



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 1ST DAY OF APRIL, 1998 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Hales and Kafoury, 4.

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council; Ben Walters, Deputy City Attorney; and Officer Chuck Bolliger, Sergeant at Arms.

Agenda Nos. 358, 361 and 370 were pulled from Consent. On a Y-4 roll call, the balance of the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

- 356** Accept bid of Wesspur Tree Equipment, Inc. for one trailer-mounted, conveyor-fed brush recycler for \$192,000 (Purchasing Report - Bid 98123)

Disposition: Accepted; prepare contract.

- 357** Accept bid of Pacific Utility Equipment Co. for sixty-four light bars for police patrol sedans for \$71,040 (Purchasing Report - Bid 98142)

Disposition: Accepted; prepare contract.

Mayor Vera Katz

- 359** Authorize preparation of Ordinance regarding options for the collection of urban renewal taxes in each existing urban renewal area (Resolution)

Disposition: Resolution No. 35682. (Y-4)

- *360** Authorize Limited Tax Revenue Bonds, 1998 Series A (Ordinance)

Disposition: Ordinance No. 172108. (Y-4)

Commissioner Jim Francesconi

- *362** Authorize a purchase order with Clark County, Washington to purchase 800 MHz radio system electronic equipment for \$85,743 and provide for payment (Ordinance)

Disposition: Ordinance No. 172109. (Y-4)

APRIL 1, 1998

***363** Contract with US West Communications, Inc. for frame-relay and ATM wide area network services (Ordinance; supersedes Contract No. 50409)

Disposition: Ordinance No. 172110. (Y-4)

***364** Authorize application for a grant from Symm's Fund for Recreation Trails Program in the amount of \$5,000 for FY 98/99 to design and construct an interpretive sign along Springwater Corridor (Ordinance)

Disposition: Ordinance No. 172111. (Y-4)

***365** Amend contract with LGA Architecture to include additional services for renovations to the Community Music Center in the amount of \$9,461 (Ordinance; amend Contract No. 30116)

Disposition: Ordinance No. 172112. (Y-4)

Commissioner Charlie Hales

366 Accept the SW Patton Road/Broadway Drive slide repair project as complete, approve Change Order Nos. 1 through 4, and release retainage (Report; Contract No. 31005)

Disposition: Accepted.

***367** Contract with St. Vincent dePaul Rehabilitation Service, Inc. to provide electronic backfile conversion services for the Bureau of Buildings plumbing records (Ordinance)

Disposition: Ordinance No. 172113. (Y-4)

***368** Two agreements with the Oregon Department of Transportation to provide for the repair of landslides from the storm events of 1996 (Ordinance)

Disposition: Ordinance No. 172114. (Y-4)

***369** Authorize a State Historic Preservation Office grant application requesting \$38,750 to augment funding of the program to prepare National Register Nominations for Historic Landmarks and Districts in the City of Portland (Ordinance)

Disposition: Ordinance No. 172115. (Y-4)

Commissioner Gretchen Miller Kafoury

***371** Authorize a purchase order with Zoll Medical, Inc. for purchase of ten semi-automatic defibrillators for \$94,299 without advertising for bids and providing for payment (Ordinance)

Disposition: Ordinance No. 172116. (Y-4)

APRIL 1, 1998

Commissioner Erik Sten

372 Pay claim of Michael D. and Mary T. Sallee (Ordinance)

Disposition: Passed to Second Reading April 8, 1998 at 9:30 a.m.

*373 Authorize the Director of the Bureau of Environmental Services to approve an Intergovernmental Agreement between the Bureau of Environmental Services and Portland State University for a water quality study in the Columbia Slough (Ordinance)

Disposition: Ordinance No. 172117. (Y-4)

374 Authorize an agreement with KJM and Associates for an amount not to exceed \$50,000 to perform miscellaneous engineering services in the area of fiscal management and provide for payment (Second Reading Agenda 339)

Disposition: Ordinance No. 172118. (Y-4)

375 Authorize an agreement with Beak Consultants, Inc. for an amount not to exceed \$50,000 to perform miscellaneous engineering services in the area of natural resources and provide for payment (Second Reading Agenda 340)

Disposition: Ordinance No. 172119. (Y-4)

REGULAR AGENDA

358 Accept bid of Valley Iron and Steel Co. for twenty-five twin ornamental street light poles for \$83,000 (Purchasing Report - Bid 98145)

Discussion: Commissioner Hales said he erred in asking for this to be pulled.

Disposition: Accepted; prepare contract.

S-*361 Authorize the City Treasurer to accept payment for fees, services and contracts for the Construction Project Manager Training Program and establish a special account in the Trustee Fund of the Office of the Mayor (Ordinance)

Discussion: Commissioner Francesconi moved to accept the Substitute. Commissioner Hales seconded and, hearing no objections, the Mayor so ordered.

Disposition: Substitute Ordinance No. 172120. (Y-4)

S-*370 Authorize the Purchasing Agent to receive quotations for cast iron street light poles from prequalified suppliers without advertising for bids (Previous Agenda 328)

Discussion: Commissioner Hales moved to accept the Substitute. Commissioner

Francesconi seconded and, hearing no objections, the Mayor so ordered.

Disposition: Substitute Ordinance No. 172121. (Y-4)

355 **TIME CERTAIN: 9:30 AM** - Accept the Emergency Response Classification Study Report and Recommendations and Emergency Response Streets Map (Resolution introduced by Commissioner Hales)

Discussion: Commissioner Hales said this is a success story on the part of two City bureaus and a citizens advisory committee which took on the seemingly intractable problem of trying to provide rapid fire response throughout the City and at the same time respond to citizen demands for traffic calming on neighborhood streets. He thanked the Citizens Advisory Committee for coming up with a great solution, one he expects will make a lot of sense not just today, but 20 years from now.

Goran Sparrman, Portland Office of Transportation (PDOT), Bureau of Traffic Management (BTM) said this solution, the result of a two-year process, should meet the needs of both BTM and the Fire Bureau. It fulfills the need of BTM to identify those streets which are candidates for traffic calming and those whose primary function is to provide access for emergency vehicles. The intent is to adopt a route system classification as part of the Transportation Element of the City's Comprehensive Plan. He noted that while the study was underway, a number of potential traffic calming projects were frozen and passage of this resolution clearly identifies those streets which are candidates for traffic calming projects and those which are not.

Ed Wilson, Fire Bureau Division Chief, Emergency Operations, said this is a workable solution to an issue that has been unresolved for the last several years. The Committee has done an excellent job in coming up with the recommendations outlined in the Emergency Response Classification Study, which the Fire Bureau recommends Council adopt. He said this work has allowed the two bureaus to develop cooperative relationships which should help them find solutions to other issues as well.

Monique Wahba, Project Manager, Transportation Planning, said this resolution calls for policy changes to the Transportation Element which will aid PDOT and the Fire Bureau in determining a street's eligibility for traffic-slowng devices, planning capital improvements, siting future fire stations and routing emergency response vehicles. These policies will eventually be incorporated into the larger Transportation System Plan and adopted by ordinance. The major issue dealt with in the study is that while certain traffic calming devices, specifically speed bumps and traffic circles, are very effective in slowing traffic they also slow emergency vehicles, delaying emergency response efforts. Fire Bureau and Transportation staff first tried to resolve this issue on a case-by-case basis whenever a new traffic-slowng project was proposed. However, that process was ineffective and today they are presenting a better way of resolving the issue, which is to take a policy approach that balances the interests of both bureaus and uses existing traffic classifications to develop a new emergency response street classification. The outcome is a new system of major and minor emergency response streets. Major streets are not eligible for traffic slowing devices, while

APRIL 1, 1998

minor streets are. Policy provided the direction for selecting the major emergency response streets. The first streets selected were the higher arterials, district collectors and above. Non-residential neighborhood collectors, also ineligible for slowing devices, were selected after that but, to get the grid needed, they had to select some residential neighborhood collectors as well, sparing local service streets as much as possible. Other factors considered in selecting routes were the location of existing fire stations, the spacing and connectivity of emergency response spaces (they ended up with half-mile spacing), and topography.

To illustrate how selective the process was, Ms. Wahba compared the former fire routes map with the new one. She noted that there were some tradeoffs. The City gets an emergency response network which ensures prompt response but some streets lose their eligibility for traffic slowing devices. The Citizens Advisory Committee recommends that these streets receive higher priority for increased education and enforcement, the other tools available to calm traffic. The report also recommends that the bureaus work cooperatively on the problem of speeding on neighborhood streets.

Ms. Wahba said some of the streets selected as major routes already have traffic slowing devices on them, for instance NE 15th, SW Sunset and SW Shattuck. The Transportation and Fire Bureaus have agreed to retain existing devices on these streets but no future devices would be allowed. In addition to adoption of the street classifications, the study recommends that Council adopt a new Emergency Response Policy which recognizes the transportation system's role in facilitating prompt emergency response and defines how the new classification will be used. It also recommends a revised traffic calming policy which reflects the consolidation of the collector recovery and the local service street traffic management programs into one program. It also clarifies when diversion is acceptable and recommends a revised implementation section on emergency response that deals with such issues as what happens on streets ineligible for traffic calming and on major routes. Finally, the study defines the role of various bureaus in traffic-calming project development and recommends new glossary definitions. Ms. Wahba thanked the seven-member advisory committee as well as staff members in both bureaus for their work on this project.

Mayor Katz asked whether the speeders have been identified. Are they the neighbors themselves? If so, staff needs to think what other techniques need to be considered down the road.

Mary Devlin, representing the Citizens Advisory Committee, said the Committee helped staff in developing the classifications and in organizing and implementing the open houses. Criteria were developed to provide benchmarks so the committee could measure its progress along the way. The criteria included allowing for prompt emergency response while at the same time protecting residential streets from excess traffic speeds. They also wanted a process that was flexible and would respond to changes over time. She said balancing two critical public safety needs -- slowing traffic and providing prompt emergency response -- was very important. The committee had to work hard to get to consensus but everyone was committed to reaching a good solution and the focus on policy helped them see beyond the details. This agreement provides an excellent model for bureaus trying to reach good solutions through consensus.

APRIL 1, 1998

Ms. Devlin said the committee wants to emphasize the importance of looking beyond the recommended engineering solutions and consider increased enforcement and a comprehensive educational program about responsible driving. Responding to the Mayor's earlier question, she said speeders are our neighbors and sometimes they are "us," herself included. Educating neighbors that they are the ones who are speeding and taking the cut-throughs is an important piece.

Commissioner Kafoury asked if the police were involved in the committee's work.

Ms. Devlin said the police did attend one meeting and were supportive, insofar as they could be considering their budget restraints at the time. For them, it is a money issue.

Commissioner Francesconi asked if the committee gave any thought to how the educational component should be approached.

Ms. Devlin said they would like to have Council convene another group to take a broad look at the issue and also see if there are alternative ways to fund this.

Rebecca Robbins, Advisory Committee member, said she got involved because of the traffic speeding problem on her street, SE 49th Avenue. While she supports the recommendations made today she has serious misgivings because the traffic calming program is seriously underfunded and unable to do more than a limited number of projects each year. She said Portland continues to get national recognition for an innovative program and yet the reality is that not much work is actually done. Citizens are directed to this program as a solution and yet streets like hers get a ranking of 150 on a list of projects where only two or three are done a year. That is not good enough. Something should be done, whether it is traffic-calming devices, more enforcement or education, one of the most cost-effective ways to change behaviors.

Mayor Katz asked if she had specific ideas about the education component.

Ms. Robbins said a tremendous amount of information comes out in the Traffic Bureau's statistics about traffic counts and how many people are speeding. She said traffic's effect on quality of life can also be expressed and she believes drivers could better understand the impact of their behavior.

Greg Swanson, Advisory Committee member and a resident of the Foster-Powell neighborhood, said Foster has a reputation as a "freeway" so he is well aware of the traffic problems the City faces. Serving on the committee gave him an opportunity to work with City staff who normally are invisible and who he found to be excellent and cooperative. The committee felt frustrated in that the ultimate solution, enforcement and education, was beyond the scope of their task and another committee does need to be formed to deal with that. Law enforcement is just the first step, a screening tool that can assess how many are repeat offenders. People should be taught at an early age that use of public streets and having a driver's license are privileges, not rights. He said a great deal more could be done to enforce speed limits on heavy-volume streets. If the population does double by 2040, as predicted,

APRIL 1, 1998

and the percentage of violators does not change, that is a heck of a lot of violators. Along with enforcement, there is room for a change in the court system. Fines could be increased and violators could be screened to see why they are violating the law and if they are repeat offenders.

Mayor Katz said this may be an opportunity for Transportation and the Police to get together with this committee to explore a variety of options, identify best practices across the county and determine what works and what does not.

Matthew Aho, Citizens Advisory Committee member, 8505 SW 87th Avenue, said this is a model process that could be applied on similar projects as they arise. Other cities will follow Portland's lead in resolving similar conflicts between traffic management and emergency response. He said having a neutral facilitator was the key to keeping the committee on track and coming in on time. There was an emphasis on education early on and the committee focused on issues rather than specific citizen or bureau positions. He urged Council to consider the measures listed in Appendix C, which are valuable even though not appropriate for inclusion in the Comprehensive Plan. Especially important is the one calling for Portland to continue to be a leader in exploring new technologies in traffic management. Enforcement should mean something more than just a slap on the wrist. Mr. Aho suggested forming a non-profit organization to specifically look at traffic calming and pedestrian safety issues. One organization that could take a more active role is the Office of Neighborhood Associations.

Jennifer Young, Parkrose Association of Neighbors and Citizens Advisory Committee member, cited the phrase on Page 6 which states: "streets rendered ineligible for traffic slowing devices should be given higher priority for non-engineered solutions to the problems of excessive speed, i.e. education and targeted traffic enforcement." She is concerned with the City's withdrawal of financial and personal support for sustained livability programs, such as Speedwatch and the Reclaiming Our Streets team. She acknowledged that Transportation is currently suffering from a revenue shortfall due to decreases in the gas tax but before PDOT begins to create empire-building projects with federal dollars, Council must find long-term funding solutions and commit funds to the neighborhoods. Neighborhood livability is not outdated jingoism, as Mr. Sparrman seemed to infer at one meeting, but a responsibility Council needs to address now. Citizen groups should not be dismissed as expendable whipping boys due to the lack of Transportation funds.

Bob Sallinger, Portland Audubon Society, said the Society supports the proposed plan. He noted the speeding problem on NW Cornell, where the Society is located, which has resulted in numerous accidents and one death. Speed bumps were recommended as a solution but that was thwarted by the previous emergency response route system. They believe the new system will probably alleviate those concerns. The Society is concerned, however, that so little money is budgeted for traffic-calming measures. A plan with no funding behind it will be meaningless and since police enforcement is being diverted to areas not eligible for traffic calming, they are likely to see less police enforcement on Cornell as well.

Mr. Sparrman said the Reclaiming Our Streets Implementation Team was discontinued due to the lack of funds. He did not mean to imply that neighborhood livability is an outdated

APRIL 1, 1998

concept but tried to explain to the Advisory Committee the difficult balancing challenges Council faces regarding Transportation. A way to continue the Team's activities without specific funding support from the City is currently being sought. Transportation studies and national research studies do indicate that speeders tend to be people who live not very far away. On a local street, up to 80 percent of speeders are most likely to reside in that particular neighborhood. On streets with significant cut-through problems, however, motorists come from further away. Through its educational programs, Transportation has been trying to make neighborhood residents aware of how their behavior impacts where they live. He also noted the funding problems that are forcing PDOT to curtail outreach activities such as Speedwatch. On a more positive note, PDOT does have a rapidly improving partnership with the Police Bureau. He said Captain Nelson of the Police Bureau has done a very good job of tackling key speeding locations throughout the City. Tools such as photo radar have helped too.

Mayor Katz noted that photo radar is a money loser and she will suggest at the next Legislature that resources be allocated differently. Right now some of the recipients of those resources do not provide any service. For instance, there is a jail assessment, although she doubts very much that many speeders are sitting in jail. It appears to her that the City is currently losing more than \$100,000 a year on its photo radar program. She asked if there was any technology that would allow photo radar to be posted on street lights or on intersections without requiring the presence of a police car and officer. The City cannot afford to put a police officer on every speeding street and it would be helpful to know if modern technology can help in this area.

Mr. Sparrman said there is a net cost associated with each speeding citation, whether issued by an officer or photo radar. (Photo radar is somewhat cheaper.) He described some of the technologies that the Bureau has been investigating, including a camera that takes photos of automobiles that run red lights. It would require statutory authority from the State first, however.

Mayor Katz said if it is available, the cost should be identified.

Commissioner Francesconi said there are two public safety concerns that conflict here, although little testimony has been heard about the need for fire and other safety vehicle access. On the other hand, the number one public safety issue identified in the neighborhoods is traffic. It took a citizens group to find the balance. He acknowledged the three approaches recommended regarding traffic safety: 1) more law enforcement; 2) use of technology; and 3) a public education campaign. He called for a campaign similar to what was done to promote seat belt use, to make people aware that the problem is "us," not "them." Taxpayers cannot afford the engineering or enforcement solutions by themselves. That message needs to come from the Citizens Advisory Committee as opposed to the Council.

Commissioner Hales said this is a serious public safety problem as about as many people died in Portland last year from residential fires as did pedestrians from being struck by motor vehicles. The citizen and staff team did a very effective job in balancing the two goals and did more than was expected in the engineering area. Their work has highlighted the need to

do more education and enforcement and the City should build on the momentum created here. For instance, it should see what needs to be done at the next Legislature to get the tools to make neighborhoods safer and determine where photo radar and conventional enforcement should be targeted. Once again the City is a national model and inquiries about the program are coming in from around the country. Now it is time to do just as serious a job on education and enforcement as the Committee has done with engineering and he hopes the current Advisory Committee will continue to help with these tasks.

Commissioner Kafoury said people need to be reminded that a major portion of the Fire Bureau's responses are not to fires but to medical emergencies and the capacity to get vehicles to them remains critical. She agreed with citizen testimony that the City sometimes goes for high-cost projects while ignoring the modest investment needed to get citizens working together to make changes. She would like to review PDOT's budget over the next few weeks to see if there is some way to provide staff support for these kinds of traffic safety programs, which the neighborhood has identified as critical.

Mayor Katz said she has talked to the Police Chief about raising the level of community policing another couple of notches. Part of what has been described this morning is community policing in transportation. How does one get citizens involved, whether with the Fire Bureau, the Office of Transportation or the Police Bureau, on the issue of speeding? She does not have the answers today but would like the Committee to continue to come up with some creative ideas as it is not possible to have officers on every street where there is speeding. Her first priority is to have as many officers as possible available to respond to 9-1-1; the second priority is to allow officers to use 30 percent of their time for problem solving in the community. Although the City is not quite there yet, with the help of modern technology, it is hoped deployment tactics can be changed. Enhanced enforcement of traffic laws is a piece of that. It would be nice, although a little touchy, if citizens could meet with the judicial branch to talk about enforcement and the need for more sanctions than just a "slap on the hand." She thanked the committee, noting that since 1970, 20,000 more cars owned by Portland residents are traversing the streets.

Disposition: Resolution No. 35683. (Y-4)

Mayor Vera Katz

*376 Authorize negotiations for the purchase, or condemnation proceedings if necessary, of a parcel or parcels of land necessary to relocate approximately 130 parking spaces from the site for the City of Portland's Classical Chinese Garden (Ordinance)

Discussion: Bruce Allen, Portland Development Commission (PDC), explained that the agreement with Northwest Natural for the Chinese Garden site included a condition that its parking spaces would be replaced at no cost to them. Options for replacement parking dwindled with development of the Port of Portland building so the Classical Chinese Garden Steering Committee recommended acquisition of this property to provide those spaces. Negotiations are underway with the property owner to obtain the site which, in addition to solving the immediate hurdle with the Chinese Garden, provides a future redevelopment site.

APRIL 1, 1998

Bob Naito, Classical Chinese Garden Steering Committee Chair, reported on fund-raising efforts to date and reviewed the budget projections, which show the Garden breaking even and operating at a profit in its second year of operation. He said the committee looked at all alternatives for finding the 130 parking spaces and believes this is the only option and best long term solution for future development.

Anna Anderson, Old Town/Chinatown Vision Committee member, said this is a critical piece in moving the Gardens on to the development phase.

Commissioner Francesconi noted the \$1.1 million cost of the building and asked if that price is fixed and if this is a friendly condemnation.

Mr. Allen said the appraised value is \$1.1 although the actual value may be more. PDC hopes the negotiations will remain friendly.

Linda Meng, Chief Deputy City Attorney, said if an agreement is reached, they will return to Council before any money is spent.

Mayor Katz said this furthers the vision for Old Town/Chinatown and may, with eventual redevelopment of the property, lead to the inclusion of some housing for the Chinese community.

Disposition: Ordinance No. 172122. (Y-4)

Commissioner Charlie Hales

377 Consider vacating a portion of NE 52nd Avenue between NE Wisteria Drive and NE Sandy Boulevard at the request of Gibbs Street Properties, LLC (Hearing; Report; C-9944)

Discussion: Mike Rumpakis, 2929 E Burnside, representing Bitar Brothers, said they object to this petition from Venerable Properties to vacate this very narrow street, 25 feet wide by 70 feet long. He said his company's tenant, Giant's Gym, needs 52nd Avenue to back up their vehicles in order to exit onto Sandy. He requested that a permanent easement be granted on NE 52nd until the property is developed and a turnaound is built to allow vehicles to enter and exit. He noted a letter from Sylvia's Restaurant stating when they signed the petition they would not be denied access to that street. After learning that once a street is vacated it becomes private property and public use may be restricted, they wish to retract their support for the vacation unless the easement is granted.

Commissioner Hales asked if the language prepared by the City Engineer is acceptable.

Mr. Rumpakis said yes.

Phyllis Redman, Portland Office of Transportation, said she believes the condition prepared by staff is acceptable to both Mr. Rumpakis and the petitioner, who owns all the property surrounding this 25-foot strip of land proposed for vacation.

APRIL 1, 1998

Art DeNiro, Venerable Properties, 322 NW 5th, 97209, said Mr. Rumpakis' initial objection was related to a potential parking loss for the gym. When they were informed that the real issue was accessibility for the overhead door, they readily went along with the recommendation for an amendment to the easement.

Commissioner Hales moved that the report be amended to add the language in the March 30, 1998 memorandum stating that a temporary turnaround easement be granted over the entire area proposed for vacation until such time as a permanent turnaround can be constructed in conjunction with redevelopment of the adjacent, underutilized property. Parking will not be allowed within the south 50 feet of the temporary easement area.

Commissioner Francesconi seconded and the amendment carried.

Disposition: Approved as amended; City Engineer prepare ordinance (Y-4)

Commissioner Erik Sten

***378** Authorize a contract and provide for payment for the Taggart & Johnson Creek flood relief predesign, Project Nos. 6067 and 6220 (Ordinance)

Discussion: Chuck Chambers, Bureau of Environmental Services (BES), said the Taggart project deals with a longstanding and persistent problem with flooded basements in an area of Southeast Portland running from the Willamette River to 82nd Avenue. Citizens attending a "victims" meeting at Franklin High School reported various problems resulting after a recent storm -- one man reported being blown off his toilet. Mr. Chambers said this predesign will consider increasing capacity and will assess the condition of the line before coming up with a list of capital improvement projects.

John Goule, BES, said the Johnson Creek predesign project will try to find solutions to some of the issues already identified in the Johnson Creek basin. The ultimate plan will have to be married with the plans of other jurisdictions in the watershed.

Disposition: Ordinance No. 172123. (Y-4)

379 Authorize contract for construction of the dry weather primary clarifiers and associated odor control facility at the Columbia Boulevard Wastewater Treatment Plant (Second Reading Agenda 349)

Disposition: Ordinance No. 172124. (Y-4)

City Auditor Barbara Clark

380 Assess property for sidewalk repair by the Bureau of Maintenance for billings processed through February 17, 1998 (Second Reading Agenda 350; Y1026)

Discussion: Commissioner Kafoury asked if one of the accounts had been removed.

Frank Dufay, Assessments Manager, said three accounts were removed and will be considered next month. No further amendment is needed.

Disposition: Ordinance No. 172125 as amended. (Y-4)

381 Create a local improvement district to construct street and sewer improvements in the revised SW Evans Street/19th Avenue Local Improvement District (Previous Agenda 351; C-9911)

Discussion: Mayor Katz noted a memo from Frank Dufay, Assessments Manager, regarding the assessment apportionment.

Mr. Dufay said he reluctantly brought this forward because it is so late in the process but it is Council that actually determines how costs are apportioned and what methodology is used. Commissioner Francesconi had asked if there was another way to apportion the cost and his memo provides another option. He said one thing the Auditor's Office is trying to do is to make these projects a little fairer and more affordable for single-family home owners.

Mayor Katz said if Mr. Dufay's recommendation is accepted, it will require restarting the process as well as a changing City Code regarding how assessments are made.

Mr. Dufay said his recommendation is to use the number of potential housing units as prescribed by the zone, i.e. R5 or R2, as the basis for assessment.

Mayor Katz said the principle behind that is that the more units you have, the more you will use the road.

Mr. Dufay said the current Local Improvement District (LID) program has been under fairly serious attack and Council has indicated a need to try something different in order to get these neighborhood improvements done without so much contention from property owners. With the method he proposes, some costs will shift to the development community, a shift that is reasonable and is supported by the Auditor, Barbara Clark. This assessment methodology does not require a Code change but would require new notification to property owners and another hearing.

Commissioner Hales noted that all the service bureaus will be affected by any change in methodology. He noted it will affect sewer and stormwater LIDs as well as street LIDs.

Mayor Katz said she would like to see those parties form a group to study this and make formal recommendations.

Victor Rhodes, Director, Office of Transportation, noted that Transportation primarily responds to neighbors who request these improvements by designing the project and providing an estimate. The apportionment methodology is really within the province of the Auditor's Office. This appears to shift between 10 and 15 percent of the cost between various

APRIL 1, 1998

parties but does not significantly lower a single family residential owner's cost as it represents only about \$500 to \$600 over a 20-year period. He said to truly make these projects more affordable the City needs to bring money to the table to buy down the cost. This just "squishes" the cost around. He noted also that square footage remains fixed while zoning is transitory, as is value.

Patty Nelson, BES, said the Bureau would like more time to look at some of the bigger issues before acting upon this.

Commissioner Francesconi said he agrees that a group should be formed to study this. He asked Mr. Rhodes if he wanted to be part of that.

Mr. Rhodes said he believes the assessment methodology really lies with the Auditor's Office and it is Council's decision as to how it is most fairly apportioned. The real issue is funding as the bottom line is that these projects are still very expensive and Transportation cannot increase its subsidies of these projects at this time.

Commissioner Hales said there are a variety of formulas that could be applied to buy down the cost of LIDs and those could be plugged into whatever assessment methodology the Auditor recommends that Council uses. However, the question now is whether the residents on this block should pay the entire cost of the street and sewer or if the community at large should pick up some of the cost. Up until now, the message to those who bought property on undeveloped streets is that it is their responsibility to build that street and install those storm drains.

Commissioner Kafoury noted that adjustments were made during the mid-County sewer project. That cost was spread among all City ratepayers.

Commissioner Hales said he does not disagree about spreading the cost but the means to do so for smaller neighborhood improvement projects has not yet been found.

Mayor Katz said she agrees but Council has to be very thoughtful about how such projects are subsidized and who should bear the cost. She believes Mr. Dufay's recommendation has merit and needs further study.

Commissioner Kafoury said the system has worked relatively well but now it seems a disproportionate share is falling on people who are not receiving the advantage. It may be time for the City to stop and take another look.

Mayor Katz noted that one of the streets in this project has given it the green light. She said the study group should come back with a formal recommendation and then Council will have to decide what the new rules are.

Commissioner Hales said there is some urgency in connection with construction.

Mr. Rhodes said to change the methodology on 24 hours notice is wrong. To renotify will

APRIL 1, 1998

take a minimum of another 45 days but the project could still be done within this year's construction cycle. The City Attorney needs to be involved in any methodology study.

Mr. Dufay said the methodology issue was first raised in connection with the SW Texas LID and there has been a lot of discussion about it since then.

Commissioner Francesconi said according to Mr. Rhodes the cost shift will not affect the economics of building the project. It just becomes a policy question of what is fairer. The apportionment method recommended by Mr. Dufay does appear to be fairer so once the legal side is clarified, Council can move forward.

Commissioner Hales said in this case the shift in cost affected by this methodology does not shift the cost from homeowners to developers, but from homes to apartments.

Mayor Katz said Council is willing to allow a short amount of time to allow staff to return with recommendations that all (the City Attorney, BES, Transportation and the Auditor) feel comfortable with. She said Council is not willing to vote on this LID today.

Mr. Rhodes said it is truly the role of the Auditor's Office to recommend the methodology but Transportation is happy to act as an advisor.

Ben Walters, Deputy City Attorney, asked if staff should move ahead with renotification.

Commissioner Hales said if there is a reasonable chance of going ahead with this LID using a new methodology the notice process should be started now.

Mr. Rhodes said the notice could state that two methods of assessment have been proposed and Council will be making a choice between them.

Mayor Katz said this should be referred back to the City Auditor and study group and affected parties should be notified very shortly that Council is considering two methods of assessment.

Commissioner Kafoury said she is worried about complications that may result from shifting costs.

Margie Branson, 1843 SW Evans, said she realizes the financial hardship on everyone but this street improvement is badly needed. She said homes on Evans are selling for less than they are worth because of the condition of the street.

Kurt Weindorf, no address stated, asked if a whole new petition will be required and if that would affect his inclusion in the original LID boundary.

Wes Risher, Hillsdale Neighborhood Association, said Hillsdale believes a proper street design is essential to this project and objects to inclusion of an attached curb as there is sufficient right-of-way to separate the sidewalk from the curb. The connectivity issue with respect to 19th is also important in Southwest, as is taking care of the spring that comes out of

APRIL 1, 1998

the hill midblock on Evans. Regarding the methodology, he asked if an assessment per dwelling units per site was based on the potential or current zoning and has the Southwest Community Plan been taken into consideration?

Mayor Katz said three issues were raised: 1) assessment methodology; 2) sidewalk design; and 3) separation of SW Evans from SW 19th.

Commissioner Francesconi said while he has been concerned about the price, he believes the street needs to be connected all the way up 19th. Since the difference in price does not amount to much, he believes there should be sidewalks on both sides of the street. He also thinks a reapportionment is needed that is fairer.

Commissioner Hales asked for staff input on the design issues.

Lola Gailey, Bureau of Transportation Engineering, said this is a proper street design. Their guidelines call for streets on both sides if possible and that is what has been done here but separated sidewalks are not mandated. In this case, a number of physical constraints led them to conclude that a combination sidewalk is a better fit.

Commissioner Hales asked about the extension of the street up 19th.

Karen Rabiner, Office of Transportation, said the current plans do complete 19th to Moss, a change from when it first came to Council last May.

Commissioner Hales said he will not fight for separated sidewalks in this particular case and does want to do the full connection to 19th. He said he would like to put both assessment methodology options on the table but return in time to complete the project this year.

Mayor Katz said it is her understanding that Council agrees that the project should extend through SW 19th, have non-separated sidewalks and potentially establish a different assessment method.

Commissioner Hales moved to accept Mayor Katz' statement as Council's position. Commissioner Francesconi seconded. (Y-4)

Disposition: Referred to City Auditor. (Y-4)

At Noon, Council recessed.

APRIL 1, 1998

WEDNESDAY, 2:00 PM, APRIL 1, 1998

No Regular Council session was held. Instead, Council convened for a practice session in the renovated Council Chambers, 1221 SW 4th Avenue. No formal business was conducted.

APRIL 2, 1998

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 2ND DAY OF APRIL, 1998 AT 3:00 P.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Hales, Kafoury and Sten, 5.

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council; Ruth Spetter, Senior Deputy City Attorney; and Officer Chuck Bolliger, Sergeant at Arms.

382

TIME CERTAIN: 3:00 PM - Appeal of Collins View Neighborhood Association against Hearings Officer's decision to approve with conditions the application of Lewis and Clark College for conditional use master plan amendments with an adjustment at 0615 SW Palatine Hill Road (Previous Agenda 276; 97-00074 CU MS AD)

Discussion: Commissioner Kafoury said she watched the conclusion of the March hearing on video tape since she had to leave early.

Susan McKinney, Bureau of Planning, noted that the record had been held open after the last hearing to allow time for supporters to submit additional information as well as time for the College to respond to that information. The two major issues raised included: 1) safety on the pathway from the Houston lot to the law school; and 2) the effect of construction of the Houston lot on stormwater disposal into Tryon Creek. Conditions were suggested by the Collinsview Neighborhood and the College has responded to those and the other issues. Regarding Condition W, as recommended by the Hearings Officer, she said the college requested, in its March 26 submittal, that it be slightly reworded and that the words "building permit" be replaced with "occupancy permit." Staff has revised that even further to reflect a timing issue and their recommended wording is contained in a memo from Kevin Hottmann, Portland Office of Transportation (PDOT) and herself. Finally, Ms. McKinney said a note needs to be made in any decision of approval that the original Exhibit G-7 in the Hearings Officer's Report was revised prior to the Council hearing. That exhibit lists all the proposed projects and the level of review required.

Mayor Katz said the three big issues were the Transportation Demand Management (TDM) Plan, walkway security and stormwater.

Ms. McKinney said Council also asked whether previous conditions of approval had been met. The College's response notes which ones have been met and both staff and the Hearings Officer looked fairly closely at the prior conditions and how they had been met.

Commissioner Sten said he is satisfied that the proposal meets the requirements of Bureau of Environmental Services (BES) on stormwater although some specifics will have to be worked out in the actual application for the parking lot. He is less concerned with the parking lot design than with its impact on Tryon Creek and suggested that a condition be added prohibiting building of the parking lot between October 1 and April 30. That would minimize

APRIL 2, 1998

the impact and make sure Tryon Creek is not hit too hard during construction. He asked for a response from the College. He said there are policy issues as to whether it is better to build a parking garage or this parking lot but from the landowner's standpoint, if the College has the right to build the parking lot, which he believes it does, it will meet the stormwater requirements for the ongoing use of the lot. He said he also looked at the efforts made on the Transportation Plan and while he still thinks the College has work to do on getting people out of their cars, its assertion that it has tried a lot of things so far is fair. He is satisfied with those plans.

Commissioner Sten read his proposed condition: "Activities on the Huston field site that expose soil to direct contact with stormwater between October 1 and April 30 are prohibited. An exception to this prohibition is planting of native plants with handheld equipment and emergency repair of existing structures." This jumps ahead, however, as Council must first make a decision on the overall plan.

Commissioner Hales said while he understands the effect of the proposed modification to Condition W, involving the intersection of Palater and Terwilliger, he does not recall which condition addresses the improvements to the intersection of Palater and Palatine Hill. Both improvements are shown in the Master Plan.

Ms. McKinney said that is addressed in Condition AA.

Kevin Hottmann, PDOT, said those improvements would be required within five years after approval of the Master Plan and would be tied to all the Palatine Hill Road frontage improvements.

Commissioner Hales noted that the improvements had to be made within five years or before occupancy of the parking structure, whichever comes first.

Mr. Hottmann said the original condition required improvements only upon occupancy of the parking structure but since that may not occur for a while, staff added the five-year condition.

Mayor Katz asked Commissioner Hales if he was satisfied with the transportation elements and the issues with regard to safety.

Commissioner Hales said yes, although he has discussed with staff whether roundabouts, which everyone seems to prefer, could be built instead of conventional intersections. Both he and Transportation staff are interested in finding innovative, flexible solutions to those intersection improvements rather than just those that conform with the most rigorous version of the traffic engineering manuals.

Mayor Katz said the City Attorney has reminded her that it is probably not appropriate for the College to respond at this time. It did respond to Commissioner Sten's issue and that response will be noted by Ms. McKinney.

Commissioner Kafoury said her major concern was safety and she reviewed the additional

APRIL 2, 1998

material submitted. Safety on the pathway is a complicated issue but people do have some alternatives which would allow them to park closer to the school in the late evening hours.

Mayor Katz said she is still not satisfied on that issue. The Security Director mentioned that there were some bicycles on patrol and she recommends that those be increased, especially in the evening hours.

Commissioner Francesconi asked if the students submitted any additional material into the record.

Cay Kershner, Clerk of the Council, said copies of letters from students and neighbors were distributed to Council members after the submittal deadline on March 19.

Ms. McKinney said she submitted into the record a copy of a letter she sent to the neighborhood further clarifying the misunderstanding about future review of student housing.

Commissioner Hales moved to tentatively uphold the Hearings Officer's approval and deny the appeal but further amend the conditions of approval to rewrite Condition W as suggested in Ms. McKinney's and Mr. Hottman's memorandum, add Condition LL as proposed by Commissioner Sten and include the revised Exhibit G-7.

Mayor Katz said there is also the enhanced bicycle patrol.

Commissioner Hales asked what motion staff needed regarding that issue.

Commissioner Kafoury said that is a lot more specific than any of the other conditions the Hearings Officer imposed. They do not mention the lights and those sorts of things. That is what the College said it would do for public safety in its response.

Mayor Katz said they did not address the bicycle patrol issue and that should be established.

Ms. McKinney said there is no condition that refers to that now, so it would be an added condition.

Mayor Katz asked Council if they would oppose that condition.

Council members said no and recommended adding that into the motion as a separate condition.

Roll was called on Commissioner Hales' motion.

Commissioner Francesconi said his greatest concern is with pedestrian safety, especially for women students at night. The Mayor's added condition and the alternatives available should deal with that issue. Given the added conditions, it would be difficult for Council to withhold approval on those grounds. Neighbors also have legitimate concerns regarding the traffic but the weight of evidence is heavily on the side of the College given the expertise of City staff

APRIL 2, 1998

and the traffic engineering reports in the record. While concerned with the environmental and stormwater issues, he believes the College's Plan does meet the City's current standards and appreciates the added condition regarding construction. Both the neighborhood and the students have legitimate issues that Council needs to listen to, but the City needs to balance those interests against the need to have vital, competitive institutions in order to capture knowledge and jobs. The law and City codes need to apply. He said for an institution to really thrive it needs the support of its students, faculty and neighbors so he hopes that they can come together. For all those reasons, he votes aye.

Commissioner Hales said a lot of testimony focused on the parking lot and then on traffic issues in general. While he is no fan of surface parking lots, this is a case where the Code allows a certain amount of parking and where it would not be reasonable to unbundle the parking plan in general and pick out this lot for exclusion. The larger issue is that this is a Conditional Use Master Plan, which is much bigger than just the parking lot. But naturally when people have been negotiating for a long time what Council often hears about is the last unresolved issue. When he looks at such Master Plans as a whole, his question is always whether the Plan makes the institution a good neighbor overall and a better neighbor than it would be without the plan. In this case, he believes it does. There have been longstanding concerns about traffic and the need for intersection improvements. Conditions in the old Master Plan called for those improvements when the parking structure is built but since the College never built the parking structure, the intersections are still bad and getting worse. One reason to approve the new version of the Plan is because it requires the College to build those intersections and make other street improvements before it builds another building, or within five years if nothing is built. This gives the neighborhood a real guarantee that those intersection and frontage improvements will get fixed. The Office of Transportation is eager to work with both the neighbors and the College on the design of those improvements so they work well for livability and aesthetics, as well as traffic safety and movement.

Commissioner Kafoury said the best answer to the school's problems would be for the law school to move downtown but, short of that, she will vote aye. She hopes the College will continue to look at structured parking even though it is very expensive. Other than that she agrees that it is a good Master Plan and it is too bad so much time has been spent on a few areas of disagreement and not on those that are compatible and will improve that whole part of town over the next five years.

Commissioner Sten recalled that the neighborhood began its testimony at the last hearing by stating that it agreed with 90 percent of the plan. He said this has been a good process between the College and neighborhood and it is nice to see a Master Plan where most things are working. He will support this although he would prefer to see structured parking instead of a surface lot and believes the students made a convincing case against it. Unfortunately, he believes the College has the right under the Code to put a parking lot on its land and a convincing case was not made that Council should deny that right. He said the student and neighborhood advocacy resulted in some significant changes in the design of the parking lot and he appreciates the College pulling it out of the Environmental Zone as originally proposed. While the stormwater treatment proposed is beyond the Code's minimum requirements, Commissioner Sten suggested that the College involve students in making this

APRIL 2, 1998

a demonstration project. He also appreciates its willingness to build the lot in the summer, which will make a big difference to the Creek. He urged the College to pursue plans for a structured parking building but believes that overall it is better to have a Master Plan with several disagreements than none at all so he will vote aye.

Mayor Katz said she is not happy with the parking lot and believes building a garage is a wise investment. She said there are big bucks in garages and pointed to the revenues the City has collected on its own garages, which it uses to build more garages and make other transportation improvements. She especially thanked the students for raising some issues which have been resolved in a way that has greatly improved the Plan. She suggested that the College open up its dialogue with students and the neighborhood earlier as it proceeds with the Master Plan.

Disposition: Tentatively deny appeal and uphold Hearings Officer's decision as amended. Applicant prepare findings for May 6, 1998 at 2:00 p.m. (Y-5)

383

TIME CERTAIN: 3:30 PM - Accept the final recommendation of the Blueprint 2000 Stakeholders Team (Resolution introduced by Commissioner Hales)

Discussion: Mayor Katz said when she and Commissioner Hales ran for election they heard over and over again that there was something wrong in the way the City does business in the Permit Center and within the Planning Bureau. Since that time Commissioner Hales and Commissioner Kafoury formed the Blueprint 2000 team to identify how the permitting system can be improved. This is the initial report.

Commissioner Hales said both a stakeholders committee and an interbureau committee were appointed to try to meet the Blueprint 2000 goal of creating a system that presents a predictable, seamless delivery of City development review functions and provides a clear point of accountability for the performance of review responsibilities. He introduced and thanked the committee members.

Dick Cooley, Chair, Stakeholders Committee, said the committee created a statement of desired outcomes and a set of design concepts that it believes will produce those outcomes. He outlined some of the expected outcomes, which are organized into five themes, including predictability, accountability, communication, customer service, and City goals and policies.

Margaret Mahoney, Manager, Bureau of Buildings, discussed the design concepts of the process. They included providing: 1) a consistent entry point for applicants and contacts; 2) assistance to applicants earlier in the process; 3) tailoring services to customer and project needs; 4) City management of the process; 5) a method for conflict resolution; and 6) improved inspection and enforcement functions. They suggest that the process be project-oriented rather than permit-oriented and that process managers act as primary contacts for applicants and the community and also assist with conflict resolution. The report also recommends that specialists continue to be responsible for technical review and that adequate training be offered to stakeholders about their participation in the various review processes. Regarding technology, an integrated computer system accessible to all stakeholders is

APRIL 2, 1998

recommended, one that provides timely, accurate information as well as sufficient data to evaluate system performance. Regarding physical staff, the report recommends that all staff with primary responsibility for development review be co-located at one site.

Mr. Cooley said the most controversial issue was organizational structure. The recommendation is to consolidate all, or most, development review staff and to determine the details based on the eight principles outlined in the report. Principles two and five reflect concern that long-range planning might be overwhelmed by consolidation by calling for the organizational structure to support the full range of development services with specific reference to long range planning and also support linkages between policy making and policy implementation. The latter was a very important issue for the stakeholders. Finally, stakeholders recommend that the City build into the organizational structure a program to continuously measure and improve the system. The other difficult area the stakeholders faced was the regulatory framework. While development goals and policies can create expectations upon which the review process is often judged by the average citizen, they are not strictly speaking part of the development review process but are an integral part of the development continuum. Regarding policy making, three recommendations are offered: 1) Council should encourage coordination among bureaus to work out policy conflicts; 2) staff should analyze the need, effectiveness and impact of proposed regulations prior to their adoption; and 3) Council should establish a forum to examine policy to ensure that policy goals are clearly defined, policy making is well disciplined and City goals are achieved. Mr. Cooley said the stakeholders recommend a specific series of phased actions to implement the strategy and request their continued participation as the details of the system emerge.

Ms. Mahoney said Section D of the report outlines a workplan for the subsequent phases of Blueprint 2000, including conceptual and schematic design phases, by budget recommendations and adjustments for 1999-2000 and, finally, the construction phase. All phases will be tied in with the planned move into the new development services building in July, 1999.

Mr. Cooley and Ms. Mahoney emphasized the public involvement efforts and the important role stakeholders and staff had in shaping this report.

Commissioner Hales said he has learned a lot about organizational structure from letting the people who do the work figure out solutions to the goals that have been set. He also has learned how important it is for Council members to listen to City employees as they work through the issues as it really is true that lasting organizational change must come from the people within the organization, not just from the top.

David Knowles, Planning Bureau Director, said the Planning Commission reviewed the report and wish to make three points. First, they are very encouraged about the idea of creating a forum for reviewing regulations and policies in advance. Second, they support the idea of a process manager and, finally, they wish to be involved in any further deliberations on organizational issues revolving around long range planning.

Greg Kantor, Business Development Committee, Association for Portland Progress (APP),

APRIL 2, 1998

supported the resolution and said APP supports three pieces in particular: 1) formation of a regulatory framework to allow front end analysis; 2) consolidation and reconfiguration of development review staff; and 3) creation of process managers. He said Portland has not been getting its share of growth in the 1990s and one of the factors behind that has been the current development review process. That situation needs to be changed to preserve the City's livability and these recommendations represent progress on that front.

Larry Sitz, President, Oregon Columbia Chapter, Associated General Contractors (AGC), said they support all the recommendations. He stressed the importance of three changes: 1) establishing a framework that gets rid of conflicting regulations; 2) continuing stakeholder involvement; and 3) having a process manager throughout a project.

Bruce Sternberg, Chair, Alliance for Planning Our Neighborhoods (APON), said he believes Bureau of Planning and Bureau of Building staff are highly responsive and dedicated employees who have had to respond to extensive growth with limited resources and without a change in their process. He said one of the biggest obstacles for a developer is neighborhood appeals, which are mostly reactive and done on a piecemeal basis. He said development should be connected to long range planning so neighborhoods have a clear vision of what they want for their communities. A second issue is early public involvement in the process, before regulations are published and a stakeholders forum should be created to consider these regulations early on. Mr. Sternberg said his personal concerns have to do with the level of professional expertise involved in shaping the regulations. He said it is also important to meet time commitments and establish consistent regulations and application requirements right from the beginning. Preliminary review, which was not directly addressed, is the most important activity that occurs in development review. Any interpretations made then need to be binding and there must be process management from the outset. All relevant bureau staff should be present at the preapplication process and should make plan-specific comments, not just general ones. The requirements should be clear at "intake" so that at the end of 30 days applicants are not called and told their application is incomplete and another plan is needed.

Claude Moss, representing the Institutional Facilities Coalition, said if there was one thing that brought the Coalition into existence, it was its members' difficulty in getting through the City's development process. He emphasized the need for accountability and recommended that a single individual have overall accountability.

Bill Williams, Chapter President, Oregon Society of Landscape Architects, said this will go a long way to make the development process easier and he encouraged continued scrutiny as it is implemented.

Matt Carter, Land Use Committee, Central Northeast Neighbors, said they oppose Blueprint 2000 because it fails to foster a partnership between the public and the development community and instead creates a serious imbalance, with the public on the losing side. They believe the current system works fairly well and that these activities, which benefit the development community, should not be funded while long-range planning efforts are short changed.

APRIL 2, 1998

Amanda Fritz, SW Vacuna, said the conclusion the report reaches, that the Bureau of Buildings and Bureau of Planning should be consolidated, raises serious questions. She believes Planning is much more than just development services and her big concern is how long-term policy development can be implemented. She said one reason development approvals take so long is because bureau policies conflict. She suggested that the new bureau be named the Planning and Community Development Bureau and that long-range planning be integrated with development services. That way the City could do some of the "big picture" planning it has been unable to do under the current structure. Blueprint 2000 does not acknowledge the current functions of the Planning Bureau and needs to be adjusted to reflect those. Specifically, the report states that the process manager will be making decisions where bureaus cannot agree. That is a discretionary decision which should be made in a public forum. In addition, the report states that appeals are available to applicants but does not say they are available to neighbors if they feel a discretionary decision has been made. Finally, the Planning Commission is concerned about its ongoing participation in this process and adequate funding.

Commissioner Francesconi said it is his impression that not that great a job of long-range planning is currently being done. Why couldn't there be effective long-range planning in a consolidated system.

Ms. Fritz said this report only addresses how to make development services better, not long-range planning. Parks and the Bureau of Environmental Services, for instance, need to be involved.

Stephen Brier, President, Irvington Community Association, said generally they believe the current system serves the public rather well. He said coordinating the permitting process to make it more efficient is a worthy goal but must be balanced against other public goals, not simply serve a development objective. This is why they vigorously oppose the idea of prioritizing regulational policy. The primary objective of the City is to manage growth, not expedite it, and continued livability should be the overriding concern. Any changes in the handling of development review should have not have a detrimental effect on long-range planning efforts. It is also important that any decisions regarding permits be made by staff who have the skills to do so.

Mayor Katz said when she and Commissioner Hales talked about this five years ago, they did include the planning component and discussed how Transportation, Water, BES, Parks and Planning could all be brought together.

Charlotte Uris, 2526 NE 10th, supported the Irvington Community Association position. She said the overall role of regulation is to meet livability goals and Comprehensive Plan requirements to balance the various elements for good land conservation and development. Long-term planning is larger than development itself and development review process should fit into the larger picture and be neutral. Long-term and current planning and the City Code are all interconnected and should be kept together in one bureau and given the necessary resources to do a good job. She supported the continued participation of the Stakeholders Committee. She said at the last meeting she believes the committee agreed to add to Theme

APRIL 2, 1998

Three (#4), the words "while adequate time is allowed for good decision making."

Mayor Katz asked staff to review the minutes of the meeting to see if that change should be made.

Commissioner Francesconi asked Mr. Cooley if the decision was made not to separate policy development from policy implementation.

Mr. Cooley said the Stakeholders, in general, would say that long-range planning should not be separated from current planning.

Commissioner Francesconi asked how implementation would work when dealing with stormwater issues.

Mr. Cooley said all the details about organizational structure have not really been addressed yet but the working assumption is that the Planning and Buildings Bureaus will be consolidated and that review people from other bureaus, such as BES, will be brought in so that most of the review functions are in a single bureau. Long-range planning would also be moved into the bureau doing the review work and everyone has expressed concern it not be diluted by that process.

Commissioner Hales said the City will be stupid if it does not consolidate all the principal review staff all into the new building so applicants do not have to walk back and forth between several buildings to process their permits.

Commissioner Sten said his concern for BES and the Water Bureau is not what building the review staff is in but how they relate to the bigger organization. If the review staff is taken out of those bureaus and put in the new one, they eventually will lose their relationship with the bureaus which actually have the expertise and are writing the rules. The trick is getting the two systems working together.

Ms. Mahoney said that overlaps with the issue of long-range planning and how broadly the consolidation should extend. One organizational chart that was looked at had an option for consolidating long-range planning so that watershed planning, parks planning, etc. were included. The other way to look at this is as a regulatory forum to look at the overlap and interaction of regulations.

Commissioner Sten said at some point consolidation becomes less efficient as small organizations are typically more efficient than large ones. What is the right critical mass for getting things done?

Commissioner Francesconi asked about the current state of long-range planning and what is needed to strengthen it.

Mr. Knowles said the Stakeholders recognize that changes in the development review system should not negatively impact long-range planning. The challenge now will be to shape an

APRIL 2, 1998

organizational structure that does not place planning in a secondary position but looks at the continuum.

Commissioner Francesconi asked who will address the Code conflicts.

Mr. Cooley said the Stakeholders limited their review of policy making and the recommendation to establish a forum for Code review is a very fuzzy idea at this point.

Mayor Katz said when there are conflicts in the Code, it inevitably leads to policy analysis. When there are policy conflicts, they need to be brought to Council's attention.

Mr. Cooley said the other policy issue has to do with the overwhelming size of the Code and number of policies.

Commissioner Francesconi supported the resolution. He said the hardest conflict Council faces is between growth and jobs versus protection of the neighborhoods and environment. He said developers need more certainty and specific time lines than are currently provided. He supported the idea of having process managers, the emphasis on technology, consolidation of space and accountability. There needs to be a better mechanism for tracking the effect of one policy on another and resolving Code conflicts while still keeping the citizens involved.

Commissioner Hales said the neighborhood's concern for public involvement in the review process is very legitimate and he is committed to continuing a real community dialogue about how to make this system work better. However, he does not agree that the existing system is okay. It works only because of the heroic efforts of staff from seven bureaus reporting to four commissioners. He noted an incident where Reed College was given conflicting instructions by two bureaus for the same 100 square feet on a corner of their property. Also, without a better review process, some items are invariably missed.

Commissioner Kafoury said this is a continuous process that has been going on for many years and there is no finite point at which it will end. Citizens have tremendous expectations about their involvement and balancing all the interests is no mean feat.

Commissioner Sten said the City has legitimate conflicting missions and there is no process that will reconcile all of them. The City will have to referee these conflicts and needs to be consistent, fair and make the call quickly. He is somewhat concerned about long-range planning.

Mayor Katz said lost applications and delays, the inability to track projects through the system and so forth can all be handled by this process. The issue of policy conflicts is far more critical and needs more thought. She said institutionalizing some of these organizational changes is important as is continuous improvement. Technological change will help improve the system, i.e. enabling Planning Bureau computers to talk to Buildings will be a big help. One issue is accountability as people have cultural loyalties to their bureaus which are very hard to transfer to a team or another bureau. Another question that arises under the City's form of government is which bureau is in charge and which Council member determines that.

APRIL 2, 1998

Disposition: Resolution No. 35684. (Y-5)

At 5:15 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland

Cay Kershner

By Cay Kershner
Clerk of the Council