



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 17TH DAY OF FEBRUARY, 1999 AT 9:30 A.M.

THOSE PRESENT WERE: Commissioner Hales, Presiding; Commissioners Francesconi, Saltzman and Sten, 4.

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

Agenda No. 231 was pulled from Consent. On a Y-4 roll call, the balance of the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

- 222** Accept bid of Brattain International Truck, Inc. to furnish International Harvester truck OEM parts and accessories for \$125,000 for three years (Purchasing Report - Bid 99077)
- Disposition:** Accepted; prepare contract.
- 223** Accept bid of Ron Tonkin Chevrolet Co. to furnish GM passenger, pickup and van body OEM parts and accessories for \$75,000 annually for three years (Purchasing Report - Bid 99078)
- Disposition:** Accepted; prepare contract.
- 224** Accept bid of Ron Tonkin Chevrolet to furnish GMC and Chevrolet passenger, pickup and van OEM parts for \$100,000 annually for three years (Purchasing Report - Bid 99079)
- Disposition:** Accepted; prepare contract.
- 225** Accept bid of John L. Jersey & Son, Inc. for NW Couch and Everett relief sewer construction for \$327,227 (Purchasing Report - Bid 99117)
- Disposition:** Accepted; prepare contract.
- Mayor Vera Katz**
- 226** Confirm appointment of Mike McCulloch to the Portland Design Commission (Report)
- Disposition:** Confirmed.

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227 Confirm appointment of Steven Naito to the Portland Planning Commission (Report)

Disposition: Confirmed.

***228** Pay claim of Dale Acelar et al v City of Portland (Ordinance)

Disposition: Ordinance No. 173101. (Y-4)

***229** Accept amendment to increase compensation and length of contract with Howard L. Deitch of Northwest Assessment Centers (Ordinance; amend Contract No. 31040)

Disposition: Ordinance No. 173102. (Y-4)

***230** Agreement with Multnomah County, acting by and through its District Attorney's Office, for one police officer to work on the CARES program, an addition to the Bureau's authorized strength (Ordinance)

Disposition: Ordinance No. 173103. (Y-4)

Commissioner Jim Francesconi

232 Accept completion of south restroom reconstruction at Willamette Park and authorize final payment to CMJ Construction, Inc. (Report; Contract No. 31761)

Disposition: Accepted.

***233** Authorize an agreement between the Bureau of Parks and Recreation and Whole Tree Works, Inc. for \$12,260 to provide consulting services for Mt. Scott Park (Ordinance)

Disposition: Ordinance No. 173104. (Y-4)

***234** Contract with Ruffin Construction, Inc. for \$72,190 to perform greenhouse construction at Mt. Tabor Yard (Ordinance)

Disposition: Ordinance No. 173105. (Y-4)

***235** Authorize application to the Environmental Protection Agency for a grant in the amount of \$500,000 for the Community Tree Action Partnership (Ordinance)

Disposition: Ordinance No. 173106. (Y-4)

***236** Authorize a contract and provide for payment for the renovation of Woodlawn Park (Ordinance)

Disposition: Ordinance No. 173107. (Y-4)

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- *237** Amend contract with URS Greiner Woodward Clyde to increase the contract by \$9,000 and extend the completion date to February 28, 1999 (Ordinance; amend Contract No. 30986)

Disposition: Ordinance No. 173108. (Y-4)

- *238** Grant Specially Attended Transportation permits to Mesfin Gashe dba Hope Medical Transportation, T & T Medical Transportation, Inc. and Yuriy L./Rena Yukhayev dba West Care Transport (Ordinance)

Disposition: Ordinance No. 173109. (Y-4)

Commissioner Charlie Hales

- 239** Accept contract with Nutter Underground Utilities Co. for street improvements on SE 91st Avenue between Woodstock Boulevard and Foster Road as complete, make final payment and release retainage (Report; Contract No. 31826)

Disposition: Accepted.

- *240** Increase contract with HNTB Corporation for design of the Steel Bridge Pedestrian/Bicycle Project (Ordinance; amend Contract No. 30209)

Disposition: Ordinance No. 173110. (Y-4)

Commissioner Dan Saltzman

- 241** Accept completion of the St. Johns pump station remodel, Project 5371, and authorize final payment to Triad Mechanical, Inc. (Report; Contract No. 31449)

Disposition: Accepted.

- 242** Contract with Ashbrook Corporation to retrofit one Winklepress at the Wastewater Treatment Plant with a Winklepress high solids extension at \$125,000; purchase order to be used as contract (Second Reading Agenda 204)

Disposition: Ordinance No. 173111. (Y-4)

Commissioner Erik Sten

- *243** Authorize the Water Bureau to grant an additional two-year personal leave of absence without pay to Samuel L. Gillispie for the purpose of pursuing outside employment (Ordinance; amend Memorandum of Agreement No. 50915)

Disposition: Ordinance No. 173112. (Y-4)

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REGULAR AGENDA

- 231 Accept completion of Matt Dishman Community Center Phase II ADA and CIP improvements and authorize final payment (Report; Contract No. 31167)

Disposition: Referred to Commissioner of Public Utilities.

- 221 **TIME CERTAIN: 9:30 AM** - Support the recommendations contained within the Woodstock Boulevard Pedestrian Plan (Resolution introduced by Commissioner Hales)

Discussion: Bill Hoffman, Portland Office of Transportation (PDOT), said this project involved tough trade-offs but has resulted in a proposed plan that identifies improvements that will increase pedestrian safety and transit access, and provide enhanced crossing opportunities.

Chris Armes, Bureau of Transportation Engineering, described the public information process. She noted that Woodstock has many demands placed on it and acts as a walkway, bikeway, neighborhood collector, major City transit street, and minor truck and emergency response route. She described the current roadway configuration and the existing bike lanes and bus lines. The street carries more than 17,000 vehicles per day and is a difficult street for pedestrians to cross, sometimes forcing them to wait more than five minutes during peak hours. After considering many options it was determined that median refuge islands and curb extensions would be the most effective means of providing added opportunities for pedestrian crossings. Two parking surveys were conducted and although the on-street parking is not fully used now, it is considered vital to the continued development of neighborhood businesses. Five alternatives were proposed and the one recommended (Alternative 4) will include four median refuge islands, curb extensions, two streets of striped bike lanes and additional signage. High priority improvements were identified as part of Phase One.

Commissioner Francesconi asked how the project will be funded.

Mr. Hoffman said federal ISTEA and general transportation revenues will be used to pay for the first phase. Additional monies have been budgeted over a two-year period out of general transportation revenues.

Commissioner Hales moved amendments to remove the bus stops at the corner of SE 39th and 41st and Woodstock. Commissioner Saltzman seconded and, hearing no objections, it was so ordered.

Jay Eubanks, Apple Crate Furniture Warehouse, 7528 SE Woodstock, 97206, said he has seen a similar plan imposed elsewhere with disastrous results to businesses. Streets were torn up for months, people's shopping patterns changed and some businesses failed. He said he was never notified about meetings of the citizens advisory committee and is very upset to find the recommended alternative would eliminate most of the parking around his business. He asked Ms. Armes for comparable streets where such

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projects have been done and was told to look at Sandy and Prescott and at Broadway/Weidler. Neither are comparable. He believes the survey used to justify these changes was unfair because it did not take into account the widespread customer base businesses in this district draw from. Those businesses cannot survive if parking is eliminated as people will shop elsewhere. Mr. Eubanks said the plan talks about sensible tradeoffs between various transportation modes but fails to provide them. He said 90 percent of his customer base arrives by car and automobiles are the transit mode of choice on Woodstock. He questioned the City about the rationale for eliminating parking in front of his store but received no satisfactory answer. While he has no desire to enter into legal action with the City, he would like to see if some compromise can be reached. He noted that he has no off-street parking and the zoning is storefront commercial.

Moshe Lenske, 4314 SE Crystal Springs Boulevard, 97206, speaking on behalf of the Citizens Advisory Council, said this was a very open process with many business people participating. All kinds of notices were sent and Mr. Eubanks did not participate until the very end. He said the Advisory Council was a representative and diligent group of neighbors and has presented a balanced plan, one not just concerned with pedestrian improvements. Tradeoffs were made to allow wide turning lanes for stores supplied by large trucks and parking was generally not removed from stores on the south side of the street in recognition of the need for small stores to retain on-street parking. The Advisory Committee made special efforts to ensure that the designated bike route allows for a safe bike crossing at Woodstock and 46th. To make the pedestrian crossing there safer, a crosswalk in the middle of the street was identified so that people would not have to worry about cars entering the intersection from the side street. He said the Advisory Committee considered and balanced many tradeoffs and is here today to discuss only the first step. However the bottom line is that the Advisory Committee, including business people, believes this is a necessary, well thought-out plan.

Commissioner Francesconi asked how the Woodstock Pedestrian Plan was able to get \$200,000 in funding ahead of time.

Mr. Lenske said the Woodstock Neighborhood Association made a presentation to Metro about the problems on this street and it was subsequently picked as the highest priority for federal money. He said the primary goal of the Woodstock Neighborhood Plan is to create a village center, with housing and shops that provide a community focus.

Elizabeth Usher Groff, co-chair, Woodstock Neighborhood Association, said the Neighborhood Association has endorsed the plan. She described the community's efforts to organize and get the City to do something about the dangerous pedestrian situation on Woodstock. Once Woodstock was chosen as a Capital Improvement Project recipient by Metro, the neighborhood began working with City staff. The most difficult issue was the bike lanes and the Committee finally decided to recommend using Ramona instead of Woodstock as a viable alternative, despite the fact there are

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two unimproved streets on that route. The Committee felt the need to stripe bike lanes all along Woodstock would hurt businesses and this plan reflects that compromise. She said this plan reflects a comprehensive outreach effort that should be approved.

Terry Griffiths, 4128 SE Reedway, 97202, said this has been a long process which she would not like to see derailed. She said the curb extension and bus stop in front of Mr. Eubanks' store would not be a part of Phase 1. She added that 39th and 52nd are identified as the Woodstock Village Center and this is the focus of the plan.

Gene Dieringer, 4350 SE King Rd., Milwaukie, 97222, read a letter of support for Alternative 4 from Dr. Richard Roth, an eye doctor located in the affected area.

Mary Fiocchi, 5420 SE 41st, 97202, said Woodstock is a notoriously dangerous street to cross and desperately needs to be made safer. She endorsed Alternative 4 and said, as a member of the Woodstock Community Business Association, she can testify that its representatives diligently attended all meetings and gave ample notice to businesses to ensure their input. While parking is a vital issue for the businesses, it needs to be balanced with the safety of pedestrians.

Piri Friedman, 4112 SE Martins, 97202, said crossing Woodstock is a harrowing experience for pedestrians, especially children, and particularly at the corner of 41st. She said this is clearly a dangerous intersection that has gotten a lot worse as traffic has increased. She noted that the plans show trees planted in the median strips and yet there is nothing specific in Alternative 4 calling for trees and this is an opportunity that should not be missed.

Commissioner Hales said it is standard practice for PDOT to put in as many trees as possible into these projects.

Angie Even, property owner at 4410-4416 SE Woodstock, a representative of the Woodstock Community Business Association and a member of the Advisory Committee, said the idea of having medians at each end of the street was to ensure the visual presence of trees as one enters the neighborhood. She said the process was both professional and thorough, reflecting the need to balance tradeoffs and consider all transportation modes. As a business owner on Woodstock she understands the need for on-street parking and believes the on-street changes and pedestrian improvements narrow the gap between businesses on the south and north sides of the street. The Business Association endorses the Plan.

Doug Strickler, 7312 SE Insley, 97206, read a letter from Karen Frost Meccey, Bicycle Transportation Alliance (BTA), stating her regret that the neighborhood vision is still dominated by reliance on the automobile. She also expressed her belief that more parking could have been removed to accommodate the bike lanes. While not opposed, the BTA is disappointed that the needs of bicyclists have not been recognized.

John Replinger, 6330 SE 36th, 97202, said the tradeoffs ignored the needs of bicyclists

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and the aim of participants in the process was to get bicyclists to go elsewhere or use unimproved streets. He is very disappointed in the plan, including retention of the center turn lane at 41st and Woodstock where there is no need for one. He said he would rather see the City go with a grander scheme to really make Woodstock a main street and abandon the center turn lanes except at the existing signal. He said changes at the Milwaukie and Bybee intersection have made a world of difference there and similar ones should be considered on 46th, 43rd and several locations along Woodstock. He said pedestrian improvements are definitely needed and he would like to see more enforcement but does not support the compromise offered here.

Jeff Schnabel, 5721 SE 41st, 97202, supported both the plan and the process, which included many diverse voices. Decisions were based on factual information, not fear or supposition. He said bicycle issues were considered throughout the process and he believes the bike proposals included in the plan will enhance safety. While no designated bike lanes run the entire length, this plan will begin to control traffic and bring speeds down. Regarding on-street parking, he said it not only provides businesses a place for customers to park but parked cars also act as a buffer to slow down traffic. He said another reason why the bike lanes do not run all the way through is because such lanes make curb extensions, which were considered a high priority for pedestrian safety, very difficult.

Julie Neburka, Secretary, Woodstock Neighborhood Association, said some of the issues, such as on-street parking and bike lanes, were very controversial, and it was awfully hard to strike a balance. She said she knows the plan disappoints those who want bike lanes along the entire length of Woodstock but she feels the use of Ramona is a good compromise.

Anna Hirsch, 6532 SE 44th, 97206, said it is very hard to cross Woodstock as a pedestrian and she strongly supports placing a median island in the middle of the street to make it safer.

Katie Essick, 6405 SE 44th, 97206, said every crossing of Woodstock is hazardous and these improvements will go a long way in alleviating fears of parents about the safety of their children. She read a letter in support from the Lewis School PTA and said this will make the Woodstock neighborhood work even better.

Commissioner Hales asked for staff to comment on the trees and bike lanes.

Mr. Hoffman said refuge islands are seen as providing entry ways into the district and landscaping is important in providing visual identity and helping to slow traffic. PDOT fully intends to have street trees on the medians. Regarding parking by Mr. Eubanks' store, Ms. Armes analyzed that with Tri-Met to identify the pros and cons in a way that allowed for informed decision making. Because this is a main street and a business district, it is difficult to recommend removing parking as, by allowing for all transportation modes, one may begin to erode the economic vitality of the street.

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Ms. Armes said she talked to Mr. Eubanks several times about the curb extensions in front of his business which would eliminate parking there. He is correct in that a no-parking zone has gone up along 46th to allow buses to turn. With the transit curb extension along 46th, at least half that no-parking zone can be returned for use either as a loading or timed zone. Staff will be happy to work with Mr. Eubanks on his preference.

Commissioner Francesconi asked how many parking spaces are being eliminated throughout the plan district.

Ms. Armes said one full block face is being eliminated for the bike lanes between 39th and 40th on the north side. Other than that, the parking spaces are being rearranged, for example, some bus zones are being replaced with curb extensions so no parking has been lost for the curb extensions overall.

Regarding buses blocking the traffic lane, Lewis Wardrip, PDOT, said Tri-Met prefers them to stop in the traffic lane because they do not have to wait for cars to allow them to pull back into traffic. They also slow traffic and provide more crossing opportunities. The low-floor buses need to get to the curb to pick people up and so the Plan calls for replacing bus zones, which take up to 100 feet, with curb extensions which use less space. He said he did an analysis to see what would happen to street volumes if the center turn lane was removed, comparing Woodstock to SE Milwaukie and SE Division. He said roughly 450 vehicles (in a two-hour period) would have to be diverted from Woodstock to make it function like Division, which is not functioning all that well today. He explained how staff and the Advisory Committee determined that the bike lanes would not be advisable along the whole length of Woodstock.

Commissioner Hales asked if Tri-Met has committed to install shelters where appropriate.

Ms. Armes said yes, it has committed to build three curb extensions and relocate existing shelters to those extensions, with the possibility of additional shelters.

Mr. Hoffman said one of the Advisory committee members has noted correctly that an additional four parking spaces will be removed at the mid-block crossing.

Commissioner Francesconi said this plan will help pedestrians and transit users, thereby accomplishing multi-objectives. Leaving on-street parking in place aids businesses and provides buffers. He said he is also impressed that the neighborhood went out and got funding for this.

Commissioner Hales said this is a good example of taking forces of change and using them to enhance a neighborhood. He is extremely pleased this plan will not end up on the shelf.

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Commissioner Saltzman said this is one of the best organized neighborhood associations in the City and he is impressed with its handling of internal disputes.

Commissioner Sten said the only nagging issue left concerns the bike lane and that cannot be solved here. He hopes the neighborhood association will maintain open discussions to see if more improvements can occur.

Disposition: Resolution No. 35770 as amended. (Y-4)

Mayor Vera Katz

***244** Intergovernmental agreement with Multnomah County Sheriff's Office for Multi-jurisdictional DUII Enforcement/Education grant (Ordinance)

Disposition: Ordinance No. 173113. (Y-4)

***245** Amend Title 4, Personnel, of the City Code to establish Options 2000 and Choice USA as the City's self-insured medical plans beginning July 1, 1999 (Previous Agenda 194; amend Chapter 4.48.07)

Disposition: Withdrawn.

Commissioner Charlie Hales

246 Implement provisions of Resolution 35759 as amended and create the Office of Planning and Development Review (Second Reading Agenda 215; amend City Code Title 3.30)

Disposition: Ordinance No. 173114. (Y-4)

Commissioner Dan Saltzman

***247** Authorize a contract and provide for payment for the NW 110th and St. Helens Road CSO control project, Project 6490 (Ordinance)

Disposition: Continued to February 24, 1999 at 9:30 a.m.

Commissioner Erik Sten

248 Authorize the City Attorney to intervene and participate in the Oregon Public Utility Commission's review of the application of Scottish Power plc to exercise substantial influence over PacifiCorp (Resolution)

Discussion: Commissioner Sten said this amounts to a placeholder, allowing the City

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to sit at the table and represent citizen interests as they develop. A Council Informal would be held before taking a major position one way or the other.

Disposition: Resolution No. 35771. (Y-5)

***249** Authorize the Portland Development Commission as agent for the City to commence condemnation proceedings to obtain early possession of property known as the Park Terrace Apartments needed for the preservation of affordable housing (Ordinance)

Discussion: Commissioner Sten said this is a friendly condemnation but he would like to hold back on it until the Office of Finance and Administration's overall financial strategy is completed, probably within a week. He said it appears likely the State legislature will repeal the City's affordable housing preservation ordinances but if that happens the City will continue to pursue voluntary agreements to preserve housing.

Commissioner Saltzman said the words friendly and condemnation do not seem to go together. He asked if the word condemnation can be removed as he finds it confusing.

Commissioner Sten said a friendly condemnation means the owners have requested it because they stand to gain some benefits regarding reinvestment of the proceeds. Anytime a building is condemned against an owner's wishes, it is brought to Council for approval but in this case the word condemnation has to be used for legal purposes.

Commissioner Francesconi asked about the incentives included in the City's housing preservation ordinance.

Commissioner Sten said he is upset that no effort has been made by legislators to contact him or other Council members about this ordinance or to address incentives.

Disposition: Referred to Commissioner of Public Works.

Communications

250 Request of Ashley Sinclair to address Council regarding legal protection from discrimination for transsexuals and transgender people (Communication)

Discussion: The Clerk noted that Ms. Sinclair wished to speak to Council the following week.

Disposition: Continued to February 24, 1999 at 9:30 a.m.

FOUR-FIFTHS AGENDA

***250-1** Accept an agreement between Multnomah County for the Boys and Girls Club Outreach Pilot Program and City of Portland for funding in the amount of \$50,000 for Fiscal Year 98-99 (Ordinance)

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Discussion: Commissioner Francesconi said this concerns two after-school programs that the Parks Bureau is helping to broker.

Disposition: Ordinance No. 173115. (Y-4)

At 11:35 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 17TH DAY OF FEBRUARY, 1999 AT 2:00 P.M.

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

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

***251** **TIME CERTAIN: 2:00 PM** - Amend Title 33, Planning and Zoning, to establish the CascadeStation/Portland International Center plan district (Ordinance introduced by Commissioner Hales)

Discussion: Mayor Katz said Commissioner Hales and she have been meeting for over a year with representatives from the Port of Portland, Tri-Met, the State, Metro and private partners about this district plan, which is an integral part of getting light rail to the Portland Airport. It is important for Council to take a close look at the creation of an International Center, related to tourism and the Airport, plus another center primarily related to jobs.

Commissioner Hales said thanks to the good work done here this area will end up looking very different from the usual "same old, same old" standardized development one usually sees around airports.

David Knowles, Director, Bureau of Planning, said today he is presenting the recommendations of the Planning Commission for Cascade Station and the Portland International Center. These amendments represent a remarkable product produced by Tri-Met, Metro and the Port on the public side and Bechtel and Trammell-Crow on the private side. This is a very good urban development in an area which, if market forces were allowed to do what they normally do, would result in a typical suburban development with big box retailers and chain motels.

John Fregonese, Fregonese Calthorpe Associates, 421 SW 6th Avenue, 97205, described the project elements and the practical importance of adding the Airport to the light rail system. Both light rail and this currently empty 120 acres of developable land are integrally tied together and to the Airport, which has become a very important part of the urban infrastructure. He noted that the 120 acres is currently zoned as an industrial park and what is being presented today will embody in the zoning ordinance the new vision the City has for this area. He reviewed some of the earlier plans for this area and how they have evolved into a unified development, which incorporates open space in the form of park blocks, situated between two light rail stations. He said the vision is to require an urban space around the park blocks with the stations at either end. This will be a mixed-use urban area with office, retail, entertainment and hotels. Because of its proximity to the airport, the only thing it will not have is residences.

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Transportation access to the development is constrained as there are only a few access points into the area and the amount of development that can occur is limited by the amount of traffic the site can generate. They expect this development to generate about one-third less traffic than most because it is a mixed-use development with a pedestrian-friendly environment and good transit service. Development has been limited so it will not overwhelm road capacity or clog streets.

Mr. Fregonese said the project has been divided into two subdistricts, Cascade Station (Subdistrict A) and the Portland International Center (Subdistrict B). Subdistrict B will be a more industrial area that the Port will continue to manage for more urban industrial uses. Minor zone changes are being requested to adjust the EG2 and IG2 zones so they conform with the intent of the two different districts. Council is also being asked to impose some additional requirements, including an armature of open space and streets, creation of the park blocks, a requirement that buildings be built up to the street frontages and be at least two stories high, and requirements for connectivity to the rest of the site. An additional standard was adopted that will require the station platform and a circular area about the size of Pioneer Square to be dedicated for a plaza. The area around the plaza would allow diagonal parking. Clear and objective design standards have also been added that are intended to operate without Design Commission review. Some additional standards have been incorporated into the development agreement with PDC that establish certain standards regarding such items as manner of construction, equipment screening, etc. Mr. Fregonese said he believes this project provides both certainty and flexibility for the market and gives the City a high quality standard for a development that will allow the creation of 10,000 new jobs, encourage light rail ridership and decrease traffic to the Airport.

Commissioner Hales asked him what the participants learned from this process that the City could make standard practice elsewhere.

Mr. Fregonese said the way a vision is usually articulated is through design review, which tends to be expensive, time-consuming and hard to do everywhere. When areas are successful it is usually because they have good bones and infrastructure, a combination of streets and parks. The flesh is then developed around a few basic rules that still allow a lot of creativity and flexibility. He believes those simple rules could easily be used elsewhere and encourage private development because there is no design review process.

Mr. Knowles said they also based development on transportation capacity, something that has not been done before. This may be a tool that can be used in other contexts.

Commissioner Francesconi asked if the main benefit to taxpayers is the creation of 10,000 jobs.

Mr. Fregonese said this will locate good quality jobs in the center of the City and the region, not at the periphery, in an area with good transit access. Another benefit is that part of the cost of the light rail line is being paid for by Bechtel and a lot of road

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infrastructure is being added here by private developers.

Commissioner Francesconi asked what access the public will have to the park blocks, especially if there are no residents living there.

Mr. Fregonese said the park blocks are seen as a gift to the City, a place where one could have festivals and where travellers can become part of a village only half an hour from downtown. He can imagine many uses and believes those will evolve over time.

Commissioner Sten asked how this fits in with efforts to improve the Columbia Slough. He noted the City has already spent \$120 million into getting the sewage out of the Slough.

Mr. Fregonese said a lot of time was spent discussing how to improve water quality. He noted that because of the area's proximity to the airport, anything that attracts birds is a real problem. Working with the Bureau of Environmental Services (BES), OMSI-type landscaping evolved which will clean the water and provide greater benefits.

Commissioner Sten said there is a growing argument from some very sophisticated people that doing this type of work wipes out green space. He said preventing sprawl by itself is not enough if more intensive uses are placed in sensitive areas.

Mr. Fregonese said this area was a floodplain that has been heavily altered over time. He said they are preserving the identified wetlands, putting aside some natural areas and preserving the edge of the Columbia Slough. Also, by providing a form of urban space here, thousands of acres of farmland elsewhere will probably be saved from conversion.

Mr. Knowles said there has been a lot of discussion about all these issues and many compromises were made. The Plan District and the development agreement, which is not before Council today, are integrally related. Some elements were included in the Zoning Code while others fall within the development agreement because they are more discretionary. Design elements customarily were placed in the Zoning Code while more discretionary items were placed in the development agreement, which will be approved by the Portland Development Commission (PDC) and will not come to Council.

Mayor Katz asked for a review of the proposed amendments.

Cary Pinard, Bureau of Planning, said the proposed amendments amend both the Zoning Code regulations, the commentary, ordinance and findings. The first set of amendments deal with the report and recommended plan district language. She reviewed the amendment package and noted that Amendment No. 7 would require that all surface parking lots handle their stormwater runoff through a water quality system that involves landscaping (the OMSI type), except for those in the circle.

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Mayor Katz asked if the requirement in Amendment 7 should be built into the Code.

Ms. Pinard said Planning has been talking to BES staff about that and see this plan district as the test case.

Mayor Katz said staff needs to review what was done at the wastewater treatment plant, OMSI and Buckman Heights and then come back and say this works and needs to be put in the Code and required everywhere.

Ms. Pinard said that is being added as a requirement in the Plan District now with the idea that it may be an allowance in the future. For that reason, they accept Commissioner Saltzman's amendment.

Ms. Pinard further described the sections of Amendment 7 and what they require in the way of water quality treatment for surface parking lots. Amendment 8 is a proposed plant list.

Commissioner Sten asked why plants on the City's nuisance list, such as ivy, are on the approved list.

Ms. Pinard said there is a difference between prohibited and nuisance plants which they are trying to clarify.

Jessica Richmond, Bureau of Planning, said prohibited plants are those prohibited in required landscaping anywhere in the City. Nuisance plants are ones that can be removed from the environmental zones without City approval. This amendment removes the nuisance plants from those allowed in the Plan District.

Ms. Pinard said some plants classified as nuisances are hardy and meet other goals.

Commissioner Hales said he assumes the language about streets in Amendment 5 is not an attempt to actually name those streets. He assumes that the standard protocols between PDOT and the Post Office will still prevail.

Ms. Pinard said yes.

Commissioner Saltzman said he appreciates new language about the water quality parking standards as this is a direction the City has to move in. His other suggested amendment deals with Parcel B and reducing the landscaping from 15 to 7.5 percent. He understands the 7.5 percent is needed to make this more of an urban space but if that standard is relaxed, he would like to require that water from flat roofs also be treated through a landscape approach. He believes keeping stormwater on site is a very effective way of treating it and also helps reduce water temperature. This will help water quality in the Slough and the City should not be afraid to raise the standard here, since public dollars are involved, and look at creative ways to treat stormwater runoff from the roofs. He said PDC is recommending that building roof runoff be treated

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through landscape systems in the PDC/Port agreement and the CC&Rs for Subdistrict B, and questioned what the result will be if this is only recommended rather than required.

Mr. Knowles said this issue has not been captured in the Zoning Code but could be. However, PDC has an alternative approach.

Bob Alexander, PDC, said they will encourage surface treatment where possible but are concerned that in some areas such treatment may not be possible if they still want to allow for truck movement. He said stormwater will be treated appropriately whether it is done in-ground or on the surface. While they realize recommended does not mean required, they will certainly tell businesses they must look at the surface treatment alternative first. If they cannot find any alternative, they will then be allowed to go to the second alternative, which still involves a treatment system. The net result to the Slough will be stormwater treated roughly the same, whether it goes through a surface or underground system.

Commissioner Saltzman asked if language could be added stating that the first choice for treating stormwater is through landscaping and that a finding would have to be made to that effect before developers can move to the second alternative.

Mr. Alexander said they could work on that. It is a question of flexibility and they do not want to give companies no other alternative if they are not able to do surface water treatment.

Commissioner Saltzman said there is no huge technical obstacle to capturing the water and putting it to use. While that is not a standard building practice now, he would like to see it become one, as it will also help cool the urban environment.

Mayor Katz asked if there are any roof gardens in existence yet that provide water treatment.

Commissioner Sten said several are under construction. This is the place to try some of these new ideas, which he does not think are that technically difficult. He would like to craft some language that would require surface treatment unless PDC finds it unfeasible and notifies the Commissioner in Charge of BES. That gives everyone some room to work on specific solutions.

Mayor Katz said she needs to understand something of the science about roof gardens.

Tom Jones, Dove and H Pacific, 8405 SW Nimbus, Beaverton, 97008, said flexibility is needed to treat different conditions on this site, allowing innovative yet flexible ways to treat stormwater. He has been involved with this site for 12 years and stormwater management has been the most critical element here. The Port, in particular, has set the ground work for stormwater management here in order to give predevelopment direction about where stormwater can go. Right now the plan is simply a vision as the

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developers do not yet know exactly where the footprints will be or their shapes and configurations. Even the public park blocks are being viewed as a demonstration project to show how they can be used to treat stormwater from the streets. He noted that some traditional treatments are not possible on this site because they attract birds, which are dangerous around airports. He said their hope is to improve on what OMSI did but believe some flexibility for retail and industrial sites is critical.

Mayor Katz said the challenge is for the City to be at the cutting edge of managing stormwater runoff using low technology/low cost treatment methods in an industrial district. She asked Mr. Jones if he would be willing to work on this.

Mr. Jones said low tech solutions are generally less expensive and people will gravitate to them as long as they meet their needs. He is somewhat concerned about the expense of some of the methods suggested, such as containerization, which is especially costly to maintain. He believes he can work with BES to determine effective means.

Commissioner Saltzman said, as he understands it, next week Council will see language setting a hierarchy for how roof water can be treated with a clear preference for treating it on site if possible.

Mr. Alexander said this language would be added to the development agreement and Port documents, not the Plan District. He said they will review that language with Commissioner Saltzman.

Commissioner Francesconi said it is unclear to him what the barrier is, if PDC does not get agreement on this language. Is it the expense or will it also take more land?

Mr. Alexander said it could take more land to do a surface treatment as one could put a surface parking lot, for instance, above underground treatment.

Commissioner Francesconi said he figured it would take four more acres but is not sure that is accurate. He said right now he cannot tell now what the benefit will be. Also, why is the development agreement not subject to Council approval?

Mr. Alexander said Council has authorized PDC to be its Urban Renewal Agency and typically those development agreements do not come to Council. However, PDC would be happy to do a full report to Council on the details of the agreements. They expect them to be approved by the Commission in about two weeks.

Commissioner Francesconi said he thinks it is important for PDC to make such a report. Mayor Katz agreed.

Commissioner Sten said it may be impossible to answer Commissioner Francesconi's questions by next week. He said there are two schools of belief about how stormwater should be treated. One school believes it is actually cheaper to do these kinds of "green" treatments while the other thinks it is prohibitively expensive. He would like to

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test some of these ideas on this site and try to get some real answers, not just beliefs.

Mr. Alexander said they have one particularly large site where they can easily test out some "what ifs." It becomes more problematic on smaller parcels to figure out how to site a building, allow for parking, truck access and water quality surface treatment. However, by next week they can come up with a hierarchy of preferences, even though the science may have to come later. They are also interested in finding out the benefits to the Slough of these various methods.

Mayor Katz said while there is still work to be done, the City needs to continually push the envelope and this may be very good opportunity.

Mr. Jones said regulating standards is definitely a good idea but regulating the methods is more problematic because the technology is changing so rapidly.

Commissioner Saltzman said when one talks about increased costs, one must also consider the avoided cost because of the stormwater that does not end up going into the Slough, where it becomes a burden to the rate payers.

Mayor Katz said Council will adopt this next week and consider the proposed language for the development agreement.

Commissioner Francesconi asked if an analysis had been done on return on investment.

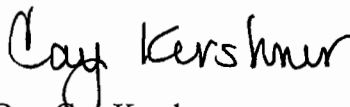
Mr. Alexander said one was done when Council approved the Finance and Framework Agreement. He will be happy to share those numbers with Council.

Commissioner Hales moved the amendments contained in the February 17 memorandum. Commissioner Saltzman seconded and, hearing no objections, the Mayor so ordered.

Disposition: Continued to February 24, 1999 at 9:30 a.m. as amended.

At 3:30 p.m., the Council adjourned.

GARY BLACKMER
Auditor of the City of Portland


By Cay Kershner
Clerk of the Council