested and what would be accomplished if it were continued.

Ronald Murray, attorney representing Koldkist Beverage Ice, Inc., said both parties were trying for accommodations between themselves in an effort to come within the City and County requirements.

Steven Pfeiffer, attorney representing Fisherman's Marine, added that Fisherman's Marine recognized that the genesis of this application

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was an early discussion, prior to filing, with the Bureau of Planning as to the legality of Fisherman's Marine use as it exists today in that zone (an IG Industrial, which allows a certain amount of retail). The issue raised by the Bureau of Planning was whether they were retail or wholesale. Fisherman's issue was to bring their offsite wholesale distribution facility from where it is, a number of blocks down the street, to this site as a new expansion. Mr. Pfeiffer advised them not to go forward with a major expansion until the enforcement question was resolved with the Bureau. He suggested taking it from the policy angle and going forward with the map change to legalize at least the retail/wholesale parts now in dispute. If the policy base was approved by everyone it would end the discussion. Using the next couple of weeks to sort out the onsite/offsite issues, even without the enforcement question, will help them to coexist later, whatever the final situation.

Disposition: Continued to February 21, 1996 at 2:00 p.m.

Commissioner Blumenauer moved the Suspension of the Rules for Item 171-2 and Commissioner Hales seconded.

Mayor Katz asked that the introduction of that Resolution be amended to include all the members of Council.

141

Authorize Mayor to sign agreement conveying \$1.5 million authorized during 1994/96 budget planning process to Portland Public Schools for core school police functions in 1995/96 fiscal year (Ordinance)

Discussion: Mayor Katz noted that this was part of Council's commitment for the second year of the two-year budget process and the fact it was filed at this time, to coincide with Item 171-2, was serendipitous.

Commissioner Blumenauer said, with Council's commitment to deal with public safety, this was an intersection of its two highest priorities. He said if the City had moved into community policing aggressively and much earlier, the school district would not have had to make this type of investment.

Disposition: Passed to Second Reading February 7, 1996 at 9:30 a.m.

SUSPENSION OF RULES

171-2

Support adequate funding for Public Education (Resolution introduced by the Council)

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Discussion: Mayor Katz said the entire Council had an informal meeting with the Intergovernmental Relations representative, Marge Kafoury, in which Council said it wanted to send a loud and clear message to the special session of the State Legislature: How critical public education funding is to the entire state and specifically to this community.

Jim Duncan, 3454 NE 35th Place, 97212, said public education deserves to be considered priority number one and this is a good resolution. He added that school police have provided a calming effect for students and teachers.

Ed Sheets, 3055 NW Cumberland Road, said the school district has done a good job in involving parents in the budget process and he has been one of them. He noted that the 1992-93 budget was \$355 million and next year's proposal is \$304 million -- a \$51 million (14 percent) cut. Also, inflation and increased enrollment is not provided for. The goal of the parents and school board has been to keep the cuts away from direct student instruction, which has been done so far, although other big cuts have been made. For instance, the curriculum department, which developed new programs, was eliminated so although there are programs in place there will be nothing to replace and improve them. Also, the evaluation department, which assesses the programs, was cut by 60 percent. Mr. Sheets noted several other diminished areas and that the school year has been shortened by five days.

Gabriel Shannon, 2136 SE 58th Avenue, said although she was very active in her children's school life, she was dragged reluctantly into a wider role. She noted that if inflation were factored into the budget, it would be even less than it was. The bond measure passage which taxed everyone another \$100 a year for seven years is an indication that Portland citizens are doing all they can and do support schools.

Sue Hagmeier, 3315 SE Harrison Street, School Board member, said the last big school budget crisis was in 1982 and many buildings were closed and today there are 6,000 more students. She said, adjusted for inflation, the resource decline started after 1985-86, not 1990. Also adjusted for inflation, buying power per student is 68 percent of what it was in 1985-86. The State Legislature's Education Act for the 21st Century represented a real reform effort where the system was built on what a student ought to be able to do when they are out of school and works backward from that. She said it sounds simple but is revolutionary as school systems traditionally have been built on what a student should do while in school. Ms. Hagmeier said Portland was

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a leader in this effort and also has linked up with the state system of higher education standards for admission. Portland has tried to make the reform immune to any possible amendment of the State Education Act. She emphasized the urgency to communicate to state government as it sounds like they think there is time to amend.

Mayor Katz asked to what extent the district has looked at and moved curriculum goals to meet 35-65?

Ms. Hagmeier responded that some of the mechanics involved in 35-65 are being implemented at this time, but may change in the future.

Ms. Shannon added that students are required to demonstrate their knowledge and they work in teams.

Ms. Hagmeier said money has been well spent to update staff training.

Mayor Katz reiterated that even though there is a funding issue and it is difficult, the system is still moving ahead.

Ms. Hagmeier said the teaching staff is to be commended and the district has improved and worked to improve things for the students in the past several years.

Mr. Sheets said that Portland still has a very good school system, a message that sometimes gets lost. He noted his concern with the amount of time Superintendent Bierwirth, school principals and others need to use to make ends meet in this very real budget crisis.

Commissioner Blumenauer said that while the resolution refers to the \$30 million cut, he was struck by what it really means in terms of previous losses and inflation. He recommended amending the resolution to address the impact of the absolute reductions, rather than just the numbers. He also recommended broadening the language to include all the state's school systems.

Marge Kafoury, Director of Government Relations, said those amendments were also communicated to her. She said this resolution will be very helpful when the state legislature special session begins tomorrow.

Commissioner Blumenauer moved the amendments and, hearing no objections, Mayor Katz so ordered.

Commissioner Blumenauer said the school system anchors many other

stable things such as neighborhoods, public safety, economic development and housing.

Commissioner Hales said this may be a case where if the people lead the leaders will follow and it is Council's role to help. He said there were three appropriate areas for Council to be involved in on this issue: 1) simple cooperation such as the shared-use agreement between City parks and the schools and neighborhood planning; 2) reinforcement of what schools do, such as the Benson High "clean room," funded by Wacker Siltronic through the City's tax abatement program; and 3) school advocacy.

Commissioner Kafoury said she wished she could confer supernatural powers to those addressing this issue before the state legislature.

Commissioner Lindberg noted the substantial increase in citizen volunteerism and involvement in school programs and budget political battles. Council's goal-setting sessions have tried to define a broader and more creative definition of City government's role in education.

Mayor Katz added three points: 1) they all were responsible to keep the reform movement and efforts toward excellence alive; 2) equity -- to ensure that all schools in the state which have been shortchanged for years reach a level to do their job; and 3) the need to keep the urban districts whole and qualified.

Disposition: Resolution No. 35492 as amended. (Y-5)

Commissioner Lindberg moved the Four-Fifths Agenda and, hearing no objections, Mayor Katz so ordered.

FOUR-FIFTHS AGENDA

*171-1 Pay claim of Barbara Canavan (Ordinance introduced by Mayor Katz)

Disposition: Ordinance No. 169764. (Y-5)

172 **TIME CERTAIN: 2:00 PM** - Appeal of Heinrich Fichter to the Police Internal Investigating Auditing Committee (Report introduced by Mayor Katz; PIIAC No. 95-20)

Discussion: Heinrich Fichter said his appeal was denied because he did not cite any officer misconduct at that time. He said for over three years (police) officers have made unwanted contact with him while he has committed no crime. He said that an ex-girlfriend who lived in the

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Milwaukie area would call the police whenever he drove on Highway 99. Mr. Fichter said that Chief Bradshaw of the Clackamas County Sheriff's Department told him there was more talk about him and his ex-girlfriend than of the worst crimes. Mr. Fichter said that in the past three years he had three threats on his life (not by police officers) and two vehicles (one a Portland Police vehicle and the other a city cab) attempted to run him over. He said some police personnel have been working with cab drivers to harass and intimidate him and the police have used their emergency lights for the same purpose. There have been over 200 incidents and he is asking that it stops and that this is referred back to the Portland Police Internal Affairs.

Lisa Botsko, Portland Internal Investigating Auditing Committee (PIIAC) staff person, noted that the Citizens Advisory Chair was unable to attend today. She said the Internal Affairs office reviewed this case in which the appellant had logged over 200 incidents, contacts by the police. Through their review they found that there was no contact unless Mr. Fichter initiated it by, for example, confronting an officer. The Internal Affairs committee found only normal police activity in any of these "contacts " and no arrests were made or citations given. Ms. Botsko said, while they understand the appellant is upset and annoyed, nothing can be pursued unless he describes specific officer misconduct.

Commissioner Kafoury moved to accept PIIAC's recommendation and Commissioner Lindberg seconded.

Disposition: Appeal denied. (Y-5)

At 3:05 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 1ST DAY OF FEBRUARY, 1996 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Blumenauer, Hales, Kafoury and Lindberg, 5.

OFFICERS IN ATTENDANCE: Britta Olson, Acting Clerk of the Council; Linda Meng, Chief Deputy City Attorney; and Officer Chuck Bolliger, Sergeant at Arms.

Mayor Katz said the Council concurred to group the following three items and individuals would be given six minutes to address one or more of them. Therefore, Items 176, 177 and 178 were read together by the Acting Council Clerk.

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TIME CERTAIN: 2:00 PM - Transmit results of the Access Advisory Task Force I-5 Southbound Access Alternative Study Executive Summary and Recommendation and the I-5 Access Alternative Study Minority Report and Recommendations (Previous Agenda 54)

Discussion: David Knowles, Planning Bureau Director, said he was transmitting the majority and minority reports of the Access Advisory Task Force.

Margaret Kirkpatrick, 900 SW 5th Avenue 97204, Chair of the Access Advisory Task Force, said she would address three subjects: 1) a brief description of the Task Force and its charge from Council; 2) what it did and how it did it; and 3) statement of the Task Force majority recommendation. In December of 1993, Council withdrew by resolution the City's previous support for Phase III of the East Marquam project, which has come to be known as the Water Avenue ramp. In October 1994, Council decided to itself fund the study called for in the 1993 resolution, with the Task Force appointed to oversee it. Council's charge to the Task Force was to recommend to Council viable options to provide improved I-5 southbound access, particularly for commercial delivery vehicles. The Task Force was instructed to base the study on the assumption that the freeway will remain in its current location. Over 20 alternatives were listed and screening criteria were used to cut the list to five alternatives which merited further study. Ms. Kirkpatrick said the five alternatives were evaluated against 18 criteria adopted by the Task Force at the beginning. These included performance characteristics such as service area and travel time, technical characteristics including physical features, operational features and modal conflicts and implementation

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characteristics, including costs and construction time frames. After the evaluation, two alternatives were found to be the most promising -- the Water Avenue ramp or major improvements to the existing Ross Island Bridge route. In late August a public hearing was held and there was a written comment period to obtain broad public input. Ms. Kirkpatrick noted that all Task Force actions and each step were taken by consensus, except for the recommendation to Council. The majority of the Task Force recommends the Water Avenue ramp, which fulfills the charge they were given. The consensus finding of the entire Task Force found that the Ross Island alternative would serve a very limited amount of Central Eastside Industrial District (CEID) traffic, basically the southern triangle which generates a relatively small portion of trips to and from the district. Also, it would not attract additional CEID traffic from other freeway access routes currently in use and therefore does not meet the charge.

Ted Grund, 2617 NE 33rd Avenue, representing the Task Force minority position, said he questions the veracity of assumptions made historically about this issue. Much of the information available is based on historical assumptions about the need for the ramp, not necessarily based on studies or cost benefit analyses, but testimony, however enlightened, of members involved in the Eastside. Also, how great and universal is the need for the ramp to the City as a whole. Larger issues of transportation and planning were excluded in the narrowness of the assigned study. Mr. Grund suggested reassessing what industry is and noted that the nature of industry as it exists in the Central Eastside has certainly changed in the past few decades. Now there are more low volume, high value products and heavy truck traffic is not important to that. Again, assumptions have been made regarding Central Eastside's prosperity. Current indications are that a ramp is not necessary with the exceptional boom in business and development, none of which is predicated on a ramp being built. More likely, a healthy, local economy and a rich mix of businesses are precipitating the growth. He continued by questioning the City's budget priorities and transportation and environmental objectives. Conflicts with other modes of transportation need to be resolved, particularly in respect to eastside rail transit and the growing commercial use of rail. Mr. Grund said there was a lack of equilibrium between the projects compared by the Task Force: the Water Avenue ramp is engineered and ready to go while other southbound access projects were limited to study proposals. He thought the expenditure of \$20 million or more on a short-term, localized need was hard to justify.

Commissioner Blumenauer asked if it were correct that Mr. Grund

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was questioning the charge to the committee.

Mr. Grund said yes, that was one of two points as the charge was too narrow and the minority also questioned whether the Water Avenue ramp is really the only viable alternative.

Commissioner Blumenauer asked him to address the minority proposal for improvements to the Ross Island Bridge.

Mr. Grund answered that was not the minority proposal per se, as both the Water Avenue ramp and improving the Ross Island Bridge were the only alternatives remaining at the end of the study. Only at the last meeting, in deciding whether to proceed with a singular recommendation to Council, did they differ. The Ross Island connection merits further study as it is directly connected to the MLK/Grand Avenue couplet, the spine of the Central Eastside main transportation corridor.

Gail Shibley, Oregon State District 12 representative, said she was presently involved in Salem with the state's commitment to fund light rail and rural transportation. From that perspective, regional and state-wide transportation, she stressed her strong support for the Water Avenue ramp. Ms. Shibley said the Portland Department of Transportation (PDOT) estimates that about 5,000 vehicles a day meander across the bridges in search of a southbound access to I-5. Front Avenue, the downtown core and the Lloyd Center area are heavily impacted. She said the customers and employees of the CEID would be directly served by this direct access -- there are 17,000 family-wage jobs and 1,200 employers in the area. The Central Eastside Industrial Council (CEIC) and Portland State University are talking about a business incubator project and industrial sanctuaries in the central city are key to keeping the Urban Growth Boundary (UGB) securely in place. She noted the growth of outlying areas such as Tualatin and Wilsonville, but she wants jobs to stay right here. If logic dictates tax breaks to individual companies to keep jobs in Portland, surely such logic would dictate building and improving a state-wide infrastructure.

Ed Washington, District No. 5 Metro Councilor, said the Ross Island Bridge major improvement alternatives still mean twice the travel time as the Water Avenue ramp. Travel time also represents the distance that businesses can serve. He said this ramp would impact jobs in North and Northeast, as well as Southeast, Portland. The area provides a diverse job base in a centralized location for those residents. Some businesses have invested in that area with the expectation that

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the ramp will be built. The CEID job growth is not typical to most urban areas and can be easily jeopardized. With no ramp, businesses will not continue to invest in the area and jobs will leave. Additionally, the ramp would help the congestion produced by the coliseum/convention center/arena area.

Rod Monroe, District No. 6 Metro Councilor and Chair of the Joint Policy Advisory Committee on Transportation (JPACT), said he was excited about Portland's and other metro cities' response to Metro's 2040 Plan in finding ways to utilize urban land more efficiently in order to not move the UGB. He said that to make 2040 work there must also be a transportation system that works, one that well-serves the nearby industrial areas. Mr. Monroe said much business investment was based on the 30-year promise of the Water Avenue ramp. In 1994, JPACT identified this ramp as the number two regional priority transportation project for the entire metro region. They reluctantly decided not to fund it at that time because of City Council's indecision on this issue. It remains a high priority for the region. He was concerned that people are still talking about moving the Eastbank freeway. It was a mistake but it is there and there are many more serious transportation needs. Mr. Monroe would rather fix the infrastructure in place now than build more freeways.

Jim Francesconi, 2230 NE Alameda, 97232, said he was an activist and a candidate for City Council. Since becoming a candidate he has learned that industrial sanctuaries and the transportation provided to them are crucial to maintain and enhance the City's economic base and family-wage jobs. He noted that the public/private partnership revitalized downtown Portland 25 years ago, but businesses need to expand and the public has not lived up to the commitment to provide transportation access. With far more new jobs being created in the suburbs, the City is losing its economic base. Mr. Francesconi said the City could not compete with the suburbs on the availability of land but, with increasing congestion in the suburbs, it can compete on the ability to move freight from industrial zones. Also, the explosive suburban growth must be redirected to the City.

Al Gleason, President, Port of Portland, said the Port provides a variety of air- and water-based access facilities to this area's shippers and carriers and, therefore, it has a vital interest in surface transportation capacity. The Port Commission is unanimous in support of the Water Avenue ramp. He noted that Council's previous rejection of this ramp was largely based on concerns about the future of the Eastbank freeway.

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Clayton Hering, Chairman of the Association for Portland Progress (APP), said that 5,000 vehicles a day cross the river to downtown in order to access I-5 southbound and, as SW Front Avenue becomes more congested, they move into the downtown area. In the year 2010, daily trips will increase to 18,100 and with future growth circulation will be a major problem.

J. E. Bud Clark, 2522 NW Northrup, 97210, said, as Mayor of Portland, he voted yes to build the Water Avenue ramp in 1989 and he resented its being overturned in 1993. He emphasized that once again it is being recommended and by the very committee appointed by Council. In reference to Mayor Katz' comment that spending \$20 million to save three minutes, Mr. Clark said the arithmetic is interesting. Multiplying the 8,000 vehicles by three minutes equals 400 hours a day and using a low-end of \$10 per hour, it means, in 14 years, savings for the ramp users would pay the \$20 million. He added that from the beginning Eastsiders have complained, correctly in many cases, that Westsiders tell them what to do.

Gary Coe, 6255 SW Sheridan St., 97225, Speed's Towing, said he understood that some Council members felt that the Water Avenue ramp support has dwindled to a handful of vocal business owners. Noting the difficulty for people to reach for their wallets in support of a campaign or cause, Mr. Coe submitted a list of 370 businesses that contributed to the legal expenses of the Land Use Appeals Board (LUBA) 1993 appeal. He said he was offended by the minority report's acknowledgement of the need for a ramp and simultaneously the recommendation for a study to move the freeway. Over 20 studies of this issue have come to the same conclusion. The ramp is a commerce and a transportation issue.

Chuck Martin, President, Alliance of Portland's Neighborhood Business Associations, said the Alliance represents the business community in its entirety and does not normally take a position on an issue germane to only one of the member associations. But this issue seems to impact all Portland's business communities. Mr. Martin, referring to the just-released five-year plan from the Portland Development Commission, noted that one of the 12 target areas is the Central Eastside Industrial Sanctuary (CEIS) and the report's first seven words are "to support business and property owner goals." The conceptual issue bothersome to the business community is that of detrimental reliance. When businesses make land, building and employee investments in the City, they rely on City Council and on some continuum from them. Mr. Martin said it was unfair and in the dirty tricks category that, after four years, Council turned around.

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John S. Bergeson, 3114 NE 35th Place, 97212, said there are a number of east-west arterials; however there is no east-west arterial between MLK and SE 82nd. He said the loading/unloading railroad ramps are strongly affected by access and the timing for truck drivers is crucial to their livelihood and, with more people, will become worse.

Howard Glazer, 2378 SW Madison, 97205, said the minority report raises serious questions about the access problem being more rhetoric than reality and suggests some reasonable, modest alternatives.

Arden Benson, 720 NW Front Avenue, D-12, 97209, said he favored the ramp but did not favor moving the freeway.

Mayor Katz pointed out that there was nothing in the items today that references moving the freeway and asked that testimony not address that.

Randy Miller, President, The Moore Co., 1 SE Produce Row, said it was embarrassing for everyone that Council reneged on prior Council commitments and that even more money has been spent on another study, which came to the same conclusion. Mr. Miller said there were more jobs in the Central Eastside in the 50's than there are today, although that could change with the ramp. He said the ramp meets several Prosperous Portland goals.

Don McClave, President, Portland Metropolitan Chamber of Commerce, 221 NW 2nd Avenue, 97209, said the City had done a wonderful job of rebuilding the downtown but not such a wonderful job of anticipating, planning for and stimulating economic growth in other parts of the City. He said that redevelopment is absolutely crucial to the City's future and part of that redevelopment must be the ability of primary industries to manufacture and ship products. The Prosperous Portland plan is a remarkable first step in developing an economic agenda and Central City 2000 will add to that and specify industries that could be sited in the City which might create Eastside family-wage, accessible jobs. Mr. McClave asked, if the resolution is voted down, that Council recognize the fact that transportation needs will not go away and fast track a real, solid transportation plan for the future.

Bob Belcher, 1533 NE Stanton Street, raised the point that the current job market is shifting away from manufacturing to service and information, obviating a need for this ramp.

Commissioner Blumenauer asked if Mr. Belcher thought the

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Comprehensive Plan of the late '70's, the '80's Central City Plan and the current 2040 Plan insufficient as they relate to the Central Eastside.

Mr. Belcher said they were urging consideration of a really well-integrated transportation system, but everything heard today is automobile-related. He recalled that one speaker talked about more arterials to move more cars. For instance, more light rail would provide alternatives to get to work. The planning was a good framework but the stress should be on better integration of light rail and bus transit.

Cherry Harris, International Union of Operating Engineers Local 701, said her union is involved in dredging and railroad, airport, road and highway construction. She said the business of transportation and distribution directly impacts one quarter of the jobs and accounts for more than \$3 billion in business income each year in the metro area. Efficient and cost-effective movement of freight is essential for Portland to compete. The Union believes the lack of Central Eastside southbound access is a weak link in the seamless flow of goods.

Ray Polani, 6110 SE Ankeny Street, Chair of Citizens for Better Transit, said his committee agreed with the minority report, especially in hopes that the freeway will eventually be moved. He said the Eastside is on its way to be an integral part of downtown.

Jim Howell, 3325 NE 45th Avenue, 97213, said the ramp would give poor access to the Eastside because it draws traffic across the Southern Pacific mainline and will become a bottleneck in the future with traffic increase. He noted that there was an option to rebuild the MLK, Jr. Boulevard viaduct, built in 1937, which is in very bad condition. The money to do so would be less than the Water Avenue ramp and the viaduct carries 100,000 cars a day. Mr. Howell emphasized that infrastructure repair was far more important than building something new.

Irvin Mandel, 1511 SW Park Avenue, 97201, said testimony so far indicates that without the ramp jobs and business will be lost, the whole transportation system will collapse and the UGB will have to expand. He did see that moving the freeway and building the ramp were intertwined.

Jerry Powell, 1441 SW Harrison Street, member of the Goose Hollow Foothills League, said he was a planner, an urban economist and owned a mixed-use building in Central Eastside which exists and is a viable economic building because of the lack of access. He argued for the use value, not redevelopment value, of the area -- a valuable resource.

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David Newton, 1644 NE 153rd Place, 97230, said the effect of the City's reneging on the original commitment to build the ramp is serious for business and noted that OMSI moved to the Eastside with the assurance, during the planning stages, that south- and westbound access would be available. He also mentioned the convoluted routes necessary for travel to the Eastside from the west.

Alex Pierce, 650 NW St. Helens Rd., 97229, said the Council's focus should be long-range planning and the Water Avenue ramp is short-range. He said the creation of McCall Waterfront Park was once a pipedream as has been said of moving the Eastbank freeway.

Deb Dannevik, Managing Director of the Oregon Trucking Association, 5940 N. Basin Avenue, said the Association represented more than 1,000 members employing more than 10,000 people, most of whom live in the metro area. The companies are diverse, from family-owned to international, and rely on a good transportation system. The trucking industry has a saying, "if you got it, a truck probably brought it." She emphasized this was more than a transportation issue, it was ultimately an economic issue.

Connie Hunt, 365 N Lotus Beach Drive, said her business in Central Eastside was in a building that was part of the Historic West Block, constructed in 1892 and 1896 and if her 100-year-old building could speak it would ask, "where's the ramp."

Moshe Lenske, 4314 SE Crystal Springs Blvd., 97206, said the Task Force majority was by one vote so there is a nearly even split between the majority/minority views. There is the possibility of fast rail between Vancouver, B.C. and Eugene and freight use of the same track is rapidly increasing but the ramp would be in conflict with this rail corridor, present and future, and would be in conflict with the North/South light rail Eastside line.

Commissioner Lindberg asked Mr. Lenske about his statement regarding westbound trucks.

Mr. Lenske cited an ODOT report that questioned the ramp plan where any vehicle going westbound would need to cross two freeway lanes, which is a serious safety factor.

Garry Papers, Chair of the American Institute of Architects, Portland Chapter Urban Design Committee, 315 SW 4th, 97204, said his committee advocates careful, wise integration of land use and transportation planning and has actively monitored changes in Central Eastside for years. There may be two different versions of the Central Eastside but they are not

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incompatible. It could be a vigorous mixed-use district with jobs, transportation and industry meshed with retail, housing and recreation. However, it may not occur surrounded by 60's era transportation systems, cut off from the waterfront and operating with a siege mentality. Mr. Papers' committee is strongly in favor of the minority report.

Cathy Galbraith, Executive Director of the Bosco-Milligan Foundation, 615 SE Alder No. 303B, 97214, said labeling the ramp as a new freeway project is incorrect -- it is an access project planned for, counted on and anticipated for decades to make the regional transportation system work for Central Eastside. She believes the unrealistic Ross Island Bridge alternative screams out that there is no point in destroying streets, businesses and neighborhoods never built for freeway levels of traffic, nor does it separate out local and through traffic. Ms. Galbraith pointed out that when the Central City Plan was adopted, it endorsed the Water Avenue ramp.

George Crandall, 1445 NW 30th Avenue, said he was spokesperson for 15 American Institute of Architects (AIA) fellows and provided Council with a letter signed by them. He said these experienced members of the design community were major players in creating Portland's nationally-acclaimed Central City. They found that all of the access alternatives were seriously flawed. He said Council should initiate and complete a comprehensive planning effort to establish a long-term Eastbank transportation and land-use framework plan. There is no such plan now.

Dorothy Hall, 1724 SE Grand Avenue, 97214, President of the Central Eastside Industrial Council, made a statement in support of the ramp.

Lynn Lehrbach, 825 SE 205th, said he was representing the Joint Council of Teamsters, Columbia-Pacific Trades Council and the Oregon Heavy Highway Council. He said they were all in support of the ramp and, with recommendations going back to 1980, suggested a memorial library to house all the information. Mr. Lehrbach said the Council could help ensure the future employment of the thousands of members he spoke for who are proud, productive citizens.

Walter Valenta, 11919 N Jantzen Avenue, said the City did look under all the rocks in exploring access. He said building the ramp and removing the freeway were not mutually exclusive. He noted that the McLoughlin connectors and Greeley/Banfield are more logical for the freeway's current configuration and also much more expensive than the ramp.

Mayor Katz asked about the Mr. Valenta's reasoning in the comment that it was probably a good thing for the rail tracks to be there as a point of access to the ramp.

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Mr. Valenta said if the railroad were gone it would be better but the fact that it is there will actually discourage people from using the ramp.

Richard Lishner, 2545 SE 37th Avenue, 97202, said the first step towards a great urban park on each side of the river is Council's decisive rejection of the Water Avenue ramp. He said cars would be the majority to use it and that every time Portland has rejected the automobile, it has won.

Peter Fry, 722 SW 2nd Avenue, Room 330, 97204, said he was working with a planner to develop a plan for the Eastbank freeway; to actually dictate an engineering study and initiate a 50-year plan to reconfigure the freeway from the Fremont to Marquam Bridges. Mr. Fry said that OMSI and the area around it was rezoned to higher density uses with the idea of access.

Dennis Derby, 7720 SW Macadam Avenue, 97219, said he was the 1993 Chair of the Willamette River Eastbank Advisory Committee, which recommended the Water Avenue ramp and he has not changed his opinion. He noted the idea of the combination of the ramp and a commercial public plaza from OMSI to the Steel Bridge (Rose Garden), which could in time expand eastwards.

Ken Swan, 3225 NE 28th, 97212, said he was a former Teamster and was with PDC as coordinator of the Central Eastside urban renewal plan. His experience supports his view that the ramp access would benefit not only the Central Eastside but the greater Portland downtown area, Hollywood, etc.

Worth Caldwell, 20 NE 14th, 97232, said he was the Chair of the Central Eastside Industrial Council last year and had been a businessman in the area for over 40 years. Citing the 2040 Plan, he noted it calls for 75,000 new jobs in the City, a worthy goal that the ramp will facilitate.

Commissioner Blumenauer said no matter what the vote was today, this issue would not go away. He cited information from Michael Powell, a volunteer on the Port of Portland Commission, who counted five different ways to access the southbound freeway on the west side of the river. But, on the east side, an area with a great deal of industrial activity and many people, there is no southbound access. There is consensus that the location of the Eastbank freeway is the worst urban design decision ever made in Portland. He said he has learned in the City's fight to revitalize North Portland that the freeway went through on the East side without a thought for the neighborhoods when it could have served industrial areas with less impact on the West side. Commissioner Blumenauer said the freeway would not become safer and more efficient until the City can reconcile with the Port, the transportation commission, regional transportation partners

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and, according to the Council's own polls, the majority of Portlanders. Central Eastside should not be sentenced to just surviving. The reason the ramps are in every regional transportation plan, the reason the Port of Portland voted unanimously for this to go forward, was because you are not going to have regional transportation function continue in the future as the Central City becomes more and more congested. The deliveries, being able to move quickly, are critical. Businesses will find it one way or another. It is not a case of growing more jobs, but killing what is there. This does not just speak to a few businesses, the chamber of commerce and all business associations, but all our regional partners who have identified this as the number two priority and who, even in these hard times would find a way to carve out the resources. It is the fact that the City keeps coming back and looking -- the comprehensive plan from 1981 has this vision and it was revisited with the Central City Plan in 1989. The regional 2040 Plan and the regional transportation plan have the ramp in them. We have a planning process and the Council needs to keep faith with it. Last, and most significant, the issue is whether the Council fulfills its responsibilities. The last two citizen task forces were hand picked and he stayed arms' length away because he believed the ramp should be built and did not want to taint the studies. The hand-picked committees came back and said build the ramp. There is a responsibility to listen to the citizens we empowered to give advice. Moving the freeway for billions of dollars is not the priority in the way that \$20 million for the ramp us: it would save millions of dollars of productivity and prevent deterioration of the jobs now in place. The City has repeatedly made a commitment to build the ramp. We need to keep faith. Council is asking Portland's citizens to do more than anywhere in the country to cope with future growth and change. Asking them to have neighborhoods that look different and to take Council at its word that infrastructure will be in place. Citizens need confidence that they can rely on Council to listen, set priorities and keep its commitments. The majority report gives an approach for southbound access and the minority report does not like the charge. This issue will not go away until it is solved.

Commissioner Hales said the task force, both majority and minority opinions, looked at all of the alternatives and gave Council some new, valuable information. In reference to the vote Council took in 1993, he said there is a perception that it is reneging on a promise. The Eastbank, the Mt. Hood, the Laurelhurst and a number of other freeways were in a report adopted by Council and proposed by Robert Moses in the 1950's. Had the report been followed slavishly by all ensuing Councils, a lot of historic buildings would have come down and other neighborhoods would have been adversely affected like those for the Minnesota freeway. Some changes since late 1993 are that transportation dollars are in short supply and in all seven community budget forums the Council heard the importance of neighborhood traffic projects. Commissioner Blumenauer has rightly

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proposed to put General Fund, i.e. property tax dollars into building and maintaining streets and bridges, which used to rely on the gas tax. There are so many transportation needs and problems to be solved with so few resources. The original, old state highway, two lanes with gravel shoulders, is the main street for a lot of Southwest neighborhoods. It was handed over to the City and there was an excellent report on how to make it into the City street system. However, there is no prospect to finance the improvements. The Water Avenue ramp's low estimated cost would cover all 23 phases of that project and put \$10 million into the renovation of the MLK/Grand viaducts and have \$3 ½ million left over for something else. Another change is there is more information on the need for the ramp. The fourth thing learned is that there is major growth in construction and employment in the CEID going on right now. Commissioner Hales said the proponents' argument is weak -- the freeway is in the wrong place, this is a questionable design but is the best we can do-- and asks for scarce dollars.

Commissioner Kafoury said that when she came to the City in 1991, she came with a long history of opposition to the ramp. With the majority of the Council, she voted no in 1993 as she believed something could be done to help the CEID and their issues. She noted she was rarely uncomfortable with positions she takes on Council, but was with this one as she felt they were changing a commitment they made and it sent a bad signal about the credibility and dependability of Council positions on major issues. Commissioner Kafoury disagreed with Commissioner Hales that they were still adopting things from the 1950's with this ramp. This was a decision made in 1988-89 and carefully thought out. In the two plus years since the vote by this particular group, she said she had changed her position because, in that time, they have not moved ahead with some things in the Prosperous Portland resolution or found an alternative that begins to satisfy traffic demands, which are not just truck traffic. Another task force was appointed to do another study and made another recommendation in favor of the ramp. She thinks Council discredits themselves to use that process and then repeatedly turn the recommendations down. The City's 1989 commitment was not made in a vacuum, but was detailed in a lot of strategic planning and Portland's planning is the best in the world. The ramp was not just suggested, it was recommended. After all this time, Commissioner Kafoury said she has no confidence that there are any alternatives and the minority report did not find any. Anecdotally, she mentioned that Portland was probably the only city in the country to put a major sports arena in the heart of the city because there was access to the freeway. She hoped this would be end of the debate not only on the ramp but about the freeway being a mistake as it is here and it is being used in constructive ways. She said she was voting for this not for the '40's, but the 2040's.

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Commissioner Lindberg said, after opposing the ramp twice in the past, this is his third vote. He put the issue in the larger context of the Willamette River, noting that in 1984 Mayor Clark gave him an assignment called the Willamette River Development Project -- to take the river, the heart of the City, and turn it into a true economic, recreational and spiritual focal point. The river's water quality has been improved and there have been many other riverside improvements. He said the commitment to the Eastside esplanade in PDC's new five-year plan allows an aggressive go-ahead on that project. This task force was appointed to find a better freeway access and none was found, which is the crux of this dilemma. Commissioner Lindberg said he thinks the Eastside will become stronger, which is not dependent on building the ramp. A great many planning reports have noted the underutilization of the river's east and west sides and he said the redevelopment of the Eastside esplanade is a key to the river's revitalization, but it will be severely compromised with the addition of the Water Avenue ramp. He said the ramp was agreed to 28 years ago but now do we look back at what was best in 1977 or look at the kind of City we want in 2007. He opined that orienting to the future was much more important and he has yet to abandon the dream of removing the freeway. He said it gave him a perspective to hear testimony about what has not been built and there are times the City has been better off for it.

Mayor Katz said when she joined the Council she thought this decision was already made as Council had voted to build the ramp. In bringing this back, it gave some an opportunity to reexamine it and to rethink the City. She said she was framing her remarks in the context of her personal commitment to recognize the full economic potential of the Central Eastside. She said the Council and citizens are chipping away at Prosperous Portland the same way they are at the Albina Community Plan, the Outer Southeast Plan, the Capitol Highway Plan and the PDC Five-Year Plan that identifies the Central Eastside as a critical component to the City's health. The Central City 2000 Task Force extended the core of the City north, south and also east and the Water Avenue ramp was on the list. Mayor Katz said she was surprised that no one addressed some of the other things on the list. She said new things were learned with the second Task Force, such as truck count estimates and future rail activity, that would limit the ramp's use by heavy commercial vehicles. She said she keeps looking at the price tag and finds it ironic that the people testifying to support the ramp were nowhere when the legislature needed the resources for the gas tax for much needed improvements all over Portland and regionally. The ramp would cost \$23 million and it would not be built until 2005. The Task Force Majority Report said ..."improved connections from the CEID to I-5 South and Sunset freeway are not needed for volume capacity. The freeway access improvements are needed primarily to service commercial traffic and goods movement, not to provide additional capacity for commuter traffic."

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Therefore, the issue is much narrower than was heard today. She would and will spend that money in the CEID to meet the commitments identified in Prosperous Portland, the PDC Five-Year Plan and Central City 2000, which would make better economic sense. None of the alternatives address reducing current or future traffic congestion on streets or the freeway system. At the SE Stark and Clay grade crossings there is an average of 14 freight trains and four Amtrak trains a day for a combined total of one and one-half hours a day. ODOT estimates rail traffic may double in the next ten years, not even considering future transit light rail or high-speed rail. The Central Eastside is continuing to develop economically and not just for heavy industry, as was documented in the Minority report. There were 19,340 jobs in 1990 and 20,773 in 1994 (the latter being up 25 percent from 10 years ago). These figures do not reflect employers with five or less employees, which is a lot of the job growth. Mayor Katz said the ramp will not meet the needs of this growing area, not meet growing volume and capacity needs and not enhance the flow of commuter traffic. Future transportation needs cannot be anchored on the Water Avenue ramp -- that is a response to the past.

Mayor Katz said the resolution to reaffirm commitment to Prosperous Portland, an important statement the Council was making, got lost in the rhetoric on the ramp. Since even the second Task Force was appointed, much has happened, such as establishing the Central City 2000 Task Force to reassess the Central City needs and the Central Eastside Industrial Council presented a strategic outline for economic development. PDC's Five-Year business plan does not have enough money to fund all that was in the strategic outline, but has identified some priorities: Water Avenue extension; Belmont/Main project; Eastbank Riverfront Park; and MLK/Grand storefront project. She said this last resolution was a way to reunite us at least for now so we can get to the solid, constructive work to be done. A key goal of the Central Eastside is to expand the employment base to 40,000. Limited resources require wise investments, such as assisting market forces to flourish and any future task force look at a 50-year transportation goal will have a much broader perspective than a ramp. Mayor Katz said she was going to scold some people who demand a vision from their elected officials but slap them down sometimes when those visions are stated. While voting no on the ramp, she committed herself to continue to work with the Central Eastside.

In voting aye for Item 177, Commissioner Blumenauer said that Commissioner Hales' comment that the \$20 million from the State could be spent on Capitol Highway might have been confusing. These are different pools and there is a tiny bit of regional money and it is very unlikely that State and regional partners will give the City the money for local improvements as they would for a regional facility. He said, although he

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would vote aye for Item 178, that resolution was silent about what the Council said it would do, which was to work for southbound access.

Commissioner Hales said he understood the distinction but, as Commissioner Blumenauer pointed out many times, all those pools have a lot less in them than they used to and each time one is ladled out Council needs to make sure that the project is justified.

Disposition: Placed on File.

177

Accept the I-5 Southbound Access Alternatives Study report and recommendations of the Access Advisory Task Force and direct Office of Transportation staff to prepare recommendations to City Council for implementing the Water Avenue on-ramp project (Previous Agenda 55)

Disposition: Failed to Pass. (Y-2, Blumenauer and Kafoury; N-3, Katz, Hales and Lindberg.)

178

Reaffirm commitment to "Prosperous Portland" economic development policy for Central Eastside target infrastructure development and give priority consideration to anticipated Central City 2000 Task Force development recommendations for the Central Eastside (Previous Agenda 56)

Disposition: Resolution No. 35493. (Y-5)

At 6:00 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland

Britta Olson

By **Britta Olson**
Acting Clerk of the Council