



CITY OF
PORTLAND, OREGON

OFFICIAL
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **11TH DAY OF APRIL, 2007** AT 9:30 A.M.

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

Commissioner Adams left at 10:30 a.m. and returned at 11:39 a.m.

Commissioner Sten left at 12:02 p.m.

Mayor Potter left at 12:18 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Harry Auerbach, Chief Deputy City Attorney; and Ron Willis, Sergeant at Arms.

Item No. 361 was pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

COMMUNICATIONS	Disposition:
350 Request of Jay Boss Rubin to address Council regarding Burnside Street (Communication)	PLACED ON FILE
351 Request of John F. Bradach to address Council regarding the impeachment of President Bush and Vice President Cheney (Communication)	PLACED ON FILE
352 Request of Harrison Sloan to address Council regarding a magazine for youth (Communication)	PLACED ON FILE
353 Request of Adrian X. Thompson to address Council regarding a school project called Hotspots: A Teen's Guide to Portland (Communication)	PLACED ON FILE
354 Request of DeAnthony Gill to address Council regarding Open Meadow's project to benefit teens (Communication)	PLACED ON FILE
TIME CERTAINS	
*355 TIME CERTAIN: 9:30 AM – Intergovernmental Agreement with Metro to receive the local share component of the 2006 Open Spaces Bond Measure (Ordinance introduced by Commissioner Saltzman) (Y-5)	180883

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<p>356 TIME CERTAIN: 10:30 AM – Direct Portland Parks and Recreation to adopt new sponsorship and naming policies (Resolution introduced by Commissioner Saltzman)</p>	<p align="center">CONTINUED TO APRIL 25, 2007 AT 10:30 AM TIME CERTAIN</p>
<p align="center">CONSENT AGENDA – NO DISCUSSION</p> <p align="center">Mayor Tom Potter</p> <p align="center">Office of Management and Finance – Business Operations</p>	
<p>*357 Pay claim of Kathryn Gamber (Ordinance) (Y-5)</p>	<p align="center">180872</p>
<p>*358 Pay claim of Clayton Slominski (Ordinance) (Y-5)</p>	<p align="center">180873</p>
<p align="center">Office of Management and Finance – Human Resources</p>	
<p>*359 Authorize a contract with the Immigrant and Refugee Community Organization to facilitate the Summer Youth Employment Program (Ordinance) (Y-5)</p>	<p align="center">180874</p>
<p>360 Create a new represented classification of Electrician/Instrument Technician, Apprentice and establish an interim compensation rate for this classification (Ordinance)</p>	<p align="center">PASSED TO SECOND READING APRIL 18, 2007 AT 9:30 AM</p>
<p>*361 Create a new non-represented classification of Police Internal Affairs Investigator and establish a compensation rate for this classification (Ordinance)</p>	<p align="center">REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION</p>
<p align="center">Office of Neighborhood Involvement</p>	
<p>362 Amend a grant with the Youth Employment Institute for additional funds for graffiti abatement (Ordinance; amend Contract No. 36229)</p>	<p align="center">PASSED TO SECOND READING APRIL 18, 2007 AT 9:30 AM</p>
<p align="center">Police Bureau</p>	
<p>*363 Extend contract with David Corey, Ph.D. for psychological examinations of police officer applicants and employees (Ordinance; amend Contract No. 35139) (Y-5)</p>	<p align="center">180875</p>
<p align="center">Commissioner Sam Adams</p> <p align="center">Office of Transportation</p>	
<p>*364 Grant revocable permit to Red Dress Portland to close SE Madison Street between 2nd Avenue and 3rd Avenue from April 13, 2007 to April 15, 2007 (Ordinance) (Y-5)</p>	<p align="center">180876</p>

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<p>*365 Grant revocable permit to ROUX Inc. to close N Concord Avenue between N Killingsworth Steet and N Willamette Blvd on April 29, 2007 (Ordinance) (Y-5)</p>	<p align="center">180877</p>
<p>*366 Amend contract with David Evans & Associates to provide survey and mapping support for the Portland Office of Transportation (Ordinance; amend Contract No. 36682) (Y-5)</p>	<p align="center">180878</p>
<p>367 Set a hearing date, 9:30 a.m., Wednesday, May 16, 2007 to vacate the west 2.00 feet of SW Bond Avenue between SW Curry and Gaines Streets and between vacated SW Lane and Lowell Streets (Report; VAC-10042) (Y-5)</p>	<p align="center">ACCEPTED</p>
<p>368 Set a hearing date 9:30 a.m., Wednesday, May 16, 2007 to vacate a portion of SW Lowell Street between SW Macadam and Moody Avenues (Report; VAC-10043) (Y-5)</p>	<p align="center">ACCEPTED</p>
<p>369 Authorize an Intergovernmental Agreement with the City of Milwaukie to partner on a SmartTrips individualized marketing project (Second Reading Agenda 326) (Y-5)</p>	<p align="center">180879</p>
<p>370 Grant revocable permit to Portland Center Stage to close NW Davis Street between 11th Avenue and 12th Avenue from 6:00 am to 11:00 pm, May 19, 2007 (Second Reading Agenda 327) (Y-5)</p>	<p align="center">180880</p>
<p align="center">Commissioner Randy Leonard</p>	
<p align="center">Water Bureau</p>	
<p>371 Authorize an Intergovernmental Agreement with Mt. Hood Community College to conduct Occupational Safety and Health Administration 10 hour courses for safety awareness training (Second Reading Agenda 328) (Y-5)</p>	<p align="center">180881</p>
<p align="center">Commissioner Dan Saltzman</p>	
<p align="center">Parks and Recreation</p>	
<p>372 Authorize contract with the Friends of Forest Park to perform trail work in Forest Park (Ordinance)</p>	<p align="center">PASSED TO SECOND READING APRIL 18, 2007 AT 9:30 AM</p>
<p>373 Apply for a \$275,000 grant from Oregon Parks & Recreation Local Government Grant Program to rehabilitate and develop Gilbert Heights Park in outer East Portland (Second Reading Agenda 331) (Y-5)</p>	<p align="center">180882</p>

REGULAR AGENDA

Mayor Tom Potter

City Attorney

***374** Change expiration date of drug-free zone Chapter to September 30, 2007
(Ordinance; amend Code Section 14B.20.020)

Motion to accept amendments to Directive a. D and add Directives b. and c.: Moved by Commissioner Saltzman and seconded by Commissioner Leonard. (Y-4, Adams absent)

(Y-3; N-1, Sten; Adams absent)

Motion to reconsider item: Moved by Commissioner Sten and seconded by Commissioner Saltzman. (Y-4; Adams absent)

Vote on reconsideration: (Y-4; Adams absent)

180884

AS AMENDED

***375** Change expiration date of prostitution-free zone Chapter to September 30, 2007 (Ordinance; amend Code Section 14B.30.020)

Motion to accept amendments to Directive a. D and add Directives b. and c.: Moved by Commissioner Saltzman and seconded by Commissioner Leonard. (Y-4, Adams absent)

(Y-3; N-1, Sten; Adams absent)

Motion to reconsider item: Moved by Commissioner Sten and seconded by Commissioner Saltzman. (Y-4; Adams absent)

Vote on reconsideration: (Y-4; Adams absent)

180885

AS AMENDED

Fire and Police Disability and Retirement Fund

***376** Authorize contract with Linda L. Hill, M.S. to provide vocational rehabilitation services for the Fire and Police Disability and Retirement Fund of the City (Ordinance)

Continued to April 11, 2007 at 2:00 p.m.

(Y-4; Sten absent)

180887

Office of Management and Finance – Business Operations

377 Amend contract with Architectural Resources Group to provide additional architectural and engineering services for Union Station Transportation Enhancement Project (Ordinance; amend Contract No. 35969)

**PASSED TO
SECOND READING
APRIL 18, 2007
AT 9:30 AM**

Office of Management and Finance – Purchases

378 Adopt findings, authorize an exemption to the competitive bidding process to the Bureau of Purchases pursuant to ORS 279C.335 and City Code 5.34.870A, and provide payment for construction of the Ed Benedict Park Skate Park Design-Build Project (Ordinance)

**PASSED TO
SECOND READING
APRIL 18, 2007
AT 9:30 AM**

Office of Management and Finance – Technology Services

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<p>379 Authorize five consecutive years of on-call services for updates in reports and other customizations as required to the Cayenta Utilities Software (Second Reading Agenda 338) (Y-3; Potter and Sten absent)</p>	<p>180886</p>
<p style="text-align: center;">Commissioner Sam Adams</p> <p style="text-align: center;">Office of Transportation</p> <p>380 Authorize application to the Oregon Department of Transportation and Oregon Department of Land Conservation and Development for several Transportation and Growth Management program grants in an amount up to \$1,238,000 (Resolution) Motion to accept amendment: Moved by Commissioner Adams and seconded by Commissioner Saltzman. (Y-3)</p>	<p style="text-align: center;">CONTINUED TO APRIL 18, 2007 AT 9:30 AM AS AMENDED</p>
<p style="text-align: center;">Commissioner Dan Saltzman</p> <p style="text-align: center;">Office of Cable Communications and Franchise Management</p> <p>*381 Adopt competitive cable franchise application process in response to new federal regulatory mandates (Ordinance) Continued to April 11, 2007 at 2:00 p.m. (Y-4; Sten absent)</p>	<p style="text-align: center;">180888</p>
<p style="text-align: center;">Commissioner Erik Sten</p> <p style="text-align: center;">Bureau of Housing and Community Development</p> <p>382 Support the creation of the Quality Rental Housing Work Group to explore the issue of environmental health and substandard housing conditions that threaten the health and safety of low-income tenants and develop corresponding policy and program recommendations (Resolution) (Y-3; Potter and Sten absent)</p>	<p style="text-align: center;">36498</p>

At 12:26 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **11TH DAY OF APRIL, 2007** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Potter, Presiding; Commissioners Adams, Leonard, and Saltzman, 4.

Commissioner Saltzman arrived at 2:11 p.m.

At 2:25 p.m., Council recessed.

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

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

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

<p>383 TIME CERTAIN: 2:00 PM – Accept Staff Report and Recommendation and Order of Council for Gregory T. Kurahashi Measure 37 Claim (Report introduced by Mayor Potter; PR No. 06-180855)</p>	<p>Disposition: CONTINUED TO MAY 23, 2007 AT 2:00 PM TIME CERTAIN</p>
<p>384 Accept Staff Report and Recommendation and Order of Council for Lahti & Sons, Inc. Measure 37 Claim (Previous Agenda 344; Report introduced by Mayor Potter; PR No. 06-180929)</p> <p>Motion to accept amendment to the Staff Report: Moved by Commissioner Adams and seconded by Commissioner Leonard. (Y-4)</p> <p>Motion to approve Staff Report: Moved by Commissioner Adams and seconded by Commissioner Leonard. (Y-4)</p> <p>(Y-4)</p>	<p>STAFF REPORT AND RECOMMENDATION ACCEPTED; ORDER OF COUNCIL ACCEPTED AS AMENDED</p>
<p>385 TIME CERTAIN: 3:00 PM – Adopt the West Burnside/Couch Alternatives Report and direct the Office of Transportation to begin preliminary engineering, next fiscal year as funds become available, and implementation of the recommended alternative for transportation and streetscape improvements to the West Burnside and Couch Streets Corridor outlined in the preferred project alternative, the Burnside-Couch Streetcar Couplet (Resolution introduced by Commissioner Adams)</p> <p>Motion to accept amendments: Moved by Commissioner Adams and seconded by Commissioner Sten. (Y-5)</p> <p>(Y-5)</p>	<p>36499 AS AMENDED</p>

At 9:00 p.m., Council recessed.

April 12, 2007

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,
OREGON WAS HELD THIS **12TH DAY OF APRIL, 2007** AT 2:30 P.M.

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

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

<p>386 TIME CERTAIN: 2:30 PM - Tentatively uphold appeal of Northwest District Neighborhood Association and reverse the Landmark Commission decision to approve the application of William De Bellis, Donald Singer, Singer Thurman LLC, GFV Enterprises LLC and 2311-2317 NW Irving Street LLC for the Irving Street Parking Garage at 2311-2317 NW Irving Street (Findings; Previous Agenda 285; LU 06-132367 HDZM)</p>	<p>Disposition:</p> <p>CONTINUED TO JUNE 7, 2007 AT 2:00 PM TIME CERTAIN</p>
<p style="text-align: center;">REGULAR AGENDA</p> <p>387 Allow funds to be used for homeownership for households with incomes up to 100% Median Family Income under certain conditions and adopt Income Guidelines for the Affordable Housing Tax Increment Financing Set Aside Policy (Second Reading Agenda 346; Ordinance introduced by Mayor Potter and Commissioner Sten; amend Ordinance No. 180547) (Y-5)</p>	<p style="text-align: center;">180889</p>

At 3:19 p.m., Council adjourned.

GARY BLACKMER
Auditor of the City of Portland

By Karla Moore-Love
Clerk of the Council

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

April 11, 2007
Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

[The following text is the byproduct of the closed captioning of this broadcast. The text has not been proofread, and should not be considered a final transcript]

April 11, 2007 9:30 AM

Potter: Before we begin, we always start off with asking the folks in this room and the folks who are watching on television the question -- how are the children? The reason we ask that question is because we know that when children are well in a community, the community is well. We have folks come in and talk to us each week about the issue of children and youth. Today we have aurora dan. Could you please come up? She's an eighth grader at parkrose middle school. She's excited about going to high school because there's going to be so many changes, and it's going to open up the world and engage in her dreams. So aurora, thank you for being here this morning. Would you tell the council what you'd like us to know?

Aurora Dan: First i'd like to start off to say thank you for this opportunity. My name is aurora dan, and i'm from parkrose middle school and the subject I wanted to speak about today is our first annual parkrose middle school ride for education program. This is basically a large bike ride for anyone who wants to participate to help us earn a lot of money, because we need a new -- a few more mobile labs for our school. Admission fee is \$10 for students and \$15 for adults. And all you need to bring is a bike and a helmet for safety, and there are different links that you can go, there's a two miles, five mile, 20-mile ride with stop points for resting. The reason we're doing this is because at the moment we have only 70 computers for the -- for kid use, and the models are kind of limiting our knowledge. So we have 820 students and we need at least 60 new laptops in order to extend research and explore more confidently and safer. This event takes place saturday. Hopefully it won't be raining. It's in may, on the 19th. It starts at 8:00 a.m. and goes to about 1:00, 1:30 p.m. at parkrose middle school. We'll ride all through the park erosion districts. Lots of fun, lots of things to see. And I think we end back at parkrose, the high school, and the high school boosters will be there. They're just basically a group of parents that support these type of events, and they're going to be there to serve treats and refreshments and hold a barbecue for everyone. And entries and registration are due april 1 and when you register you do get a free t-shirt that we have designed to thank you for your sponsor. And also, so far sponsors have been pacific northwest, chet hill insurance, precision images, parkrose educational foundation, celebration church and farmers insurance. And when you do end up at the finishing point it's like a party, I would like to call, because it's sort of fun to know you've helped someone and that you get to also be privileged to be there, because you get an award at the end. And mayor tom Potter, I heard somewhere that you might be participating in this event also. And I wanted to thank you for helping us. So that is pretty much what I wanted to talk about and bring up.

Potter: I understand that you want to go into law, and perhaps police work.

Dan: Yes, sir. Yes.

Potter: That's a very worthwhile occupation to go into. It's just slightly above that of a firefighter.

Leonard: I was just going to say -- [laughter] tom knows me too well.

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Potter: Thank you so much, and I would ask all citizens to support what parkrose is doing, because unfortunately in this day we have to do things like this to make sure our schools are as best suited as possible to educate our youth.

Dan: Thank you for this opportunity.

Potter: Let's give this young lady a hand. [applause] council will come to order. Karla, please call the roll. [roll call] [gavel pounded] i'd like to remind folks prior to offering public testimony to city council a lobbyist must declare which entity he or she is authorized to represent. Please read the first communication.

Item 350.

Potter: Thank you for being here. State your name for the record. You have three minutes.

Jay Boss Rubin: My name is jay boss rubin. Burnside street, like everything else in the universe, changes. It is changing right now. The new civic is almost finished, a high-rise next to jake's is in the works. Shiny new buildings cochtis with bricks and mortar from uptown to old town. The bus mall and burnside bridge are simultaneously under construction. The winds of change are howling and burnside street is adapting organically in the process. Burnside is the foundation are that supports these many changes. It should be appreciated, not punished. I like the grit and the ghosts and the taverns and shops, but burnside street is utterly functional as well. "the Oregonian" examined the collision statistics and found that they are phony. Burnside is not a dangerous street. Nor is it a street in an economic slump. Silt lined with landmark businesses. I have experienced moments of ecstasy standing, walking, bicycling, driving a car, and driving a work truck up and down burnside street. Traffic flow on burnside is already good. If it is perfected, drivers will drone on through without stopping and experiencing the city they're living in. It is possible to pause at a light and enjoy watching a man blow a horn or sell copies of "street roots." forget the bumper sticker variety of weird, Portlanders take pride in Portland's unique nevada. Portland is a real place. This proposal is the scheme to wipe out the skid row dream, to replace human folly with plastic daisies. Only two blocks of burnside are skid row. The rest of the street is thriving. Burnside is second only to the willamette river as the defining feature of Portland, the towns backbone. Portland has changed in the last decade and we've done a good job rolling with the punches. The cup let is too much and instead of tweaking the city that is Portland, this proposal aims to create something new and alien. Someone is pushing too hard for a new Portland covered in innovation and accomplishments. I've already gotten used to the sight of the tram, it's very nice. I don't think i'd get used to this new plan. The two counts of development. Trickle up -- trickle down and rise up. North and south revolutionary and reactionary, developer and bum, we inc. All meet in the middle, we can all meet on burnside street. I will not cast a vote this afternoon, I can no way tell what you to do. The best I can do is evoke what is right and true. Keep an eye on the danger as the days get stranger, don't pick up burnside street, mess her up and rearrange her. Thank you.

[laughter]

Item 351.

Potter: Please state your name for the record. You have tres minutes. -- three minutes.

John F. Bradach: Good morning, mr. Mayor. Council. Commissioners. I'm here, it's john f. Bradach, sr. I'm here as an american citizen. As a citizen of Portland and Oregon to seek your assistance in affecting the impeachment of the president and the vice-president of the united states of america. You each know about my nephew, marine corporal travis bradach natural who died in an explosion in iraq on july 2, 2003. That was the day bush said "bring them on." it's now nearly four years ago. In materials I submitted to you I told you something of my parents' deaths a few days before american bombs began to hit baghdad in a car fire on mount hood. I put in front of me here a picture of travis and my parents on august 8, 2002, during one of travis's last leaves at our fourth annual family campout at cape lookout state park. It wasn't the last time they were together, but a year later on that same spot at that same moment I stood and they were all dead.

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Impeachment is not just my private passion, it is a sworn duty of each of us for the good of the country, we must not give these perpetrator as free pass on the mess they have dealt. I sent each of you materials on my march 10, 2007, impeachment resolution which passed the Oregon state democratic party central committee on that date. I also submitted a copy of the bill that's pending in Washington state legislature in the senate for a law invoking jefferson's man well role 603 which permits a state legislature to initiate impeachment. I know city council heard substantial testimony from may through the summer last year on an impeachment resolution. Action on such a resolution awaits your action. Now I ask the Portland city council that it resolved to encourage Oregon's legislature using that rule 603, and congress to proceed with impeachment. I believe there will be an impeachment in congress. Its vitality and prospects for success are enhanced by every citizen, official, elected -- and elected body that recognizes the time, right, and justice of it. All six of us, each of the five of you and i, my Oregon and Washington bar admissions, have sworn an oath to uphold the constitution of the united states of america. Let us do our duty.

Potter: Please call the next.

Item 352. (did not show)

Potter: Please call the next.

Item 353. (did not show)

Potter: Ok. Is that it?

Moore: That's all the communications.

Potter: The consent agenda, we'll move to item 361 has been requested to be pulled off. It will be heard since it's an emergency item before we lose our council majority at 11:30. Are there any other items, any other commissioners wish to pull off the consent agenda? Any other people want to call an item off the consent agenda?

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

Potter: Aye. [gavel pounded] please read the 9:30 time certain.

Item 355.

Saltzman: We have before you an exciting council item that will make it official our partnership with metro as it relates to purchasing new natural areas in Portland. As many of you know, land acquisition for parks is one of my highest priorities as parks commissioner and this is a tremendous step forward. The city is delighted to receive the over 15 million dollars identified as Portland's local share component of the 2006 metro bond measure. We look forward to continuing the success of the 1995 measure which brought hundreds of acres into our park system. The 2006 measure will be even more successful in its implementation. With us today is metro president david bragdon and metro council member rex burk holder to help us kick off this new effort are and dave mccallister, Portland's city nature manager to discuss the intergovernmental agreement before us today.

Dave McCallister: Good morning, dave mccallister, city nature manager, Portland parks and recreation. We're very happy to present beginning the city's participation in the metro bond measure 2680 passed in november 2006. As you recall the city council approved resolution 36.382 on march 1, 2006, supporting metro's intent to take the bond measure before the voters. This resolution specified projects to be funded through the Portland's local share of the bond. With the passage of the bond and consistent with council's resolution, parks will be allocating over \$15 million for the following projects. \$8.4 million will be targeted for natural acquisition in the west side wildlife corridor, west side streams, willamette bluffs, and in several areas in -- that will compliment the regional target areas that metro may be purchasing. Slightly more than \$3 million will be used to acquire parkland in park-deficient low-income neighborhoods, notably sen centennial. \$1.3 million will acquire trail corridor easements along marine drive and also in compliment areas to the regional share target areas. Finally, \$2.5 million will be used for habitat restoration and trail improvements in natural and in parklands citywide. And I might add that we are going to be going out to the public june of 2007 for further refinements of these projects. As I

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mentioned, this is just the beginning of the city's efforts. You'll be hearing from us over the next several years as we bring individual acquisitions before you for your approval. Additionally, metro will be purchasing properties with this regional share and we'll bring i.g.a.'s related to the management of those properties before you. We look forward to the approval of the local share i.g.a. So we can begin doing the good work of this bond immediately and I might add that this is only one component of the larger series of efforts that metro will be undertaking within the bond, and I have david bragdon, rex burkholder here to share with you those other come opponents.

David Bradgon: Mayor Potter, members of the commission, david bragdon, president of the metro council here with rex burkholder. It's budget season, so I assume probably you often have people sitting in this chair asking you for money. So it's a nice -- it's a pleasure to be here actually talking about giving you money. But in fact it's really the public's money. That's the point of this whole effort, that your constituents and taxpayers are ours. The structure of this particular bond is a good model of partnership among different levels of government. And we intentionally structured this, and it's a model of how you can raise revenue regionally, and accomplish regional objectives, yet also do some of that at the local level with local discretion. At well there's a component where there's literally a neighborhood level of it. I think it's a good model for trying to get things done in the region. Having this vehicle on a regional basis, yet decision-making at various levels, including the local government. So you're the first city council that we have sat down and talked with since the passage of this measure. And you'll be the first city we've formalized an agreement w it's beyond this \$15 million, it's the start of multilevel efforts. So I just want to touch on the different features of the program and then council burkholder will talk more specifically about the city of Portland. As you know, we have the large-scale effort at the regional level where our staff will be working with the staffs of local governments around the region, nonprofit groups to acquire natural areas. There's significant target areas within the city of Portland, so we'll be working with your staff, columbia slough is one of those areas, have you a variety of bureaus that have been active in the columbia slough. Johnson creek watershed is another one that was added in this ballot measure. So we'll be working with you on that. Continuing the work in forest park, along fanno creek in southwest, tryon creek in southwest, those are all examples of work that we'll continue. The local share which is specifically what we're here to talk about is an example again of accountability in government. We sat in front of you just over a year ago in march and you talked about what you would do if this measure passed. We had a similar conversation with the voters regionwide, so it's gratifying to be able to be in public life and be able to tell the voters, if you vote for this, you will get that. And then here we are not very long after passage saying sure enough, that's what we're doing and memorializing it here. I appreciate the chance to celebrate this, and moreover to continue working with you to spend this money, invest this money in the way that the -- that we told the voters we would, and that we'll be I think gratifying to them and future generations as well. With your permission i'd like to ask -- have council burkholder address you as well.

Rex Burkholder: Thank you very much. Rex burkholder, I represent the northern half of the city of Portland. I'm pretty excited about this program and what we're talking about with you here today. As president bragdon second degree -- said, there are a couple of ways this works together. One is the regional target areas which will be eligible for the 168 million dollars of regional dollars that was approved by the voters with almost 60% in favor vote and majority in every county voted for this. I just want -- the areas we're looking at as regional target areas that compliment the work you're doing include forest park connections, the rock creek headwaters and greenway, which has some areas, the west slope in the city of Portland, tryon creek, johnson creek and watershed, columbia slough, and part of that is the 40-mile loop. Willamette river greenway, the fanno creek greenway trail and the spring water corridor. All those are on our regional target areas and we'll be looking at those areas to acquire more land. The very first acquisition done with this funds was actually along the spring water corridor on johnson creek. There's a parcel contijuana with us to

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sellwood park. If you stand on the new bridge that's across Johnson Creek you look down, that land that looks like it might be part of the park, it's privately owned, there's an acre there we purchased already and we'll be working out an agreement in terms of maintenance and taking care of that. It's a great acquisition on the creek and pretty good condition, and it needs a little restoration, but it will make a great asset. The local share program is about \$44 million, \$230 million of the bond measure, \$15 million will come to the city of Portland. The idea here is to, we will be coordinating, our staff will be working with yours, so they compliment each other as well. And we'll be offering technical assistance as well with our land acquisition staff which has comprised of a number of real estate experts to help us get the best deal and find the best pieces of properties with the biological staff. President Bragdon also mentioned the neighborhood level of program. This is a new feature of this bond measure that wasn't present last time, which is a nature and neighborhood capital grant program. And the idea there was to set aside a small amount of money, \$15 million, not small, for a challenge grant that -- for projects that we may not be able to identify. Even though government is very smart, the idea is that their neighborhood associations out there, there's community groups, schools, local governments may come up with ideas that they hadn't thought when in preparation for this bond measure. So this is a challenge grant program through trying to pull those out of the woodwork and come up with other ideas and focusing especially in areas that are park deficient and lower income. So those are the kind of components of this. I think the idea was to try to make sure these worked closely with the goals of local parks districts, including the city of Portland, so make sure the regional effort raised every vote in terms of bringing new dollars and also the focus and expertise to this area to make an improvement overall for the whole region. Thank you very much for your support and participation in this. It's great to have a success like this. Also because he's here, I want to say President Bragdon provided a lot of leadership on this one, and made sure we recognize it is our responsibility to the future to make sure that we keep preserving natural areas in the urban area. Thanks very much.

Potter: Questions from the council?

Saltzman: I just want to thank the metro council for its outstanding leadership and President Bragdon in getting this measure passed. The dividends will pay off for many generations to come. We'll treat it well.

Bragdon: Thank you.

Moore: We have one person signed up. Linda Robinson.

Linda Robinson: Good morning. My name is Linda Robinson, and I live in outer east Portland. I wasn't planning to testify, but I just couldn't help it. Having grown up in the Johnson Creek watershed and spent many years working with the Columbia Slough Watershed Council and living in outer east Portland, I'm really excited to get this moving. Very pleased that we're going to purchase some parkland in some of our neighborhoods in outer east Portland. Delighted to be involved with the Gateway Urban Renewal Area, which is an area I think we've already begun brainstorming on how we might propose something to do with the nature and the neighborhoods. So I'm real excited, and in terms of acquiring, I got to put a little plug in, I've been working with folks in the Cully neighborhood and they have some strong interest in purchasing a purchase of the Coalwood Golf Course, which is soon going to be going out of business. So I want to put that plug in. But thank you, and I'm glad to see this i.g.a. is in place and we can start spending the money. Thank you.

Potter: Thank you.

Adams: Thanks for all your work. Appreciate the money. We'll put it to good use. Aye.

Leonard: I of course appreciate this, but also the direction Metro has taken with both Rex and David. It has been noticeable for those of us who work in government, what a great operation you guys have really created. And it's really a compliment to your leaderships and this is an example of the kinds of great things that Metro does now that we're all very appreciative for. Aye.

Saltzman: Aye.

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Sten: It's great working with you guys. Aye. Good job.

Potter: Thanks, metro. We really appreciate it. Aye. [gavel pounded] please read -- actually we're a little early for the 10:30 time certain. So let's move to -- we've got several emergency votes on the regular agenda. Let's move to first on the agenda, item 374.

Moore: Did you want to do 361?

Potter: Ok. Please read item 361.

Item 361.

Potter: Is staff here to discuss this? Please come forward.

David Rhys: My name is david reece, i'm the class comp manager with bureau of human resources. This is a classification ordinance that creates a new classification. This will be allowing the police bureau. Representatives are we me today, to move current sworn positions to operations.

And the new position, this new classification, will be a nonsworn classification that a nonsworn employee can be recruited for and hired. That makes better use of their sworn staff and they can comment on that further should the council have some questions.

Potter: Questions from council? Thank you, folks. I think dan handelman, are you here? You're the one that asked to have it removed from the consent. Is anybody else signed up for this?

Moore: I didn't have a sign-up sheet, but I know we have people here to testify. Amanda, did you want to sign up for this -- testify for this?

Dan Handelman: Good morning, mayor Potter and commissioners. Dan handelman, i'm with Portland cop watch. This is not just a mere reclassification ordinance. What this is is taking the job of overseeing police misconduct and changing who's doing the investigations. From sworn police officers to nonsworn individuals. This is actually something we've been asking for for a long time, to have people other than police investigating possible misconduct claims. However, we were kind of hoping there would be part of the independent police review board. As long as you're reclassifying who's going to be doing the investigations y. Not put the investigators inside our system? I think part of the problem is that system still hasn't been reviewed, even though there's a promise to have a review of that system one year after it got created, it's been six years, and I think commissioner Adams had that money set aside to review that system in june of 2005, and that review still hasn't happened. So in the meantime, we're changing the system, which will make it harder to do an accurate review of how the system is functioning, because they're going to change who's doing the investigations. And it raises a number of questions, such as who's going to be overseeing these nonsworn people who are going to be doing these investigations? And are they going to have the power to compel the testimony of the other officers if they're not sworn officers? And I don't know the answers to these questions, perhaps somebody can answer them. Another thing that occurred to me, the position of internal affairs right now is a stepping stone for officers within the bureau. We never suggest once there were independent investigators that internal affairs would disappear. So one of the jobs that police officers need to go through as they rise through the rank and file is to be part of internal fairs today, understand what it means to check on the conduct of their fellow officers. If it's now going to be assigned to people who are not sworn officers, that's not going to be there available for the police anymore. At least not to the same extent. It's unclear how many of the sergeants, there are four being transferred out, it's not clear how many there are. I think the overall complaint that I would have about this being introduced on the consent agenda is that the city council is very aware that the citizens of the city are very concerned about police oversight as an issue, and have a relatively major change in the way this -- that misconduct complaints will be handled with no public conversation ahead of time and seems like sort of a done deal that this money will be set aside for this sort of unfortunate because we've been part of this discussion for a long time, and now the system is changing with no public discussion. So I thank you for having this opportunity right now. I hope there will be more discussion before this gets resolved.

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Alejandro Queral: Good morning. My name is Alejandro, the executive director of the northwest constitutional rights center. I'm testifying about this new classification of internal affairs investigators. It is clear that the Portland police bureau and the internal affairs division have had to deal with a lack of staff capacity, and this has had a negative impact on the ability of San Bernardino affairs to investigate complaints filed with internal -- police review division. So I applaud this initiative in as much as it will help relieve some of the pressure and hope to remove i.p.r. investigation was greater swiftness. I would like to take the opportunity to comment on the ordinance and the creation of the classification. Clearly there are several questions that remain unanswered. This presents an opportunity for city council to seek the input of community members and organizations and urge to you do that so at the earliest possible time. It's unclear what the qualification requirements will be for the investigators hired under the new classification. It's important to note that internal affairs detectives have conducted practically all of the investigations related to i.p.r. complaints since the i.p.r. system was implemented. One concern that the northwest constitutional rights center has raised is the actual and perceived lack of impartiality which investigating police officers within the bureau. This new classification presents an opportunity to hire investigators that would be able to have an arm's length relationship with police bureau officers under investigation. News as a qualifications and requirements are developed, would I urge this body to consider requiring at minimum that candidates consider for this position not before former Portland police officers the city of San Francisco and its police body has the same requirement. Second, it's unclear who will supervise this new classification of investigators and whether they will be held to the same standards as current i.a.d. detectives. Finally, since most of the i.p.r. complaints are investigated by the internal affairs detectives, a significant segment of the public feels it's lacking impartiality. The new classification could be an opportunity to revisit how i.a.d. conducts investigations of i.p.r. complaints and to evaluate whether requiring that all investigations are conducted by i.p.r. investigators is a viable opening that could improve the quality of the investigation and i.p.r.'s reputation as a truly independent body. Thank you.

Amanda Fritz: Good morning, I'm Amanda Fritz, speaking only for myself. I have three questions. Why wasn't the independent review that was funded two years ago, why hasn't that been done? Why hasn't the consultant been hired? Why hasn't that money been spent? Why is this an emergency ordinance? Why did this not go through the process of a citizen committee and why does it have to be passed today? And the third is, under the new form of government in 2691, would in measure be on the calendar at all? Would it be something that would be subject to council's policy decision, or would it be an administrative something that would -- that the public wouldn't even know about?

Potter: Anybody else signed up to speak? Questions from the commissioners?

Leonard: What is the status of the consultant for the independent review?

Potter: Is that going to be done through the auditor's office? Do we have information on -- is anybody from the auditor's office here?

Saltzman: I've asked this question several times. I recall the auditor said he didn't think his office was the appropriate place for this study to be conducted, given his status as overseer.

Potter: Will you come forward, Maria?

Maria Rubio: The mayor's office will be taking the lead on that. We have been meeting with the auditor's office, and also with other community members who would like specific questions answered. So we're working on the scope of work for that at this time.

Leonard: Is that something that the mayor's office has been working on for two years, or did you just realize the auditor wasn't going to do it and are now moving ahead?

Rubio: I think it was originally in commissioner Adams' office, and then it was transferred to the mayor's office about a year ago. So we've just been working on trying to get it out the door in terms of the scope of work.

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Leonard: What is the time line?

Rubio: Hopefully we'll get it out within the next couple of weeks.

Potter: The r.f.p.?

Rubio: The r.f.p. itself.

Leonard: Why it is an unreasonable suggestion, this is for anybody, to wait to have this changed on -- in concert with kind of the review and engaging some of the folks that are interested in this change? Why is that a bad idea?

Rubio: I don't understand what your question is.

Leonard: The criticisms i've heard this morning are that the folks that interact with i.p.r. a lot would have liked to have been involved in this decision today. I don't hear anybody actually criticizing the move, but that they should have been -- why is that not a good idea?

Rubio: The decision to civil --

Leonard: Why isn't it -- why should we be voting on this now, why shouldn't we pull it off and allow that discussion to occur as they have requested? Why is that a bad idea?

Rubio: I believe it was a decision of the chief's office to make these moves in accordance with the direction that she's going to to make the department more efficient.

Potter: To put more officers on the street, did anybody from the police bureau wish to address this?

Leonard: I think everybody understands that. I appreciate that. That makes sense to me. What I heard was, however, a decision was made that was really fundamental and how oversight occurs in internal affairs, and folks would have liked to have had some input into that. Is it so important that we do this today that we can't stop and have some of that constitution in the next couple weeks before we move ahead on this?

Rubio: I don't know. I do know that chief sizer has worked with i.p.r., and I don't know what kind of conversations they've had.

Leonard: Would you feel comfortable with setting this over for a couple weeks, mayor, until maybe we could confirm have of that and have some discussions? Thank you very much.

Saltzman: I think we did make a decision in the winter bmp to endorse this move by the chief.

Leonard: Again, I actually on the substance of it I completely am there. I'm also sensitive to what I heard, which is we'd like to have had some input to tweak it, whether they should have prior law enforcement experience or not. Those are things to at least have a discussion about.

Potter: We'll pull it off and put it back on the regular agenda and have a full presentation on it.

Leonard: Thank you. Hopefully -- my intent is not so much to have a full presentation as it is to have a discussion with the folks that we've heard from here today in the intervening time.

Potter: You mean the mayor's office have that discussion, the chief's --

Leonard: Sounds like the chief's office, but whoever you think is appropriate. Certainly the folks that are here and whoever the decision-makers are. Pyrotechnic ok.

Are you referring this back to the mayor or are you going to set it --

Potter: I'm asking to have it come back to the mayor's office.

Leonard: We're sending it back to your office? Ok.

Potter: Yes.

Leonard: Thank you.

Potter: Please read item 374.

Potter: Please read item 375 as well.

Items 374 and 375.

Potter: Staff, please come forward on that.

Maria Rubio: Good morning, commissioners, and mayor. My name is maria rubio, the policy manager for public safety for mayor Potter. Our request from the mayor's office is that we be granted a six-month extension through september 30 to continue the work of the drug-free and

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prostitution-free zone oversight committee. We got a late start on the committee. We have been -- we met a couple of times and are meeting again tomorrow. The membership has provided some very good inquiries that we're following up on in terms of gathering the information that we can to make a good analysis and to provide some recommendations to council for either changes or to continue the ordinance. And the changes that we're asking for this morning are having to do with that extension.

David Woboril: Mayor, members of the council, david woboril. The ordinance before you has a direction that would change the sunset clause in the current drug and prostitution-free zones. The current sunset clause would cause the zones to expire on april 14 of this year. And the change to the clause would cause them to expire at the end of september. September 30, 2007. I think there may also be a potential amendment, which would add a couple of other directions to the ordinance, requiring bureaus to cooperate with the work of the exclusion zone oversight group and requiring the oversight group to report to council on awe topics. And I think you're being handed those possible amendments and a list of topics is printed on the second page.

Saltzman: How long is the exclusion zone oversight group been up and run something.

Rubio: Since february. Some of the work that we are -- we'll be looking at is whether the exclusion zone boundaries and the criteria used to create them properly define and address neighborhood livability problems, whether review and appeal process of issued exclusions are effective in protecting against erroneous solutions, whether Portland's police officers have used the exclusion tool effectively and fairly, whether zone enforcement supports can be modified to support broader efforts to address root causes of drug and prostitution crime, number five, whether the city should begin additionalers to address drug and prostitution crime, and number six, whether zone enforcement results in unlawful discrimination based upon race and/or ethnicity. Number seven, whether a zone enforcement has a positive effect on neighborhood livability, and number eight, whether the zone should be changed or renewed. And some of the questions that some of the members of the committee have asked, and that we are gathering the data for are the biggest question is, why minorities are overrepresented. The percentage of people excluded who have prior convictions, the percentage of people excluded with prior arrests, the number of arrests that lead to prosecution and conviction, race and ethnicity of those excluded, the number of exclusions by zone, the number of exclusions not upheld for lack of probable cause, and the number not upheld for technical reasons. And so you can see we have a lot of information that we're working on and we'll require additional gathering of additional data as we get it from the police bureau to make some good recommendations.

Adams: As you know and the council might know, my vote to extend the exclusion zones was in part predicated on the creation of this oversight group, and it's frustrating that it's sort of -- it's frustrating that it is getting geared up so slowly. And i've heard concerns about -- from advocates, fairness advocates, that the group isn't necessarily working as well as it could be. I wanted to raise those issues and give you and/or the mayor and dave the opportunity to comment on them.

Rubio: I agree the group has not been working as effectively. We have hired a facilitator to come in and help us -- help guide the process. It's really difficult for people who are vested in the outcome and come with a lot of passion to step back and take an objective perspective. So I think with the facilitator we can move along more smoothly. I think we have looked at the enforcement - the review process and also the appeals process, and we feel at least from my perspective I think that we think it's a good process. I think we're -- the hearings officer is doing a good job. I think the process is working. Now we're needing to look at the data in terms of how it's affecting the population. As also I needed to also say that we did get a late start in terms of enforcement for the ordinance. We didn't get up and running until september of 2006. So the data that we have is from september until -- to current date.

Sten: Did you bring a list of the composition of the committee?

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Rubio: I did.

Sten: I've heard some concerns that the committee is not as balanced as people would like. Do you want to talk about that?

Rubio: We got some referrals from actually representative shields was on the list to be on the committee, but because he was not able to, he referred a couple of people, chris o'connor from the public defender's office, and mr. Rogers, who resides in northeast Portland. We also have the community prosecutor, jim hayden, we have mike reece from the Portland police bureau, we have pastor turner from northeast Portland, and someone, mr. Turner also from the 82nd avenue prostitution and drug-free zone. We do have myself and my assistant who also participate on that committee.

Potter: You have a list in front of you.

Sten: Is the makeup of the committee -- did you put this together as just a general balance, or was this set up with, we should have -- some committees, we need 11 members and let's try to balance it, and other committees are, we need two of these and two of these and three of those? How is this set up?

Rubio: The recommendation, the mayor wanted people with the different perspectives to be at the table. And also we asked for a representative from each of the drug-free zone prostitution-free zone areas who reside there. And therefore mr. Turner from the 82nd avenue mr. Rogers and also pastor turner from northeast, mike resides in central precinct area, which is the drug-free zone there. So they represent those different areas of the drug-free zone.

Sten: I know you're working hard on this, and I appreciate it. I think there's been significant strides made in the last few months, and -- that we didn't make the year deadline, I appreciate the work the mayor is doing and I think I share many of his perspectives on trying to fix this. I wonder, having spent many years debaiting -- debating deposit if I district attorney hayden, he's good a set point of view on this. So an oversight -- I could say that for some of the other folks too. It doesn't appear to be a committee that's going to brainstorm together, to be blunt.

Rubio: We would be happy to take recommendations on reorganizing the committee.

Sten: People who already have a set position, oh, implement the drug-free zone and convictions won't count probably shouldn't be on the oversight committee trying to shape it.

Rubio: I do think this committee has raised some good questions, and has hoped to guide the discussion. But I am open to recommendations from city council and others in terms of the formation of the group.

Potter: Are you suggesting taking people off who are prosecutors?

Sten: I don't know. I just know that in the case of mr. Hayden, who I respect, he has for many years told me things you are now implementing are not legal. He's sat here and told me when i've asked, could the drug-free zone be modified in ways it has now been modified and now acting could not be done. I've been told it's impossible to get the statistics we're now getting, so I just -- with all due respect to the district attorney's office, they are not proponents of finding the middle ground on this strategy. And so i'm not necessarily saying that's the only person that shouldn't be on there, i'm just saying it appears what we've done is taken the two sides who have been going at each other for 10 years, literally, and then put them in a room and thinking they're going to -- it just seems like it should be more third party advising us than the folks -- the commander reece is a terrific implementer of this and his job is to implement the policy. So it just seems to be the folks who make the convictions stick, who have to implement the policy are on one side -- I am on one side, and i'm not hiding that, but the Multnomah county public defender's office has a vested interest in defending their clients. So I just don't know if this is a makeup after committee that's most likely to come to the best policy recommendations. I do have pretty strong and passionate feelings that the quality of advice that i've received over 10 years on what's legal and what's not. There's been some common sense things we're just now moving on because mayor Potter is interested in look at other

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options. The architects of the program that said it shouldn't be changed are not going to come up with a new idea.

Rubio: One of the recommendations might be that we use this group as sort of -- to give us what the perspectives are, but to form another larger oversight group who actually looks at the data that we've come up with as a result of this group's questions.

Sten: Maybe a better way of saying it is, one cannot effectively oversee one's own work. Oversight committee has to be people who aren't actually doing the work to be -- in the -- on some of the -- we have a technical advisory committee that's made up of the people who are actually on the day-to-day work with the homeless, whether it's the police officers, or the social services, and we have more of a steering committee that are people not going the work day-to-day and can take a step back and look at it. I by no means am trying to say we don't want mr. Hayden's input. We want and value and need to partner with them. The more we disagree the more we need to partner, i'm just saying being in a position of having to provide the city council advice on how to oversee your own work --

Potter: You're saying all these positions should be independent of the process?

Sten: I'm just thinking out loud.

Saltzman: I tend to agree with commissioner Sten. I see a lot of what would I call sort of entrenched interests on one side or another, and it does seem to me I think you said, it's been hard to get the committee going, and you've had to bring in a facilitator. I'm not sure -- it seems to me in the past when we set up independent committees we strive to get people who live in an area or represent a certain geographic area but don't have a strong position one way or the other. Those sort of make the core of an independent committee. A lot of these people look like they would be more -- sort of a technical advisory group, or as greg frank and dave woboril are listed as resources.

Rubio: The idea was also that as people gained more information and we got the -- we got the data that we needed, that they would be able to go back and implement them within the process.

Because they are part of the process. But I agree, this would be -- this might abgood time for us with the extension to convene a more neutral group of people who can work with the data and the answers to the questions that we've gained from this particular group. If you're open to that.

Saltzman: I would see frankly seem more akin to a grand jury type model where you do get citizens who truly don't have necessarily grounding an issue, and they're going to look at this issue with fresh eyes with the resources of the deputy district attorneys, our city attorneys, everybody else, able to solicit testimony.

Sten: As I look at it, my rough count is that seven of the 12 actually implement this policy on behalf of the council or some -- five are affiliates. And that's counting a couple people who are pretty active -- you got three I think that are clearly what I would call citizens that they really aren't in the thing. Five that are citizens that don't actually work directly for us, essentially. And seven that work for us. So, I don't know, it's just something to think about.

Potter: Two of those are positions both red frank and dave woboril are -- woboril --

And they don't necessarily attend, they come in as the -- as we need them for information.

Sten: I'll toss those out. Again, i'm really acting more on -- we're all talking with the same people on the -- i've heard fairly heated critique from more than one person that they don't feel we've quite got the committee right. That's what leads me down this path. I know these folks are of goodwill.

Rubio: The meetings are open to the public. And I am -- as I mentioned, happy to take referrals to get another group more neutral to look at the information and make recommendations, if that's your wish.

Sten: On the topics that the group is going to look at, you read the set of eight questions, and then mentioned quite a few other questions that have come up. I don't know that I need to wordsmith the

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substitute ordinance, but I would like to make sure that the more specific questions that you brought up are fully expected to be answered to us. And the reason i'm getting at that is just technically the question as to racial disparity that's in your ordinance is whether zone enforcements results in unlawful discrimination. And typically the answer to that will always be no. Particularly when it's something the city's exercising. I've never seen a case where the city's come back and said, yes, we are unlawfully discriminating through this process. So I don't expect to get anything but a no on that I do think what i've seen, I understand they're preliminary, the racial disparity numbers are very jarring compared to the population as a whole. And I understand there's some arguments why that's the case, but i'd like to make sure the lesser policy questions of the low whether it's unlawful, but as to, is it appropriate, all the things you were reading, is there -- I don't have words right off the top, you read quite a list of questions the committee had asked. Those are the ones i'm far more interested in than can we prove it's unlawful. Because I have a feeling we're not going to prove it's unlawful on our own law, but I have a feeling these numbers need to be explained at least -- I can't speak for my colleagues, but for myself there's a senses that i'm very hesitant to keep moving on a policy that has these kind of disparate numbers.

Leonard: As a matter of fact, that's exactly -- I was writing as fast as could I as were you going through that list, so what I got was looking at issues based on prior convictions, prior arrests, prior arrests and convictions, prior number of -- prior isn't the right word. The number of exclusions not upheld because of a lack of probable cause. So I agree with commissioner Sten that that's actually the information I need. And for me, I would not like it filtered through the committee, but rather, these are statistical kinds of questions that i'd like to make my own judgment about in terms of whether it affects neighborhood livability, how it -- whether or not the enforcement results and unlawful discrimination. I think these are good questions, but I don't want somebody answering them for me. I want to see the actual data so I can draw my own conclusion. I told you last friday I would agree to extend this for six months and the reason i'll do that is i'm trying to give the benefit of the doubt to this process. But I have a lot of doubt and I was prepared not to support this at all when it comes up. And i'm inclined not to support it when it comes back. And not for some of the reasons that we've heard here, but I feel very strongly, we have a system in this country of innocent until proven guilty, of hopefully an impartial judicial system, all of this which problem confound. And i'd like to be proven wrong. I'd like to see the stats and see that the worst fears that I have may not be well-founded, but i'm inclined to think that's not going to happen. But I want to give the mayor the benefit of the doubt on this, and if it's six more months of really focused work to address the concerns that you're hearing from four of us here, i'm happy to do that. But at that time I am not sure that I can support the program.

Rubio: I appreciate that. And also would like for you to know we do take this very seriously, and know that the mayor has asked we do a thorough study of what is going on, talking to the community, talking with the people who are involved, looking at people's opinions on both side and putting all that information together and presenting it to you as recommendations. We'll be happy to continue, I've started to send some data to some of you, some raw data, and statistics. I'll be happy to keep doing that for all of you so you can begin to look at the data before we actually bring it all in one package to you.

Leonard: But to be clear for me this, is -- even if the system were operating as functionally as is possible, all of the concerns you heard from commissioner Sten and Adams and including commissioner Saltzman were addressed. I still have to wrestle with this issue of whether or not it's appropriate for a police officer based on his or her judgment to be able to actually geographically exclude a body from a particular area in the city without some kind of a conviction. That's troubling just on its face to me.

Rubio: Ok. Thank you.

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Potter: One of the major changes that -- is that it has to be accompanied by an arrest. So there is probable cause that the person has committed a crime. And that's part of the exclusion process, and it has to go through the hearing process before the person is excluded to ensure that there is probable cause for the arrest. And the hearings officer has excluded some cases, but confirmed most of them.

Leonard: I guess I heard just the opposite. That's why I can't wait to see the statistics. I heard the hearings officer overturned most of them.

Worboril: That is into the the case.

Leonard: How does that break out?

Worboril: I think that the hearings officer -- I shouldn't start talking about the numbers without them in front of me. It's less than I think 11% of overturned exclusions all together. I think the overturn the right for technical reasons is around 5%, overturned for lack of probable cause in the reports, around 4%. I'm probably wrong, but close.

Leonard: What happens then in the next stage, in the judicial system? That adds up to 9%, 91% of the folks, the hearings officer found there was probable cause to exclude so at some point the cases had to be adjudicated, what has happened in the court system with those other 91%?

Worboril: One of the comings the -- things the committee is generating, you will have all that information. The cases take many paths should the criminal -- through the criminal justice system. We're starting to track how many are dismissed, home are dismissed in connection with another case, how many result in conviction. We may have those numbers at the table.

Rubio: We took a small sampling from early september when we first started implementing the exclusion ordinance. And also to give us time to go through the system. Out of 62 people excluded 55 had prior criminal convictions of some sort in Oregon. There were -- these are prior convictions.

Potter: 89% had a prior criminal conviction for something, 75% of those folks had prior conviction for drugs. So about three-quarters. That's not in conjunction with another arrest.

Rubio: We have our person from Portland police bureau, it does have a conviction rate from that sampling that we did in september.

Sten: We would have three-quarters if we limited it to people with a record.

Potter: A record for the same offense.

Scott Partridge: My name is scott partridge, a crime analyst for the police bureau. The sample we took for the first two weeks of september we had 64 exclusions which involved 62 individuals. Of those individuals, I looked at their cases through the d.a.'s office. The number of convictions as of the date that I looked at, which I believe was the end of february, 53% had received a conviction at time only 11% had received an outright dismissal, there were a number of cases still open, there were a number of cases that had received a dismissal in conjunction with a community court, diversion, or stop program.

Leonard: 53% of the 62 individuals excluded in september of 2006 went on to be convicted?

Partridge: As of --

Leonard: Of the arrest that caused the exclusion?

Partridge: Exactly.

Leonard: And --

Potter: What happened to the rest? You mentioned the stop court. There's some intervention strategies that were employed besides the prosecution. The stop program is a drug court that actually looks at eliminating a conviction if the person goes through drug treatment. That's one of the programs.

Leonard: So these other 48% could be part of that diversion program.

Rubio: They might still be in the process.

Leonard: We should have -- you should be able by the next time we have a report, tell us that.

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Worboril: If I can observe as something as an outsider of the group, I work in support, the group is starting -- the advocacy from the ends of the spectrum is starting to generate pressure to develop these numbers. They're asking some very tough questions, and the numbers are starting to flow. I think we're going to be able to answer many of your policy questions, given more time.

Leonard: To confirm a couple of other things you've heard here, and again, I haven't checked any of this out, but the information i've got back was actually not just the group was having a lot of challenges, but it was actually a dysfunctional group. And so i'm obviously very concerned about getting recommendations from a group that is having problems communicating effectively with each other, and so I think we really need to take a look at who is sitting on the committee, and I am very much in agreement with the perspective commissioner Sten has given. They shouldn't be folks with a stake in the outcome. They should be as impartial as possible, given the subject matter.

Potter: Further questions for these folks? Thank you.

Potter: State your name for the record. You each have three minutes.

Dan Handelman: Good morning again. Dan handelman, Portland cop watch. Unfortunately for people who are stopped in these zone and given these exclusions, if they miss their deadline to appeal, it's just too bad for them. They are out for 90 days, and if they get convict the they're out for a year. But the council gave the police nine months to come up with the numbers. They had 90 days before this renewal, the chief of police was supposed to give a report, and that didn't happen. There are no consequences. Council gave themselves one year to extend these zones, around 13 years before that, to review it, and that has not happened. I think that the time is up. I think you should not give an extension to this. I think you should look at the numbers you have from the time period that has happened previously, and suspend the zones until you have had a chance to look at them. I think the time is up. I think that the -- this committee being created, these are open to the public. Who are very invested in this issue. I had no idea when this committee came into existence. I happen to be in communication with mr. O'connor. I find out they started meeting but I still don't know when and where the meetings are taking place. So it's not very much of a public process at that. I'm glad there's questions coming up about the makeup of the committee. The aclu, which helped mayor Potter hold community meetings last year about the concerns the community had as far as I understand was not invited to be part of this committee. I have a word from andrea meier that she would have liked to have been asked to be a participant. I think commissioner Leonard touched on this, I know the courts have looked at the zones and said if it's narrowly tailored it can be constitutional under these narrow conditions, but I think commissioner Sten touched on the question of, is it good public policy? And I think that a lot of people's lives are affected by these zones, and we've been dragging this discussion on for so many years, and it's -- again, it's good that we're taking serious looks at it, but it just feels like we're just being shined on, that oh, the committee had a long time to get up and running and the one-year deadline is today. Or it's sunday, particularically. So I feel like city council I feel the time is up on drug-free zones and hopefully you will suspend them until the research is done. Thank you.

Chris O'Connor: Chris o'connor, an attorney at metropolitan public defender. I'm not here representing metropolitan public defender but as a citizen. I live on beach street next to the beach, what was the beach drug-free zone, on the edge. I'm also the stop attorney if you have any questions about stop programs and alternative court processes. I'm also apparently a member of the drug-free zone oversight committee. I was barely informed of this, it's been very limited information given to the supposed members of this committee. We've met twice I believe the committee was formed after the state senate proposed, there's five members of the Portland delegation proposed a bill to take state control of drug-free zones. Because of some concerns that they had. Then this committee suddenly appeared. A year ago this council renewed the zones for a year to allow data to be gathered. Committee to be formed for the police to do their own analysis within 90 days, which -- 90 days before the end of it, which is right there in the beginning of the

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ordinance. And there was serious concerns expressed by the council about why this date wasn't supplied to the council during the last debate. This was to do that. The data has not been generated. The data that is generated for the oversight committee has been recalled, whoops, we put the wrong data out. We're having trouble getting data from years past. I'd suggest myself as an opponent of the zone and one other member. The rest represent the business community or police and city agencies. Or former members of the city agencies. Rather than neutral advocates. Would I certainly support a more neutral committee process if the committee is to be renewed and the zones are to be renewed, there should be an extreme effort made to make up fair committee. My problem, my concern is that advocates, for instance, ms. Rubio is leading the committee and deciding the agenda is advocate for the zones. There's attempts to shut down the discussion about whether or not there should even be zones based on probable cause to arrest. District attorney's office suggests that's beyond the scope of the committee. There's no list of guidelines as to what we're supposed to answer. There are no guidelines as to who are we supposed to come to these discussions. Ms. Rubio suggested earlier we all agreed that the committee agreed that the appeals process was working ok, or adequately. I suggested taking a vote on that and was denied the opportunity to even suggest a vote on such a thing during the committee meeting. I'm concerned about the zones overall, but first and foremost i'm concerned about the process. I think the council has sort of been misled as to what's been working the whole time, when it's supposed to be -- when the data is supposed to be produced. And that was today. That's now. This should be done and it's not. I'd encourage you not to renew the zones, and if we can discuss it, duke over all the data and decide later if zones are appropriate, but why renew a system that isn't working, 20% of the prostitution cases are getting thrown out by the city hearings officers, 8% of the drug-free zones are, and according to city hearing's officer, and even today this data is new to me and i'm on the supposed committee about tracking these cases through the criminal justice system. I haven't seen that data yet.

David Walmer: My name is david walmer, i'm the general manager of the quality inn and suites at the old pink flamingo hotel. And also a pastor at the church that owns that property. We -- we're fairly new to this process. It's my understanding the tool has been a great tool for the police department to help clean up that area. For the record I would like to thank the east precinct for their efforts in helping us clean up that property. You probably are aware many people have said that property that we purchase was the biggest problem in parkrose area and because of their efforts, I understand the -- two of zones were -- instrumental in helping that process. And I would -- as a public citizen, as a businessman i'd like to encourage the continuation of those zones. I share commissioner Leonard's view and also these gentlemen's view that it needs to be done correctly. We don't want to exclude people that have no right to be excluded, but we do need to have control of the crime problems in some of those areas. So I would encourage you to extend that time. Thank you very much.

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

Alejandro Queral: Good morning, mayor, commissioners. Alejandro, i'm here this morning to urge to you vote against the renewal of the drug-free and prostitution-free zones. By suspending the exclusion zones now the city has an opportunity to understand how the zones may be contributing to or facilitating by policing or racial profiling. The ordinance encourages pretext stops because officers identify people in terms of how they look and where they are and not in terms of what they're doing alone. The fact is exclusion orders are issued to people of color in numbers far greater than their share of the population. Nearly 60% of the 838 drug-free -- handled by the public defenders were enforced against african-americans. Yet the prevalence of drug use among whites and african-americans is about the same. So if you compare this to the traffic subdata from 2004-2006, in the central precinct african-americans constituted 2% of the population. Yet they're likely

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-- they got twice as likely. I urge to you consider this opportunity to better understand how certain policies that may at first seem like a good idea may be having a disparate impact.

Mike Kuykendall: I'm here to encourage to you provide the extension so the committee can do its work. This ordinance has been in effect since 1993 in various parts of the city. And we have seen some frey results in terms of crime reduction. Homicides are down, north Portland where they were rampant 10, 12 years ago. Drug dealing is significantly down in down town. Out on 82nd. Meth dealing is significantly down. So we know there's some good results of this. But I want to tell you all here today as a committee member, I haven't made my decision either. I think there's a lot of work that needs to be done. I think there's been some inaccurate statistics provided to council and to the oversight group. I know today statistics are open to interpretation, but today we heard from one witness that said the hearings examiner tossed out 8% of these because of lack of probable cause. I sat in that meeting and the hearings examiner said 8% were tossed, the majority because the box that said which zone was supposed to be affected was not checked by the police officer. So there's a lot of information coming out of the oversight committee and out of the police department in terms of statistics that needs to be analyzed. I'd support even having a group like Portland states graduate program help us out. There's a lot of misinterpretation of the data. So before we make a decision as an oversight committee about getting rid of this tool, all the other types of crime, we should be very careful, consider very carefully before we do that. The business community supports extension, and it's very important to at least let the process take hold. That's what i'm asking for today. Let the process take hold. Thank you.

Potter: Thanks, folks.

Moore: That's all who signed up.

Potter: Further discussion or questions? Please call the vote.

Harry Auerbach: Did you want to do the amendments?

Potter: Oh, yeah. Yes. Each of them have the same amount. Is that correct?

Potter: Do I have a second?

Leonard: Second.

Potter: Please call the vote.

Leonard: I appreciate in the comments that mike just made from the p.d.a., just to be clear, there is no doubt in my mind that drug-free zones have reduced the issues relative to drug use and sale, and alcohol abuse in the affected zones. There should knock doubt in anybody's mind, just as there should nobody doubt if people didn't have the right under the fifth amendment not to self incriminate, we'd have a higher conviction rate than people who committed offenses. The issue isn't as much about the effectiveness of the zones as it is balancing the interest of the folks that live in our community to live? A free society to be able to express themselves freely and to come and go freely with the right people have to be secure in their beings and their property. I am increasingly concerned that balance is not being achieved after the drug-free zones. And I will be unpersuaded that statistics showing that we've reduced the kind of behavior drug-free zones are intended to eliminate from those zones. If in fact when we get a report back in six months or thereabouts it has been statistically shown that the drug-free zones have not been managed appropriately by the police. So it's with those caveats that I will support extending this for six months because I do want to -- on the side where i'm responsible to make sure that I do everything I can to protect folks in their being and their homes, I want to give this a chance. On the other side, the constitutional issues that this raises are deeply, deeply troubling to me. Aye.

Saltzman: I'm also going to support extending the zoning until september 30. I think that the substitute we're adopting that lays out the eight parameters for the exclusion site -- oversight group to rook at -- look at, the additional information provided by maria rubio about the statistical analysis that will occur are going to be helpful. I think you've heard doubts raised by all of us, virtually all of us about the composition of the committee, can it do meaningful oversight in an unbiased way.

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So that's something I will leave to the sponsors of this work group to decide. But I do see kernels of information starting to come out. Just today we started to hear kernels of meaningful information that can help us decide the larger questions about the appropriateness of drug and prostitution-free zones, vis-a-vis constitutional rights. But those questions will be looked at in september. And I do urge if this committee is not getting off the dime or is too entrenched that the sponsors of this consider a more neutral group of citizens and have these people serve as resources to those citizens. Aye.

Sten: I'll vote aye on the amendments and make my comments on the ordinance itself.

Potter: Aye. [gavel pounded]

374 as amended.

Potter: Call the vote on 374.

Leonard: Aye.

Saltzman: Aye.

Sten: To give a little explanation about my vote here, I do think that the drug-free zones are valid tools. The basic premise of them is that we have people who are repeatedly dealing drugs in places, being arrested and having essentially no sanctions. Because of the situation with the jail bets and other things, we have neighborhood subjected to repeated drug use and drug dealings and the traditional method, the preferred method which would be an arrest and confinement for breaking the law is not available. I think that's a valid premise and I think it's been proven to work. I have also - - i'm the only person to vote against drug-free zones. Even before the events of this administration and the continuing erosion of the concept that you need to be innocent before proven guilty, I felt these -- that this set-up was dangerous and it wasn't that it couldn't be used, and this is what has galled me over the years about the drug-free zones, that it unnecessarily the way the city chose to set it up, compromise potential civil rights and freedoms. For literally 10 years I have been asking for statistics about how many people have prior convictions and have been stone walled. My reason for that is the way this was originally set up quite some time ago was if a police officer essentially accused you of anything including drug possession, they could on the spot write an exclusion and you would be kicked out of the zone. If you were then found on the zone shortly afterward, you're guilty of criminal trespass. So if indeed you had not possessed the drugs, you were not potentially found yourself in a criminally liable situation as an innocent person. So I have advocated for years and will continue to advocate this morning that we should make the drug-free zone contingent upon having a record. The whole premise of the drug-free zone is that you're a repeat offender is terrorizing the neighborhood and not going to jail. Therefore in all likelihood you've been convicted. If you have not, I don't think it's too much to say we ought to get you convicted once before we start using civil penalties to exclude you, because I think you -- no matter what we think, I don't need to at the time anybody, the merit of innocent until proven guilty. Last year mayor Potter stepped in and said I agree this could be better run. It isn't a question of should we have drug-free zones, we should have drug-free zones that sacrifice the minimum amount of civil rights necessary to make these things work. And we have not shot that idea ever in the last 10 years until recently. With the hearings officer we need probable cause, and the -- and it does not go into effect until somebody has reviewed it. It's a huge change. Now that we have the statistics, I think we should take a look and try and figure them out. What begins to emerge is that I think the statistics would have been worse in terms of probable cause if we didn't have this standard. People know those are the statistics, they know that's the standard they're going to work to that. So it's an improvement already. That being said, we voted to give it a year and at some point you have to say, we have to be accountable to the timetables we set. If a community group had come back in and told us that we had given them a year to spend our money and they had started the process barely a month ago, they had forgotten what day the deadline was so they needed an emergency vote, we would have said we're sorry but that's not going to work. So I think we need to stick to our word

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and say we did not do the work we said we were going to do to get these zonings into the shape they need to be in, and therefore a six-month extension is not warranted, and it's on the other side to figure out what to do next. So for those reasons, although I do think we're make progress, i'm going to vote no.

Potter: This has been an interesting discussion. I think a good discussion. I had concerns about the drug and prostitution-free ordinances, and I think that in our society that we should place a high value on people's rights and freedom. I think that also applies to both sides. Citizens have a right to be secure. Into the just encroachment from government, but also encroachment from criminals. And so there's always this careful balance that you try to have, and we worked hard to try to create that balance. But I any that there is still a lot of questions remaining, and yet I think that the drug and prostitution-free zones have proven themselves valuable. But there's many issues that we need to resolve. And I think that given the six months that we could come back with those issues, present it in a way that would provide people the opportunity on this council to make a decision about whether this should continue or not. So I vote aye. [gavel pounded]

Saltzman: Would I make a motion to remove the emergency clause.

Sten: You can't, it's already failed. Can you have discussion, mayor?

Potter: Yes.

Sten: I've thought a lot about this. I've worked hard with the mayor, who despite our view i'm not in a feud with, he and I talked about this at great lengths yesterday. This is an emergency ordinance because the zones expire in three or four days. That is an oversight which the mayor has explained to me, and we all make those kinds of oversights. The result of an emergency vote for those of you who don't follow parliamentary procedure closely is that it has to be unanimous. So the council just passed the concept of extending the drug-free zones 3-1. But it failed because I voted no. So i'm going to move for reconsideration and ask the council to reconsider the vote and give what would I call a courtesy vote to the majority so it can take place immediately. Rather than vote yes and try to explain I don't support this, but i'm voting yes, which is the kind of thing old folks like john kerry lost the presidency over, I thought it would make more sense to vote no beyond the record that i'm - - be on the record as a no vote and offer a reconsideration. For those of on you my side, I don't think we accomplish anything by putting the drug-free zone out of business for 26 days, which is the net result. It can be refiled as a nonemergency vote. And it would pass 3-1 and then we'd -- the drug-free zone would die for 26 days, the interim from when it dies to when it would take place without an emergency clause. And I just think that creates nothing but an administrative headache. So I -- with that explanation i'll move for reconsideration for item 374.

Saltzman: Second.

Potter: Please call the vote.

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

Sten: Thanks, mayor Potter for working on this. I do believe we'll be in better shape in six months, and I hope if we're not the council will join me. Aye.

Potter: Aye. [gavel pounded]

Auerbach: That allows to you reconsider. Now you've got to vote again on the ordinance.

Potter: Vote on the ordinance.

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

Potter: Aye. [gavel pounded] 375. Vote on the amendment. Is that correct?

Auerbach: I believe you adopted both substitutes through the same motion. You you, vote on the item as amended.

Leonard: Aye. **Saltzman:** Aye. **Sten:** No.

Potter: Aye. [gavel pounded]

Sten: For the same purpose I wanted a no vote on the record, i'll move to reconsider 375.

Saltzman: Second.

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Potter: Call the vote.

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

Potter: Aye. [gavel pounded] now vote on the continuance.

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

Potter: Aye. [gavel pounded] we'll now go back to the 10:30 time certain. Commissioner Saltzman?

Item 356.

Saltzman: We have before us two new policies that will help us provide a fiscally healthier Portland parks system. While at the same time protecting our parks from overly commercial influences. These policies strike the appropriate balance between protecting our parks from commercialization while still utilizing the private sector's willingness to give. I understand the angst this issue causes some folks, and that concern is appropriate. All citizens, but even more so, city council, must watch over our public space and be stewards for their continued use by all. But the fact remains the taxes are limited, and many, many good programs and important services compete for these limited public dollars. Our wonderful park system has a unique ability to generate private investment. But parks staff must have good policies in place so they know the rules of the road. This staff works daily to maintain and protect our parks and they need the ability to utilize the resources of private entities that are willing to give and to utilize those resources in a respectful and appropriate manner. These policies on sponsorship and naming provide those rules. At this time I'd like to introduce parks director Zari Santner, and marketing and business development manager Bob Schultz who will go through these policies and answer any questions council might have.

Zari Santner: Good morning, Zari Santner, director of parks and recreation. Caring for our city's parks and recreation system presents many, many what evenings. Such as increasing and changing community needs and expectations, aging and deteriorating assets, and uncertain revenue base. The parks 2020 plan is a citizen-driven and council adopted plan that guides the bureau in addressing these challenges. I would like to read the vision statement in the parks 2020 plan. Portland's parks, public places, natural areas, and recreational opportunities give life and beauty to our city. These essential assets connect people to places, self, and others. Portland's residents will treasure and care for this legacy, building on the past to provide for the future generations. The plan also establishes several goals and strategies to bring this vision into fruition. One of the strategy goals is to provide for stable and predictable funding as competing demands in the city's general fund continue to increase. The plan identifies several short and long-term strategies for financial sustainability. Among those is increasing the proportion of funding that comes from grants, donations, and entrepreneurial partnerships. From less than 1% currently to 10% by 2020. During the past budget processes, at least in the past couple years, staff and citizens have continued to stress the need to increase and diversify our revenue base by leveraging public dollars with private funds. Last December we completed the staffing of the newly established business development and marketing unit within the bureau, charged with advancing these goals. The unit will lead the bureau's effort in expanding partnership and grant opportunities, marketing our gift catalog, securing sponsor for parks program and services, and in partnership with parks foundation, soliciting private donations to keep Portland parks and programs strong. The first task of this unit was to formalize some of the existing practices of recognizing sponsors and donors into a comprehensive policy. And to update them for relevancy towards our goals and consistency with our mission. The value of a formalized policy vetted by the public and approved by the council is that it makes the intent and outcome of how we move forward with private partnership very transparent. Bob Schultz, my left, manager of business development and marketing unit, will highlight the specifics of the two policies, especially those provisions that ensure that the way we recognize private contributions doesn't just detract from the visitors' experience in our parks and facilities or compromise the

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stewardship and care of the legacy we've inherited as we continue to provide for future generations. I'd like to read you a quote that was included in the parks 2020 plan by a citizen who participated in development of that plan. And he said, it is one thing to plan the future, but quite another to see it carried out. A great keel of courage, perseverance, and energy will be required to see that this plan becomes a reality. The adoption of these guidelines that are indicated or provided in the two policies will give the bureau additional tools to realize the parks 2020 plan. So with that, i'm going to ask bob to describe some of the salient points of the two policies that is before you.

Bob Schulz: As Portland parks and recreation new marketing and business development manager, my first task is to move forward in finding opportunities to leverage private monies from proven in Portland parks, programs, and facilities to that end, two policies are being brought to you today. The sponsorship policy and the naming policy. The sponsorship policy provides guidance for how we recognize partnerships where money is given with the expectation of recognition. In addition, any recognition after sponsor shall not detract from the visitors' experience. All sponsorship proposals must directly relate to the intent of the community center, park, or master plan for that site. The mission of the sponsor should compliment, not detract, from the mission of Portland parks. For example, we would not make a partnership with the tobacco company because that conflicts with our mission for health. In addition, in recognition of a sponsor's contribution, preference will be given to provide recognition that's not displayed within parks. Examples of this recognition include acknowledgment on brochures, temporary signs, the website, thank you letters, and press conferences. This is not to say we would not recognize a contribution at a park, but it should be done so that it cso not detract from the visitors' enjoyment of the park. In recognition of a sponsor should be commensurate with the value of the contribution a divine period of time and the life of the asset being sponsored will be considered. Logos are a concern for the public. We've heard from them about that. We have addressed this in our policy. Locals can -- logos can only appear on temporary signage or plaques for the life of the sponsorship. For example, a banner might appear in a summer program in a park which indicates the sponsorship of a certain program for youth such as a basketball league. The marking -- marketing and business development manager will make the determination of type of recognition to be provided. The naming policy is a guidance for donation and other arrangements where naming a park facility or an amenity is an option. First i'd like to note that this is not a new policy but simply amending an old policy. This update allows to us acknowledge major contributions for capital projects. It does not allow for the naming of a park after a corporation. Any corporate logos or direct advertising texts shall not be used in a park or facility. Recognizing outstanding individuals and historic events are also requests that are made to Portland parks. This policy helps provide guidance for those decisions. The names should protect a strong possible five image, be appropriate in regard to the site and location in history and have significance for future generations. It should not result in undue commercialization of the park or facility and perhaps most importantly, it should have wide public support. Naming of an amenity within the community service parking take place when the sponsorship constitutes at least 60% of the total construction costs of the amenity. All naming requests will be considered by a standing committee that will include the commissioner of parks or designee, director of marks or designee, the director of office of neighborhood involvement or designee, a representative of the -- from the Oregon historical society, and a park board member. Final approval will be made by the commissioner of parks. I want to talk to you a moment now about the public process that we went through before we brought you these policies this morning. Before we brought you these policies, drafts were taken to the parks board for their review and comment. Citizens are also given a six-week time frame over our website to give us their comments. The citywide parks team monthly meeting was another venue for us to help gather public opinion. The meeting was advertised on our website and various blogs as well as through radio and television. Articles about the meeting also appeared in print media, including a very

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substantial article in "the Oregonian." we then went back to the parks board for the third and final visit to get their approval. We made changes based on their input and feel confident these are ready for your approval today. We welcome your questions.

Leonard: Can you point me to the section that doesn't allow the naming of parks?

Schulz: Sure. For corporations?

Leonard: Yes. Not just corporations, any contributor.

Schulz: We can name a park for a contributor. In other words --

Leonard: Let's start broad. Point me to the part where it doesn't allow the naming --

Schulz: If you want to talk about where it doesn't name -- on the bottom of page 2 --

Leonard: You said corporations.

Schulz: Naming parks and/or recreational facilities with the company name is not permit by the way of city code.

Leonard: Point me to that place.

Schulz: Top of page 3.

Saltzman: Of the naming policy.

*******:** Uh-huh.

Leonard: Top of page 3. I'm there.

Schulz: It starts -- the first three words and the bottom of page 2.

Leonard: I'm look at your draft.

Potter: Is that exhibit a? You said page 3. I went to the exhibit a page 3 and I don't see it.

Schulz: We pulled these directly --

Potter: Exhibit b.

Harry Auerbach: Exhibit a is sponsorship. Exhibit b is naming.

Schulz: It starts in the bottom of page 2, naming of parks and/or -- the very bottom.

Saltzman: Did they print it directly? This came off our website. I apologize.

Leonard: Maybe you can read it. Read the entire relevant section.

Schulz: Donors seeking naming rights for major donation was respect to all individuals will be encouraged to follow the principles that apply --

Leonard: I am just completely lost. Harry's got your copy --

Auerbach: That's on page 3.

Leonard: Naming, slash, renaming --

*******:** And the name --

Leonard: A park or --

Schulz: I was jumping below that. For naming donations -- major donations, then land and -- there's three bullets there, land for majority --

Leonard: Read the part that you're saying prohibits --

Schulz: You get into another paragraph which was starting to read the whole thing --

Leonard: Ok.

Schulz: So do you want me to read the whole paragraph?

Leonard: I would.

Schulz: Donors seeking naming rights for major donations with respect to an individual will be encouraged to follow the principles that apply to a naming park for an outstanding person. Exceptions to this will be considered on their own merits. Portland parks and recreations reserves the right to rename any park or facility if the person for whom it is named turned out to be subsequently districts in -- acts in a disreputable way. Naming parks with a company name is not permit bid way of city code. Corporate logos and insignias, brands or direct advertising text will not be used in a park -- shall not be used in a park recreational facility naming tax.

Leonard: This doesn't prohibit the naming of a park or after some one -- if it's a company name.

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Schulz: I'm happy to explain that. This has been one of the things I think that's been confusing. We will not name a park after a company name, however, if there's an amenity within a park or park facility that we want to work with a corporation to help pay for, then we maybe -- there may be a gazebo, if it's in Dawson Park, the gazebo may have a company name at that point. However, if we did name the gazebo, it would not have any advertising text, in other words, whatever the company's slogan was we wouldn't put that there.

Leonard: It also talks about not doing that for recreational facilities but under definitions I don't see a recreational facility. I do see a definition for a community center.

Schulz: If you go to the first page under definitions, there's a definition bullet that says recreational facility. We're still on b.

Leonard: And that's on the very first --

*******:** There's four bullets.

Saltzman: It's on page 2.

Sten: What's the logic of bringing some threshold to council?

Santner: Under 10,000. Many of our staff, our communities --

Sten: Does over 10,000 come to the council or the commissioner in charge?

Santner: The commissioner in charge.

Sten: Why wouldn't ones over -- if not some threshold come to the council and allow the citizen a debate?

Santner: There's no reason.

Sten: I think you've falsely been accused of trying to do things out of the public eye, and I think this sets you up to go at it once again. You make a decision that seems reasonable in the confines of your piece, we read about it in the paper and there you are again. We're having a big debate. Transportation can't name a street without the vote of the council. Parks shouldn't be able to name a park.

Santner: We are happy if that's the council's decision to do that. You need to be reminded that currently up fill now naming of a park could be done with just by the director of parks. So we're expanding commissioners' role and we're also providing opportunity for a committee to make a recommendation rather than a director coming up deciding on the naming. Our -- if that's the desire of the council where -- we're happy to consider it.

Sten: I don't know I particularly have a great desire to be the driving force on naming parks, and I think you have a good committee structure, it's just there's no notice public hearing in that process. So I see -- if somebody objects and says this, person had the disreputable behavior you're outlining, and you don't know that, we have no way of getting that kind of information and I do think the citizens will be able to track your process. I don't think -- it could be higher than 10,000. It doesn't need to be 10,000. But there ought to be some threshold where a citizen knows there's not going to be a sponsorship of some kind, a naming of some kind without them vick a clear chance to catch it in the public record along with the press and debate it in these chambers.

Schulz: Can I ask a question? I think I want to ask the commissioner, you seem to be walking between the two policies a little bit. I want to be clear just so that I can help with the conversation. If we're talking because we were started with the commissioner Leonard's comments about the naming policy, and I just heard you refer to the sponsorship policy. So if in fact what you're suggesting is that any sponsorship opportunity of \$10,000 comes to the council for debate, that is -- that's a whole different story if a person wants to name a park and come to the council for debate. And I'm not saying that shouldn't happen, but what I want to know is what you think we should be saying here.

Saltzman: I'm looking at definition under naming and it session a permanent name assigned by city council I have a an ordinance. So naming --

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Schulz: Naming comes before city council. And basically if you're an individual who warrants to have a park named, you have to have eye they're made significant contributions to society, the city, and lasting generations, or you can make a major contribution of 60% or greater of the construction cost. On the sponsor -- that comes to council. On the sponsorship side what we've said is that the marketing and business development director makes decisions for the type of recognition and to give you an example of one of those that we have, the freightliner summer concert series where freightliner sat down with us and gave us \$175,000 to support our concert series in change I for where we advertise on our brochures for the concerts for them. That's the kind of decision that you think should come to council each time we have one, we're going to keep you very busy. I just wanted to clarify that.

Sten: I think there should be thresholds. I'm suggesting that you propose it to us. The threshold of no council involvement is too low.

Schulz: To be clear, we're here today, we're not in an emergency situation or anything, we're just here because we wanted to get these policies vetted at this level.

Sten: I think on both you should give us some sense -- you're proposing other than a permanent naming of the parks, the council doesn't have a role. And i'm saying I don't think -- I don't think that's in your interest based on the controversy you've been through. Those are the things people go after after you sometimes falsely on. I don't think your internal processes get to the public's attention. If you have another mechanism you'd rather use to get it to the public's attention i'm open to that. I just think when we start talking big ticket items, there has to be some chance for people to look at it. I've been less supportive of this than I used to be.

Leonard: I'm working real hard at biting my tongue, and the first time commissioner Sten you referred to the parks bureau's falsely being accused of not having public process I bit my tongue. You said it twice. I don't think you've been falsely accused of that. I'm telling you from my perspective, a submission of an ordinance that requests sponsorship with a naming of a park go on the consent calendar. We each read each item on the consent calendar. I'm not worried about it being bogged down. I am worried about at this point in time the discretion used by parks when it involves private sector folks with money. I want as much oversight as possible.

Auerbach: If I can make one observation, the agreements that you enter into with the sponsors typically do come to the council for approval. The freightliner one, the sellwood park, nike, so council will have an opportunity to review those agreements and you could make a report on your sponsorship.

Schulz: With the new department we're going to be producing annual reports that talk about our partnerships and the good work we can do. Example, the nike go program where we're helping to fight children's obesity. So they're investing in this system so that kids can have better access. Those are the kind of partnerships we're talking about that have very low recognition.

Santner: Commissioner, going back to your suggestion about sending thresholds, we have established threshold, 60% of total costs for any projects or programs if it's contributed by sponsors or donors. So that's the threshold that we've set and we want to know if you're comfortable with that.

Sten: That sounds -- i'm just talking about a threshold that has a public vote of the council.

Leonard: I'm not comfortable with that. I think any time the parks gets money from the private sector we should be able to have an opinion. It can be as simple as an item on the consent calendar that takes absolutely no more time at all to do than what you're normally doing, and gives us the opportunity to make the judgment as to whether or not accepting money from a particular individual or corporation is appropriate for the funding of our Portland parks.

Santner: And council, we'll do that and we have done that in the past all the time.

Leonard: I'm hearing two things. 60% threshold and i'm hearing we do it all the time.

Saltzman: 60% threshold - -

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Santner: No, 60% threshold is the naming --

Saltzman: It's the internal guidance to the parks people about how do you get to a naming. It still has to come to council, the decision to do anything via ordinance. For their own working purposes --

Leonard: Whether it's for sponsorships or for the naming of a park, ire respective, I think it's entirely appropriate function for the council to at least have the opportunity to weigh in on it. And you can do that very simply via the consent calendar. And only if somebody has a concern they can ask it be pulled off.

Saltzman: That's already being done.

Sten: Now you lost me. I'm hearing the commissioner in charge makes the decision -- you're saying once the commissioner in charge makes the decision the council has a right to revoke it when you file -- that's not good policy. It should be the decision gets made and then the person knows its going. And that's why I do think it should be -- I don't agree with commissioner Leonard. I think it should be a higher threshold than all sponsorships. I think small sponsorships, we ought to leave with the commissioner in charge and the director as they see fit and they should take their glory and the pitfalls with it. But it should get to bigger deals -- I want you guys to propose something that works for you. The idea that we just sign off after the handshake puts us in the position of saying, ok, we don't think this is appropriate, but the parks commissioner has already agreed to it, so let's block it. I don't think you bring it to us for approval, I think you bring it to us for contract authorization. Which is a little bit different.

Zantner: In order for me to be clear, commissioner Sten, you're suggesting the naming policy --

Sten: The sponsorship and the naming should have some threshold at which it comes before the council, whether it's on consent or regular is a function of whether there's any opposition.

Zantner: Ok.

Sten: But i'd like you to propose that.

Schulz: We will. Thank you.

Potter: Any other --

Saltzman: We had an invited panel of parks -- two parks board members and one foundation member.

Leonard: You do have one witness that's needing to leave soon that is hoping to testify.

Amanda Fritz: Amanda fritz, speaking only for myself. I appreciate that parks bringing their sponsorship and naming policies to you. And bob schultz is particularly to be commended for opening the policies up for review. I support the naming policy, and it's -- these two are very different policies with different criteria. I suggest that you adopt a version of the naming policy for all city properties not just Portland parks and recreation, and I would like you to direct other city bureaus to consider this. I particularly like the requirements of review by neighborhood associations and consideration for the parks board in the naming policy that is not in the sponsorship policy there. Is no public review for the sponsorship policy and I would like you to change that. It would be good if there were more time spent engaging community groups. There was only one public meeting about this. It wasn't a hearing before the parks board. Really this is a subject that people can engage in and begin to understand the parks budget as a whole and what factors come in to play in funding city programs and it would be helpful this there were more community discussion. However, if you move forward with moving this immediately, please amend the policy statement to be clear that the city is responsible for funding parks adequately and effectively without relying on sponsorship. I've proposed some amendment in the language. I propose this several times before and it hasn't gone anywhere. Fundamentally we shut be paying for parks with taxes. Either business taxes or -- and property taxes. And that should be the base program which should be properly funded by that and the levies people support. And not having to rely on corporate sponsorships. Secondly, mr. Schultz said that there is a policy about not allowing

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corporate logos, however, I believe that may be just in the naming policy and not in the sponsorship policy before the second reading, please check to make sure that have is something that says that we don't have logos allowed as part of a sponsorship deal. Thirdly, the policy currently says that there's a preference will be given to giving off-site recognition. That needs to be changed to shall be given. And fourth, there does need to be public review of major sponsorship deals, especially if measure 2691 passes. A lot of these administrative decisions wouldn't necessarily come to the council, and so I would suggest you need to craft this policy with a view to, a these things going to come back to council or will they be administrative decisions? It matters. I do appreciate the time. Thank you for letting me jump the queue to be here, and i'm sorry I have to be leaving.

Linda Laviolette: Good morning. I am linda, the executive director of the Portland parks foundation. Located at 888 southwest fifth avenue. Thank you, commissioner Saltzman, for bringing these policies to the council. It raises the level of importance of the public-private partnership to create the city we all want to enjoy. The private sector has support our city's park from the beginning. So I want to remind all of us that many parks we enjoy are named after the families, named after the families who donated the land. Benson, terwilliger, mcclay, ladd, and others. We often forget that. So the naming issue and the private support of our parks has always been there. We at the foundation are enthusiastic about having these policies in place. Consistency, certainty, and transparency are all good things, and we believe these policies hem that.

We all know the financial resources needed to steward our parks system represents a very big number. We are delighted that the bureau has the opportunity to develop sponsorships with companies to accomplish its goals. At the same time, as you know, the foundation seeks and develops relationships with private donors, with philanthropic intent. Those can be individuals, companies, or foundations. To enhance and respond recreational opportunities for all. These policies under your consideration this morning, give the parks bureau and the foundation the certainty and consistency that makes it possible to do our jobs more effectively and more timely. Both sponsorships and donations are important and we each have our role. The parks bureau has lots of experience -- as do many other institution like museums, theaters, and so on. Acknowledge the is appropriate and is being done well. These policies ensure that will continue in the future. If we lived in a world where the public provided all the money needed for the park system, that the public wants and deserves for all to enjoy, then we wouldn't need niece policies. And that is clearly not the case, nor has it ever been, and that is why the bureau is pursuing sponsorships, why the foundation was created, as the vehicle for private philanthropy to make a difference in our city. Having the park system the citizens want requires that public private partnership. It's been true in the past, it is true now, and it will only increase in the future. In terms of the need. Thank you for your support of these thoughtful and needed policies.

Mary Ruble: Good morning. I'm mary ruble, and i'm on the parks board. I want to thank you for your consideration of this policy and urge you to support it. I believe that sponsorships and naming policies are critical to the success of the parks bureau and parks and recreation. While I agree with our previous speaker that taxes should be able to cover most of the services that we offer, we know that that's not a possibility. We also know that having the public-private partnerships between o. And individuals actually strengthen our parks and recreation program because there is much more involvement and ownership of the program. We need to be thoughtful about the way this policy was developed. The Portland parks board did review the policy three separate times, gave quite a bit of input, the input was taken, we listened to what other people from the public sector said, and then we approved this policy. So we really believe that this is a thoughtful policy, that the bureau has done its job in identifying all of the issues that could be brought up related to naming and sponsorships, and we believe that the policy is a good one for the future. So I urge you to support this policy.

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Barbara Walker: My name is barbara walker. I'm also a member of the parks board. I live at 1891 southwest hawthorne terrace. I just like to say that it is the Portland way to find creative tasteful opportunities to obtain necessary funding for our park system. From the north and south park blocks, to the contributions I don't think we could possibly have had to get pioneer square big and little if it became impossible to do this. These possibilities provide the needed precautions they've been very thoroughly vetted and revetted by citizens. And the precautions that are needed to encourage and give direction to public-private partnerships on so much of Portland -- Portland's treasured park systems exist because someone has stepped forward to provide what the citizens want and the public cannot afford. It is a phenomenal part of the Portland tradition. I support these policies which give clear guidance to foster these partnerships and recognition the Portland way. If it is an improvement to change the thresholds, to move in a way that seems to not burden you, there is no problem for any of us with this. I am convinced that we all want the same thing. We've just had more chance to strengthen and strengthen these policies so that in -- things public would not want do not occur. Thank you for your serious consideration, and for your caring as much each one of you that we have an appropriate park system as the rests of the citizens do.

Potter: Thank you, folks.

Gyrid Hyde-Towle: Good morning, mayor and commissioners. I have a brief statement that i've written that i'd like to read to you. My name is gyrid hyde towle. I'm a resident of east columbia neighborhood. Where our wonderful park called the children's -- east columbia children's arboretum is located. It's 29 acres. My husband dick towle and I have been working hard along with other volunteers to secure contributions from individuals, public and private organizations. For our park. This park has earned the reputation of diamond in the rough. When you enter this natural park, its beauty easily allows you to escape the stresses of everyday life. Our aim is to keep this forested place uncluttered of too many signs and plaques. We believe in giving credit where credit is due. We surely know how important it is to recognize and acknowledge donors to the park with thank yous and credits that are permanent. This updated policy of the parks policy will provide reviewing of the sponsorship proposals. So that the purpose of the parks and the conditions at these sites will have full study. When you have set rules its so much easier to say to the donor your recognition will be shown in this manner. Thank you.

Richard Towle: I too have been out knocking on doors attempting to raise some funds to support the work in our arboretum over there. And its occurred to me as we've gone around with private and public and other entities that everybody is really in tune with the fact that there are rules and that there is a way for proper recognition to be given. The current policy is not a problem the revised policy will enhance it and thank you very much.

Potter: Thank you folks.

Irwin Mandel: Irwin mandel. On march 3rd 2001 former parks commissioner Francesconi suggested renaming portland international raceway by selling that name. I have testimony at that time. I'd just like to have that testimony repeated now. I'm computer stupid - deliberately. Good morning members of council. Irwin mandel, 1511 sw park ave. I know commissioner Francesconi has said that we'll be donating other facilities but nevertheless I think a warning of flare has to be sent up at this point. - - you know we might be saying welcome to portland formerly the city that works now the city that sells itself. We can put up a sign at city limits saying city for sale. I think a slippage if you will began with PGE park. Now perhaps as someone has said PIR can be know as valvoline speedway which is pretty clever. I would suggest perhaps Exxon auto track. My real concern about this process is park block 5 which I heard you know your going to need money once the time expires and the city takes control of it to build it and maintain it. I do hope we won't end up with banana republic park for that little square. I have some additional suggestions for you our transit mall is badly in need of reconstruction and rebuilding. Perhaps with a little persuasion we might be able to have it renamed starbucks mall for us. And mayor katz I know your interest in

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cleaning up the Willamette river and your quite persuasive and perhaps within the sections of city limits we can find a way to rename it Nike river appropriate for that. Even if the city really does get to be for sale we could rename some of the bureaus themselves. Intel parks and recreation would do very nicely or the Microsoft bureau of - - Until their stock gets better. Wait you know all good things come to those who wait. We could have the Microsoft bureau of transportation. It would be very helpful. Now essentially what we do here is avoid the issue of citizen responsibility for the functions of government when we sell names this way. Citizens are unwilling to pay for a needed governmental function then we have to do without. Without funds to pay for road repairs who wants another gas tax after all. Then drivers should be entitled to travel on the ruts and bumps and holes that exist in the road. If your unwilling to pass a parks bond for the money needed for park upkeep, maintenance and creation of and lets - - then we do without parks, quite simple. There's a basic psychological principal involved and that is there must be consequences to what you do and inaction is an action and follows consequences I remember what I said then. I don't know why it cut out but it cut out and I have more things to say but I think the idea has been conveyed. So lets stop there.

Potter: Who's the third person? When you speak please state your name for the record and you each have three minutes.

Lili Mandel: Lili Mandel. And I think we were very prescient then because today I am sure that this situation for park block five is going to be need to pick up money to take care of the park. So here we are again this was - - this happened in 2001. I want to answer something. They say purchasing, the naming rights of a room or a building at a museum which is a private institution is not the same as a corporation purchasing naming rights of a park or square since that is a public institution. Every time a citizen says pge park like I am saying right now we are forced to provide free advertisement to a corporation and I resent it. You mentioned in your new policy that you're not going to have any corporation names for a park if I understand correctly, but in - - within the park there could be a gazebo or whatever and that could be named banana republic park. Well I resent that because if I'm going to go to that gazebo I am will say I am going to go to banana republic gazebo. There I go again and I don't wish to be forced to advertise for them. But your forcing everyone of us to do this and I think it is wrong. You know at the time if your going to sell everything I this city, sell everything you know your going to have ads on buses, ads on max's adds on trolley's ads on dollies, ads on parks, ads on marks, ads on what is it, ads on schools, ads on pools, ads on squares, ads on chairs, ads at the races ads on braces. Advertising here, advertising there, advertising everywhere. This city is for sale and having somebody's name on a park is not how much money they have. They shouldn't be able to be bought. They - people's names are on parks who have done something or streets as well. What's you know this is terrible. What's in a name? I know how presious a name is and it is - - my name under the Nazis, my birth certificate was changed and the way I feel about that is a precious thing who steals my purse steals trash, who steals my name steals everything and I do not wish to have - - I'd rather do without than have having to repeat and advertise anybody in this city. Thank you.

Rick Seifert: My name is rick seifert. I happen to have been at the unveiling of the vera katz esplanade. I happen to be a friend. As a matter of fact, the individual who produced that work is a long-time friend of mine, a former roommate when he and I were army intelligence agents stationed in Portland, bill bang, he also did the bust work for all of senator mark hatfield. The point i'm trying to make, and senator hatfield is also a friend of mine, here it says that deceased for at least three years. I think the -- at the certain obligation of the parks bureau and certainly this commission has the ability to determine whether or not the name of an individual who would be placed on a park should be left to the discretion of council. Primarily because there are still a number of men and women in this city, in this state, who have represented us in wonderful, wonderful ways that should be given credit for their hard work and labor over the years prior to their passing on,

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primarily so that they and their family in the -- can be recognized for their hard work. I also need to tell you the royal rosarians are involved in so many of our parks. I want to give our parks department many kudos. I moved back to Portland after being gone for 20 years, primarily because of the city and the parks in this city. We are blessed with a multitude of wonderful and natural spaces in this city. And it's because of the decisions you and your predecessor have made that have made this city so livable. I support this, I do believe that with your advise and consent and your votes will make this city better. Thank you.

Gail Snyder: My name is gail, i'm the executive director of friends of forest park. I never thought that I would see the day when I would testify in favor of corporation. However, five years in my capacity with friends of forest park are nonprofit caring for forest park have shifted my view, of seeing resource decline as parks and recreation staff is stretched thinner and thinner and as the public demands even more resources. What we're seeing I think is a tragedy of the commons. I think I have a perspective that is rather unusual. I interact with parks and recreation staff, I also interact with the public in quite a different way to how the bureau interfacing with the public. So I think I have an unusual perspective. I feel very privileged to work with parks staff and those I worked with are dedicated and highly competent. I also hear from park users members, and we have about 1500 contributing members and families give very, very generously. And they subsidize other park users and I would assert that we are all subsidized in our lives in many ways by individuals, by governments, and by corporations among those at friends of forest park that we turn to for support, our corporate partners, we have received extremely generous support through corporate grants and sponsorships, and i'll adhere the hundreds of thousands of dollars that we bring to the park system as well as other nonprofits don't absorb city government or the public of their obligation to steward public parks nor does it take away the parks privacy in managing them. I'd like to tell you about my personal experience working with corporations. The individuals I work with are themselves passionate about parks and natural areas. They advocate for forest park in this case both internally and publicly. Keen footwear have made an extremely generous sponsorship and grants to forest -- friends of forest park when I was first working with them I was concerned because we have relationships with r. E.i., columbia sports, their competitors. So I said to keen footwear, what does this mean if we also now want to go to rie -- r.e.i. Or columbia sports? She said, you know, we're industry competitors but when it comes to our parks and our community, we will be partners. And furthermore, we will collaborate and challenge our corporate partners to support in this case forest park, even more. I asked the same question from the others, and I had the same response. We care about our community, we will work together as partners. In part this business recognize the I replaceable value of parks to the economy of the city and to the region. Quality of life, sustainability, and bring business to Portland, some named forest park as part of the reason they came here. It's good for employee recruitment and retention, and the physical emotional health of individuals and the community in general. These businesses also motivated by business and community interests, just as each of us has personal and we hope all truistic motives in our actions. So I urge you are terror give Portland parks and recreation another leg for their budget and fund-raising store and endorse this policy.

Linda Robinson: My name is linda robinson. I live in outer east Portland and I chair the citywide parks team. And I too am pleased to be here today. I think it is appropriate and very -- i'm pleased the parks bureau is making an effort to formalize these policies. I think it's good to have this identified and discuss and acted upon. Western concern I had when they brought this to the parks team meeting is that it doesn't address the policies don't address any of the advertising that occurs like at delta park which is run by a concessionaire. And there are other -- some of the enterprise things like the golf course and it doesn't address whether these people will also need to follow the policy. So I discussed this with them at some length, they have assured me they are now working on an advertising policy which will go along with these. It hasn't been developed yet but will be

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coming to city council and I wanted to make sure that gets on the record that these people two have a policy they needed to be guided by. The issue about the logos, the corporate goe goes, this was something that when we had the meet can at citywide parks team came up and there were people on all -- from very much in favor to very much opposed and there were a lot of different opinions, and I -- it's stated in the naming policy, I don't recall it being stated in the sponsorship policy, and I think that some additional discussion perhaps needs to be done along that line. And the final thing I wanted to say was that I too have some concern about how much public process there was. I know that it went to parks board three times, but I didn't even hear about it and i'm involved with parks stuff on a daily basis and I didn't know about it until after it had already been to the parks board for at least a second time if not the third time. So I think there was some limited exposure to the public.

We made an effort to get the word out on our email list and the like, and get some input, but I think I would like in the future for these policies to add a little bit more public outreach effort and not rely on just having it at a meeting that was called by a group of citizens. So that's my other concern. I'd like to see a little more vetting of this. It was well vetted before the parks board. I don't think it was well vetted in a broader sense. And people care a lot about their parks and they will come out and talk about it.

Saltzman: Is that the completed testimony? I'd like to propose, given the concerns, desire that was expressed by council members, to have more explicit guidance about what decisions come to council for approval, advice vis-a-vis sponsorship and amendments, and return next week or the week after with some amendments.

Leonard: Can I make a suggestion?

Saltzman: There was also the mention of the deceased person. I think we have an answer, but we'll come back next week, the week after with that.

Leonard: Would you be open to having some more community involvement as we've heard from a couple folks didn't feel like they were as much involved during that same time period?

Saltzman: I think as we've outlined, we've had this on the website for over six weeks. We had a public meeting. This is a public meeting today. Next week or the week after there will be public meetings. I'm not in support of sort of slinging this out into the twilight. I want to keep us focused on it.

Potter: Are you with drawing --

Saltzman: I'd like to return next week for -- or the week after with appropriate amendments that reflect the issues about sponsorship naming and council approval.

Do you want it continued or referred back?

Saltzman: Continued.

Moore: Do you want a time certain?

Potter: Yes.

Saltzman: Sure.

Adams: Is there something in between slinging it out into the ether and not having any additional public input on this?

Saltzman: We've had public input today. I don't think -- we've had public meeting, it's been on the website, we've had three parks board meetings. I think that's a pretty good process.

Leonard: Linda robinson is a huge advocate of parks, if she's saying that she didn't know about it, that's very telling. I'm uncomfortable with this policy. If we're doing what you're proposing to do, it makes you more comfortable, I appreciate that. If you're going to have a period of time anyway, i'm not suggesting you play it out beyond that, but if you have two weeks now anyway, why not just allow linda and amanda and others that are huge park advocates to come in and weigh in?

Adams: Or email it out.

Saltzman: They have weighed in. They were at the public parks meeting and they have weighed in. Let's set it over for two weeks.

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Adams: If you could email out to the list of park stakeholders and if you haven't already and asked them for their comment along with neighborhood association officers, which is available, on Portland online, that would make me feel more comfortable, I'd appreciate that. Can I ask the question -- I had a question before we leave the topic on guiding principles under sponsorships, where it says sponsorships cannot be made conditional on parks and recreations performance. I had just a little bit of a conversation with Columbia Sportswear when they were contemplating during a regular business visit, when they were contemplating giving a million dollars to parks, and I thought their condition was reasonable one, and it was that we don't back out what would have normally gone to that particular park as a result of their sponsorship or their contribution to it. I thought that was a reasonable performance expectation of parks, and I wanted to see if you thought it was as well, and moving forward, what your legislative intent was.

Schulz: Basically commissioner, that's a good question. And what sometimes you'll find in the situations is that a company will want to offer you some kind of a sponsorship relationship and it may be based on the number of people that you both sort of estimate maybe and have answered -- have sort after market hit during the next -- the period of the sponsorship. So sometimes they'll try to say, we only want to sponsor this and your estimate there will be within 1,000 people that comes through this program in the next 10 weeks. But if 1,000 don't show up we'll retrieve the money we gave you. So we're saying we don't tender into agreements that have those kind of caveats. If you're going to be in a partnership to produce a program, we produce the program and the results are the results, if it's not exactly what we thought -- .

Santner: I think your concern is a valid one, not only Columbia Sportswear, but all the other sponsors or donors have asked that their donation is not used as a backfill. And with each donor, or sponsor, we bring those agreements to you. And we have done that with Columbia Sportswear. And there are provisions within the agreement that addresses specifically your issue.

Schulz: In addition, when you were speaking, when we did the outreach on all of these policies, we did contact, actually I had personal conversation with the different friends groups, we did send out email draft policies of all of the stuff that we were doing to every one of our friends groups, and we asked for their comments as well.

Leonard: Does that include o.n.i. Notifications?

Schulz: Absolutely. We went through o.n.i. To get the notifications out. So over the six weeks that this was on the website, we had 26 total responses. And we were interviewed t.v., radio, we really trying to use the public -- they actually asked us if we could read the agenda item for that month. So that's why we chose to do it that way.

Adams: I have sympathy for the gentleman who testified about having the option for naming things for people that are alive. Worked hard to try to get Naito Parkway named while Bill was still alive, it took so long and his sickness progressed faster than anybody thought. What are your thoughts on that?

Santner: It's a dilemma for us, commissioner. As you know, we have been getting a lot of requests for naming family members, or some people who live in the neighborhood near a park or have volunteered that it's just overwhelming in terms of setting criteria. So this was part of the policy that we -- existing policy that we had. With the recognitions that if a request was made the council has the ultimate authority and they could come to council and council could change that. We did that with Vera Katz.

Adams: If you could put that in --

Santner: To add that extra language? Absolutely.

Adams: Unless otherwise overridden by council. Thank you. Appreciate it.

Saltzman: So two weeks from now, time certain.

Moore: That will be April 25 at 10:30.

Potter: There are still --

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Auerbach: 376 and 381 are your emergency ordinances. Assists.

Potter: We still have in addition to that, we've got six others.

Saltzman: I'm willing to plow through those now.

Potter: Starting with 377. Commissioner Leonard?

Leonard: Yeah.

Leonard: Item 377.

Item 377.

Leonard: Good afternoon. It is now.

Jim Coker, Office of Management and Finance: Good afternoon. My name is jim coker, i'm supervising project manager for the office of management finance facilities services. This amendment is necessary for additional architectural and structural engineering services to redesign the baggage claim roof structure due to damaged proof joist discovered during repairing of the roof.

While the construction company skyward construction was replacing the backage claim roof in early december of last year they discovered a number of cracked and damaged roof joists. And found one large skylight had sunken up to four inches due to joist failures. On december 12, 2006, the structural engineer issued a letter designating the roof a dangerous structure as designed by city code. We directed the engineers through architectural resources group to immediately begin redesigning the structure as an emergency and the work is now complete. As council may recall, ordinance number 180773 was heard on february 21 of this year to increase the construction contract with skyward construction for this work. The need for this additional ordinance for architectural engineering services was identified in that previous ordinance. I'd be happy to answer any further questions.

Leonard: I understand the roof structure at union station has been declared hazardous?

Coker: The -- just over the baggage claim roof. Where we were working as part of this transportation enhancement grant project. So while we were -- when they pulled the roof sheathing off, this was supposed to be a fairly small part of the work, we discovered that the structure was not designed to accommodate the loads that it had over the last 100 years. This part of the roof was done in the early 1920's. So slightly less.

Leonard: I assume you checked out all of the rafters in the entire structure and that's not -- We did not look flout the rest of the building because the rest of the building was done in a different time and is built a lot better. And we can see that from walking around in the attic of union station.

We could not really tell that from observing the baggage roof before construction, for a number of reasons it was held privately for many years, we do not have the as-built drawings for that. It was not apparent by observation that it had sunk in the way it had. It was only after we pulled off the sheeting that this problem became apparent.

Leonard: Thank you. Any questions? Anybody signed up?

Moore: Did I not have a sheet.

Leonard: This passes to second reading. Item 378.

Item 378.

Leonard: Welcome.

Baer: I'm jeff baer, the director of the bureau of purchases. I'll keep my remarks brief. Before you is a request to authorize an exexemption from the competitive bidding requirements to we can use the alternative contracting method as the design build process. And part of the reasons why this is necessary to get an exemption is under Oregon law we're required to provide two findings, one of which is at its -- it's unlikely to encourage favoritism or diminish competition and it will result in substantial cost savings to the city. And we have found that the previous skate parks really is an ideal candidate for the design build process where we get to hire a construction official that has the design team built into it. They have primary oversight, and it provides the best method for the

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needs of the skateboarding community and with that i'll stop and have a representative from parks here to talk about the project itself.

Ron Botan, Portland Parks and Recreation: This project would follow off the heels of pier park and glen haven skate park where we've had a design-built contractor design and construct those facilities and it's proved to be very popular and supported within the overall skate park community as well as the neighborhood associations. We believe this project would grow off that success and further put Portland on the international map as a leader and accepting of this culture and this user group.

Leonard: Any questions? Testimony?

Moore: I did not have a sign-up sheet.

Leonard: This passes to second reading. Item 379. Thank you, gentlemen.

Item 379.

Leonard: Ing we have anybody here.

Moore: This is a second reading.

Leonard: Thank you. Call the roll, please.

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

Saltzman: Aye. [gavel pounded] passes. Item 380.

Item 380.

Adams: We have folks available if you have any questions. This is an application to get money for transportation and growth management programs any questions?

Moore: There is an amendment to this, have you got an amendment.

Adams: I have an amendment to this. I do?

Saltzman: You do.

Adams: I'd like to move this amendment.

Leonard: Do I hear a second?

Saltzman: Second.

Leonard: Roll call on the amendment.

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

Leonard: Any discussion on the ordinance? If not, roll call, please. This goes to second reading. Ok. Thank you.

Adams: Thanks.

Leonard: Item 382.

Item 382.

Leonard: Any presentation? Any questions of the council? If not, roll call.

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

Saltzman: Aye. [gavel pounded] passes. We're adjourned until 2:00 p.m. [gavel pounded]

At 12:26 p.m., Council recessed.

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

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Linly Rees, Deputy City Attorney: It's my understanding staff is trying to ensure that that particular item the person who is the claimant is aware of and is going to be here I think they would like to move the other 2:00 p.m. Time certain first if that's possible.

Potter: 384.

Item 384.

Chris Dearth, Measure 37 Manager: I'm here to present the claim that was putting over from last week at the request of the claimant's council. This is a claim brought by lahti and sons. It's located in the south tabor neighborhood of southeast Portland. Here's an aerial photograph of the property. You can see it outlined in red. It's at southeast 57th and powell. Before I launch into this I should mention to you this is almost identical to the claim that you heard last week from mattie baker. So a lot of the situation will be exactly the same, just a different property. To summarize the claim, it's been brought by lahti and sons. The location is 5705 southeast powell boulevard. Submitted on december 1, 2006. The compensation demanded is \$336,385. And preferred resolution is compensation or waiver of the challenged regulations. Our measure 37 analysis includes these six different items which You've seen before, so i'll launch right into them. First the ownership. Lahti and sons inc. Acquired the property in march of 1988. The claim materials adequately demonstrate the claimant's ownership over -- since that time, and so for measure 37 purposes the ownership dates to march of 1988. The regulations challenged by lahti and sons include this zone change to r1a residential zone. It was applied to the property through the outer southeast community plan in 1996. This is a zone map from the time of purchase in 1988. You can see the property was zoned c2 at the time. That's the equivalent of our current cg general commercial zone right now. The zoning, you can see the high density residential zoning on the property now, the land -- the regulations challenged are indeed land use regulations as defined by measure 37. They were enforced through this zoning confirmation letter issued in december of 2006. Then we look to see whether the change in zone constituted restriction of use of the property. The original zone, c2, general commercial, would have allowed retail at the time, which is what the claimants desire now. The current zone, r1a, does not currently allow retail. And therefore we deem that the use has been restricted on the property. Because the use has been restricted, we deem also that there has been a reduction of Value. The claimant claims a reduction much \$336,000. We didn't analyze that, but we do agree that the loss -- the reduction of value is -- has likely been at least one dollar, if not more. So to summarize this claim for you, we find that the change in zoning from general commercial to multidwelling residential has restricted the claimant's use and reduced its value, that lahti and sons does have a valid claim, and therefore our recommendation would be twofold, same as we were -- as we made with the baker claim last week to grant the claimant's claim and do first allow the claimant the ability to develop the property with uses allowed in the cg, general commercial zone, equivalent to what they had when they purchased the property, and to not apply the comprehensive plan designation of r1 to the property to allow the claimant to apply for a

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rezoning if they want to apply that permanently to the property. Be happy to answer any questions if you have any.

Potter: I have a note here that says that the planning staff recommendation has a few modifications.

Dearth: There was an amendment to our staff report which you received in a memo from me last week. It's a slight change in the word can of our recommendation. It was a typo. It doesn't change the substance of our recommendation.

Potter: We need a motion to amend.

Adams: So moved.

Leonard: Second.

Potter: Call the vote.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye. **Potter:** Aye. [gavel pounded]

Adams: Move approval of staff report.

Potter: Is anyone signed up to testify on this matter? I have a motion to approve.

Rees: May I interrupt? The reason that it was continued from last week, it's my understanding, is there was one change in the order that was requested by the claimant in this case, and so you have in front of you today a substitute order that has a change. So before moving -- vote can to accept the staff report and before voting on the order, i'd certainly recommend you move the substitute order first. Since that certainly is what the claimant is expecting today.

Leonard: And you've reviewed it?

Rees: It was written by Kathryn Beaumont.

Potter: Can I --

Adams: Move substitute.

Leonard: Second.

Potter: Call the vote.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye. **Potter:** Aye. [gavel pounded] motion to approve.

Adams: So moved.

Moore: There was somebody who did sign up for testimony. Did you want to take them?

Dominic G. Colletta: I'm counsel for the claimant, and we were uncertain because we didn't have an opportunity to see the revised order until just before the hearing, whether it would be necessary to testify. But we're satisfied with the order as revised and adopted by the council. So we thank you for your time.

Potter: Thank you.

Potter: Please call the vote.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye. **Potter:** Aye. [gavel pounded]

Potter: There were two emergency votes that we have to consider before we hear the remaining claim. The first is 376.

Item 376.

Potter: Is staff here to talk to us? Please come forward.

Interim director, fire and police disability retirement. Would you like me to give a presentation, or just answer questions?

Potter: Just a very brief presentation as to why this is necessary.

Babette Heefle, Bureau of Fire and Police Disability Bureau: Ok. The fpd&r bureau has the need for professional assistance in the way of vocational rehabilitation services. Last year we undertook the competitive selection process and have selected two vendors. Unfortunately both ordinances, one was misplaced so you have in front of you one of the two selected vendors who will provide vocational services to the fund on behalf of its insured members. The types of services that they provide are to do assessments, to determine an injured worker's capabilities, prepare training

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plans if one is indicated, and then monitoring those plans. They will also from time to time be providing job placement services for injured workers unable to return to the bureau after injury, and other ancillary services. In addition they'll be monitoring compliance with the board's administrative rules requiring pursuit of outside employment. So those are the general services, and we, after going through the selection process, did decide to pick two firms to provide these services and the claims will be assigned amongst them. The board of trustees approved the contract at one of their board meetings earlier this year.

Potter: Questions from the commissioners? Thank you. Was there a sign-up sheet?

Moore: Did I not have one.

Potter: Anybody here who wishes to testify on this matter? Please call the vote.

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

Potter: Aye. [gavel pounded] please read item 381.

Item 381.

David Olson, Director, Cable and Franchising: Mayor, council members, david olson, your director of cable and franchising. A brief presentation by way of background. It's unusual for us to bring forward to you, this is a recommendation of your mount hood cable regulatory commission, it's a recommendation that's going to each jurisdiction that's a member of that commission. The city council of wood village and troutdale passed this unanimously last evening, it's going to gresham-fairview next week and Multnomah county board of commissioners tomorrow morning. And it's unusual for to us bring something like this forward, but we needed to respond to what we've been given by the federal communications division. By way of background you may recall that telephone companies want to get into the cable business as the telephone business moves, changes, and erodes. They want new lines of revenue. U.s. Congress has work order this for a couple of years, you may remember the resolution about the city position on congressional legislation and how local interests including cable access and service to schools need to be helped. Congress adjourned, the last congress adjourned in december without taking action on that legislation. And those cities were working with congress to try to get an acceptable bill and we'd brought resolutions to you on that. Into that breach, the failure of congress to act, stepped the federal communications commission. And they on their own initiative in december decided that the reason telcos weren't getting into the cable business is it's the city's fault. None of us believe this is true, however, the f.c.c. On a partisan vote in december strictly partisan vote, 3-2, passed a rule that in essence allowed telcos to get in the Cable business in the worst way. That way being at the expense of your franchise requirements, including all of the access channels and services that you have presently. In essence, the rule the f.c.c. Passed would allow any telephone company doing business in Portland now to bring to you an application to get in the cable business and no matter what that application said, if it said, well, I want to serve east moreland or the west hills, but iwan don't want to provide public access to council meetings and I don't want to provide service to schools, but that's all I want to do. Their application would become their franchise automatically. In 90 days. Automatically. If you fail to act. We think this is amazing. It's both legislation, it's preemption, it is absurd how -- and in fact, national league of cities and many other folks have already filed the lawsuits against it. It's one of them. Even the f.c.c. Itself under the new congress this, is front page of "Washington post" last week, the entire f.c.c. Was hauled in front of congress last week to say, "what are you doing?" but even know it's in court, even though congress is looking into it, the fact of the matter is, this rule goes into effect april 20. Without some local action to possibly ameliorate and curb its consequences, it could affect virtually everything you do in cable. So your cable commission had an Emergency meeting after the text of this was published march 20. They then recommended a local rule that would mitigate the impact and at least force, when franchise applicant comes forward, to begin to line up and show that they're going to meet the level of commitments you already have. We don't want to unring the bell and unring the commitments that

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have been put in place here over 20 years. So your commission has recommended to you a local rule be established so the local criteria can go into effect and we can protect what we have despite essentially a rampaging federal communication commission. That's why we're here before you. Without this local rule your cable commission has recommended a week from Friday that f.c.c. Rule goes into effect, and franchises would be granted to telephone companies based on their application with no action from you. So that's why this is before you. I'd be happy to answer any questions you have. We really appreciate the continuing interest in support of all of you to keep these commitments going out to the citizens of Portland and Multnomah county.

Potter: Questions of David? Thank you, David. Do we have anybody who signed up for testimony?

Moore: I didn't have a sign-up sheet.

Potter: Does anybody in this room wish to testify on this Matter? Please call the vote.

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

Saltzman: I want to thank the Mount Hood Cable Regulatory Commission, David Olson, Mary Henry, our attorney, Ben Walters, for working at a pretty fast pace in order to preserve some degree of local control over these decisions with respect to new franchise applications. So good work. Aye.

Potter: Aye. [gavel pounded] we now return to the 2:00 p.m. Time certain.

Item 383.

Chris Dearth, Measure 37 Manager: He was notified by mail of his hearing, but I did not speak to him personally. That's my responsibility. But he claims he was not aware of it. We just called him, so out of courtesy to him I'd like to request that we put this over one week until next week so that he can be here to represent himself. I apologize for that.

Potter: Any questions? What's the time certain for this?

Moore: It will be next Thursday, the 19th, at 2:30.

Potter: 2:30 p.m.

Dearth: Thank you.

Potter: We're in recess until 3:00 p.m. [roll call]

Item 385:

Potter: I'd like to remind folks prior to offering public testimony to city council a lobbyist must declare which entity he or she is authorized to represent. We have a large number of people, both signed up to testify as well as invited testifiers. So we ask people that if you hear something that someone else has said, we will not compel you to repeat the same thing. [laughter] and that if you hear something that you like, we express that by waving the hands like that. That keeps the noise down so we can continue with the presentations and the testimony. So with that, and also when we get to testifying, the individual testifiers will be limited to two minutes. With that I'll turn it over to commissioner Adams.

Moore: I should read the item first.

Potter: Oh, I guess so.

Adams: First off I have friends on both sides, all sides of this issue. And I want to thank many of you faces I know have been involved over the past two years that I've had this project in various meetings, both large and small town halls that we've held, and I want to thank you no matter what your views are on this process for your engagement, and I believe that reasonable people can disagree and I look forward to the debate today.

Potter: Excuse me, children, if you would step back from the edge there, I would really appreciate it. It makes me nervous to see you so close to the very edge. Thank you very much. Please continue.

Adams: Thanks, Mayor. When I inherited this project as transportation commissioner, I had a vision of some specific goals. I wanted it to be the best possible project, both environmentally, financially, and for transit and for safety. And when I inherited the project the existing council

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policy was for a burnside-couch couplet that is the policy on the books today. But as chief of staff to the mayor katz at the time, who was not the transportation commissioner, it really didn't have that much to do with the project prior to getting appointed as transportation commissioner. And I wasn't convinced necessarily that all the options had been thoroughly examined in the process that had been completed up to that point. So many of you are at that first town hall that I had where I let everyone pro and consort of take a whack at the project. To put their questions on the table. To express their concerns, their hopes, the reason why some of you at that time wanted the couplet as proposed as approved by the city council to go forward. In the end, what came out of the process, the review of about 15 months, was a recommendation for a couplet combined with a streetcar from second avenue to northwest 24th with -- from northwest 19th to 24th going back from the couplet into two lanes either direction. This was the -- a version of the preliminary vision that was outlined by the community. And I want to go through the review of the problems. We have some invited testimony here and then we'll turn it over to the public testimony. Joined in my presentation is Roland Chlapowski, my senior policy director for transportation. Let's hit the -- next slide. These are some of the vision points. We have to rebuild the street, it's a broken street. Which is a minimum of \$20 million cost. As part of that, five, six years ago, pdot sat down with the neighborhoods and ask them as we rebuild the street what other issues do you want to accomplish. Part of the vision was to capture that once in a generation opportunity because it isn't just a matter of repaving, we have to dig deep, dig out the street, the underlayment and replace it. I wanted to create one of the safest streets in Portland. I wanted to unlock the hidden value that had been suppressed on real estate along burnside and couch. I wanted to put into a single street all the green street technology and pilot projects that we have been working on and that the bureau of environmental services has been working on long before I was assigned to be transportation and environmental services commissioner. The meeting there is the opportunity to handle all the storm water on site. I wanted to reduce -- redo this street in a way that reduced our reliance on the car, reduce our reliance on oil. We recently pass add peak oil resolution and to reduce the Pollution caused by this street, at least make it no worse. Make it no worse. Establish the image of burnside as a green meridian for Portland. It is one of the meridians for Portland. The opportunity to expand the transit system and to create public places and plaza where possible. The problems of burnside are well known and well documented. It's dangerous for pedestrians, it has long pedestrian crossings, excessive vehicle speeds, inadequate in terms of safe crossings. The three most dangerous streets in the city of Portland are 122nd avenue, 82nd avenue, and burnside. And they are very similar in terms of their characteristics. Heavy traffic, fast traffic, and wide. Burnside is in poor repair and needs to be rebuilt. The other problem is it's considered unattractive and unpleasant and serves as a barrier north and south. It also has narrow sidewalks, crowded bus stop, we heard back from property owners, developers, and merchants that it discourages economic activity, lacking in parking, challenging retail environment, again, that barrier north and south has been little investment on the street, investment that did go into the street turns its back on burnside. There are no left turns or few left turns and fails to provide adequate access. And burnside is a highly polluting street in terms of the Congestion and idling that it creates, the unnecessary air pollution, and the storm water that goes directly into the combined sewer system. In terms of funding, we had some initial principles for funding the project that the city should assume the cost of the basic repair for the street. And for basic safety improvements, that seemed to be a fair burden of cost for city gas taxpayers to pay for. That enhancements be on the basic street repair would have to be paid for with other sources that did not take away from other projects in the city. That the project should be done in a way that maximizes the overall return on investment and would be eligible for federal funding and would incent and realize as much private redevelopment to help complete and pay for the project as possible. The potential funding sources for this project are development agreements, federal highway funds, the federal transit administration, small starts programs, now pays for 50%

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of approved projects or project on the east side, the Portland loop, was just recently forwarded to congress from the f.t.a. with approval for \$75 million, which is estimated to be 50% of that project's cost. Federal ear marks, the preliminary decision that the council has made to move forward with engineering on the east side couplet, 35% engineering, some of that work is being paid for or contemplated being paid for with federal ear marks, Which are congressional sponsored resources.

System development charges, where development occurs, there are charges called system development charges that could be applied to this project. There's significant redevelopment kuntz ever opportunities along burnside and couch that you're going too hear about. Tax increment financing. This has been in as a budget as a line item approved by local tax increment districts. Doing something about burnside has been in the plan for a while. General gas tax revenue to pay for the basic work, energy tax credits depending on what we choose to do. Local improvement districts, which are assessments against property in a district that can be a boundary drawn by council. And the new on-street parking meter revenue that does not now exist. Those are some of the funding opportunities when looking at this particular issue. In terms of project costs --

Chlapowski: Right now we have a project cost estimate of about \$41 million for the street repairs. As sam has mentioned, we're talking at least in the vicinity of \$20 million for just the basic rebuild, and of the street. When you talk about basic sidewalks widenings, which almost all the plans try to address, you put on a little bit of more cost. The streetcar right now is estimated to be an additional \$39 million. Again, all of these estimates are low confidence and we're going to firm those up hopefully with 35% preliminary engineering. Just to give you a little bit of an idea as to how this project compares to the other ones, the other project that has been seriously considered, and we've had about 11 viewed in total. We've whittled them down. The last ones were the burnside only improvements, enhanced existing and the burnside couch alternative. In your supplementary materials we've provided you today in the 3-ring binder you can see the estimate of the different projects. I just want to note that we got all of these estimates from an independent consultant, who had no other involvement with the project.

Adams: This project, having worked in public service for 22 years, by comparison, this project has had a lot of community input. A lot of public processing and a lot of involvement. This is a stakeholder advisory committee membership between year 2000 and 2007. You will note that it includes people from other bureaus in the city, involvement of the planning bureau has been consistent from day one. Next slide.

Chlapowski: The stakeholder advisory committee crafted this vision statement at the beginning of the community process that made, that developed this project. And for those in the audience who can't read this, it says that "the vision statement is to humanize burnside and burnside will be Portland's most diverse and interesting street known as a people place. It be comfortable, yet exciting. A place to walk, congregate, work, live and visit. A gateway to Portland most dense neighborhoods and diverse and interesting districts and activities. There is safe access for pedestrians as well as vehicles." the stakeholder advisory committee guiding principles were to recognize and enhance the diverse character of burnside and couch and there were a lot of neighborhood associations working together to make sure that this project honored that. Support and encourage a mix of business and other uses. Eliminate burnside as a barrier and recognize burnside and couch as a multimodal corridor. So the stakeholder advisory committee, which convened first in 1999-2000, and put in a lot of -- lot of time looking at this problem, at the end of the day, was just making a decision on the use of the right of way. And it's entirely an exercise in setting priorities and looking at tradeoffs. We have a set amount of road. And you get to decide whether or not you want it to be a traffic lane or whether or not you want one fewer traffic lanes, and put that towards parking or wider sidewalks or swales or a transit use or something else. And so it's a very complex sort of equation when you start to really throw all of these different uses in

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there. And the stakeholder advisory committee I think did a great job with this community decision-making process.

Adams: Just to give you a sense, the issue of burnside, you know, is it a problem or not, is it a problem that deserves some priority attention or not or any attention at all, evidence of that can be found in these district plans. They do not, these district plans were done prior to the first burnside-couch couplet proposal but the problem in asking the city to address the problem of burnside show up in all of these neighborhood plans.

Chlapowski: This is in your supplemental material as well. I know that it's a little hard to read. But it pretty clearly outlines all of the issues. Each of the neighborhoods talk about the need to address burnside, and we also got buy-in from each of the neighborhood associations. All the neighborhood associations abutting this have endorsed the project.

Adams: We did a lot of outreach beyond just the advisory committee, though. That's a list of the business partners, agency partners and commissions and professional associations. Short history, the original burnside-couch plan was adopted by unanimous vote of the council in 2002. But again, as I have already mentioned, coming on as transportation commissioner, listening to the concerns expressed by those that live in the brewery blocks, the catholic archdiocese who I met with early on and the bureau of planning, we went through an additional analysis for 15 months. And as you can see in that intervening time we have fancy graphics on our power point. This is, we did town halls, mailings, posted, asked for feedback on my blog. Met with stakeholders. Roland and I personally walked up and down burnside and couch the entire way, knocking on every door to get feedback, face to face, and to let, make sure that folks along burnside knew what was going on and what was being considered.

Chlapowski: And this is also in your supplement terry materials if you want to look more at the sort of meetings that were held. This is not a comprehensive list. These are just the main meetings. There were a lot of other smaller meetings going on as well. So when sam decided to sort of slow up the process that had been endorsed by council in 2002, we undertook an alternatives analysis to try to really make sure that all of these questions that were being raised by new residents of the brewery blocks and the bureau of planning were really thoroughly looked at and addressed and we did a very comprehensive and objective analysis. We had independent consultants come in to do this so that we weren't relying on staff from any particular city bureau. And there were four components. We looked at urban design, at transportation functions, the economics and sort of cost-benefit of the project, and also the viability of a streetcar line. So we looked at about seven alternatives. But really it goes to 10 or 11 because we tried to mix and match different sections of these different projects as much as was possible, to get a totally comprehensive look at an analysis of what was possible. We had an evaluation summary. This also is in your supplementary materials. We evaluated these projects objectively to see how they stacked up against one another and this was not sort of subjective, sort of or qualitative look at things. This was very hard-nosed look. There's no guesswork. So we came up with a preferred alternative, and largely, this was what the stakeholder advisory committee had come up with to begin with. So we basically were affirming the work that was done over the previous six years or so by the community, and we saw that there was one thing that might make the project a little bit better and that's streetcar. So we had folks investigate that. And really, I just want to touch really quickly on the idea of a couplet. A lot of times couplets are designed to just move traffic through. But this isn't like a standard couplet like m.l.k. And grand, Broadway and widely. This is an expansion of the downtown one o-way street grid. And the entire downtown is a system of couplets, and this just sort of incorporates burnside into that to sort of take away that hard edge and that barrier between neighborhoods. So now I just want to go through really quickly some of the actual qualities of this project. So we are going to go up and down burnside section by section so you can see what this project really does offer. First we are going to start with lower west burnside. And this is one of the areas that is the most exciting,

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because it is such a wide right of way that you really have a lot more room to play with. It gets more constrained as you go up burnside. So you can see that really the main components of this are much wider sidewalks. We get to add on-street parking. Swales and other sort of pedestrian amenities including curb extensions. We'll have signalized intersections on each intersection on both burnside and couch. And we'll do a little zoom-in so you can take another look. And really, this is -- I think it largely speaks for itself. You have a bike path, which will be really state of the art. You have more parking that doesn't exist there. All in all we're talking about 200 plus more on street parking spaces, which is something that's really desired by the retail in the area. And this is sort of the representation of what it would look like. Of course, this is still only at the planning phase so as we do more design, it's going to be refined. But one of the really interesting aspects of this is that the area that is used for parking, and we would be retaining all of the existing street trees in lower burnside. That was something that the stakeholder and neighborhood advisory groups were very explicit about. It can change into a festival street. And we think that for especially summer uses that this is a great way to increase the amount of public gathering spaces which is one of the things that sam was really trying to do with this project. So, again, as I touched on before, this all comes down to what do you do to do with the right of way? Do you want to put it for -- do you want to designate it for a lane of traffic? Or do you want to put a street tree or do you want to have wide sidewalks? You can't have it all. And it's all a bunch of tradeoffs. So if you look right now, you go from 12-foot sidewalks to 17-foot sidewalks. You also get a bike path that is separated from traffic. You get parking in what used to be two lanes. And a lot more room for swales, and the festival street that we looked at a little bit before as well. This is couch. And couch largely stays the same. It will go from a two-way street to a one-way street but the sidewalks stay the same width. You have the same in terms of parking on both sides, and you have the same in terms of two lanes of traffic. The only difference is that we would have a streetcar in there which would require you take a little bit from parking to have a wide enough lane for streetcar. So this is what northwest third and couch looked like right now. And this is what it will look like after the proposed project. And also, one of the great things about lower burnside is that we really have a lot of opportunities for new gateways into the downtown area. And new public spaces as well. So it will just quickly show the first and potentially most grand entrance or gateway when you are going off the burnside bridge westbound, you will turn off on to second to get to couch because the transition, but with that you are able to put in new trees, have a very elaborate sort of pedestrian system with much wider sidewalks, and all in all it becomes a much more pedestrian-friendly project. This is what it might look like. You don't need to have a globe but it's a public art opportunity as well. So at the park block crossings, this is an area that is especially problematic for safety reasons. And we will be talking more about that later. But this is sort of what we have in vision. Basically you are able to by getting rid of two lanes of traffic and splitting the other two lanes that remain, you basically are able to get a new park block in there. We have a little statue of minerva. The right of way that we have in lower burnside, we would be able to pull out the existing chinatown gates so that they aren't tucked back on to fourth like they are right now but they would be out and visible to everybody on burnside, and you have all these other ones that we sort of touched on already. Going to central burnside and couch. Central burnside, it gets to be more constrained only 60 feet of right of way. But with the couplet, we're able to still add two lanes of parking by taking away the two lanes of traffic and widening sidewalks. Couch, again, stays largely the same. It's going to have the same with sidewalks. It's just that it's going to go from being a two-way street to a one-way street. And here's artist's rendition of what it would look like. The streetcar in there. And this is what I am very excited about, I have to say personally. This is right out in front of powell's books on tenth and burnside. What you are able to do with this project that you aren't able to do with a project that retains two-way traffic is to really reclaim what are called jug handles. And basically a jug handle is what is making an island out of this public art right in front of powell's. And it's when you take a

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left by taking a right. And we get the ability to reclaim a lot of these areas that exist on burnside because when you have one-way traffic you can take left turns in both directions. And it really gives us the possibility to do some really exciting sort of urban parks or public plazas that would also be really ideal places to have these streetcar stop as well. So here's another sort of view of that.

And you can see, I mean, I really want to point out how much as fault there is. But when we pars it down to two lanes of traffic you get much wider sidewalks and you get a lot of land for uses other than the automobile. So again this is a cross section. You get to widen sidewalks again. And this is 15th and burnside. This is a really interesting intersection as william. There's the same sort of jug handle that we were talking about before that exists right here. And this is a huge area with four or five lanes. When you make it two way and when you put the traffic up couch to sort of go back on to burnside later, you get a lot more to play around with the right of way which allows you to have much wider sidewalks and again reclaim some areas for public plazas that you don't have as an opportunity with any other project. Here's sort of what it would look like between 16th and 17th. This is in front of the firemen's memorial. We would be able to close off that area, which this is alder that's going off of burnside. This is another plaza opportunity, which you only get when you decide to take away lanes of traffic and put them towards other public uses. Here's another view. And another. Again, you gain parking where you wouldn't otherwise. So now we will go up to upper burnside, which is the most constrained area on burnside. This area we won't be able to get any parking. But we are able to get modest groups with the sidewalks to nine feet from eight feet, and there will be four lanes of traffic just like there are now. So really that section does not change nearly as much as other sections. Here is a sort of look at upper couch. And again, you can see that there's not any real difference on couch with the amount of parking, the width of the sidewalks, or the width of the lanes. It's just traffic goes in one direction instead of two. This is at 20th and burnside. It's a great opportunity for a public place. And there are a bunch of other project highlights that I think that sam liked to touch on.

Adams: One of the always on these kinds of issues, you want to look at mitigation. And the opportunities for mitigation, there have been concerns expressed early on in my review of this project by the archdiocese regarding safety, noise, vibration, air quality and operations between 15th and 19th. Streetcar and other transportation projects, you have a history of employing some of these mitigation tools including sound insulation, rooftop air conditioning, bollard with chains in the furnishing zone so it's difficult for people to jay walk. Curb extensions. Damping slabs can be used for the streetcar and used in other places along its line. In terms of the school itself, these could be employed in a number together or can be used in various locations between 15th and 19th in and in other parts of the project as well. In terms of the streetcar, the notion of putting the streetcar, introducing the streetcar as part of this was, came from my shop and it really grew out of the traffic analysis, a high percentage of the transcript, car trips on burnside are for very short distance and burnside is used as a high percentage to get from the west hills down into the downtown area and then disperses, especially to the south. You will hear more about that in a minute. We looked at a number of different alternative streetcar alignments to try to take some of the load off of burnside. And ended up based on the work from d.k.s. And associates who's here, choosing the streetcar that goes on an alignment with a couplet. And they will talk about how streetcars on a couplet are much less disruptive to car traffic than a streetcar on a two-way street, single lane. Minimal impact to capacity. Again, the project being offered, or the proposal that's being offered here can improve travel time between the river and northwest while slowing traffic down. The streetcar is an especially important part of this proposal, and it is a streetcar couplet proposal. Both inseparable at least is what I am proposing, because of the way that it enlivens the streetscape for pedestrians. Next slide. This is how it would fitted in with the overall system that's currently on the books. We currently have a city wide rail planning strategy underway and you will

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hear more about that in just a minute, how it fits into that and also the east side loop streetcar, and streetcar currently in the research and development phase to lake oswego.

Chlapowski: I just wanted add on to that that this alignment provided the most transfers for other parts of the rail system. You really are starting to get the dense transit network that makes for high ridership numbers and a successful system. So quickly, go to the peak oil part of this. After this was adopted by council, we decided that we should really take a look at what the impacts were both in terms of fuel consumption and overall vehicle emissions with some of the different projects that were being considered. Just a couple of things that we pulled out from the task force recommendations that the city can set a catalytic role.

Adams: Peak oil resolution was passed by council about a month ago.

Chlapowski: We worked, just to be clear on this, we worked with independent consultants but also worked closely with folks from the office of sustainable development. And this is a process that the office of transportation has used for getting credits from climate trust in the past. So it's a tried and true. The peak oil report recommends that we reduce total oil and natural gas consumption by 50% over the next 25 years, and charges city bureaus to set targets and, should, for -- and transcription and obviously is a big part of the peak oil recommendations. And here are a couple of things that we think really pertain to this project to support land use patterns that reduce the need basically to dry but promote walk ability and easy access and other transportation options to ensure housing near transit stops and that will support transit and build and maintain a street network that supports bicycle and pedestrian friendly spaces and other amenities near centers and other areas of compact development. Again, this is something else that I think directly related to us. Design infrastructure to promote transportation options and prevent infrastructure investments that would not be prudent given fuel shortages and higher prices. Invest in infrastructure that needs access of mobility needs with less fuel and continue to expand the light rail and streetcar systems. Encourage efficient renewable energy choices. Do all that to say really quickly that we looked at the existing conditions today, sort of what would happen if we didn't change anything and sort of let growth happen over the next 25 years? Growth in the system. What would happen if we used -- if we went with the burnside-only enhanced existing option that is being put on the table by some and also if we did the couplet 19th. We will have talks talking a little more about methodology about this but our findings were that compared with today, the enhanced existing option would entail about 60% more fuel consumption than the current configuration. And that the future couplet would only be about 2.5% more. With you if you look at sort of the future no-build and the growth that's there you are actually reducing overall fuel consumption compared with just leaving it alone. We also looked at the emissions to get a full sense of the carbon foot print. We looked at co 2, nitrogen objection sauvie islands and volatile oxygen compounds. And again, it's really the same pattern you have much higher emissions for enhanced existing and much lower ones for the couplet. We also have some green street opportunities.

Adams: We will hear more about this later from the experts but storm water in this par area is collected on 31 acres. We would be able to treat that in terms of green street. We built out 400 new trees. Some could be add at some of the exists on enhanced existing. It recommends and enhances more new trees and we are able to create 2.6 acres of new public school. You will hear about more of that in a minute.

Chlapowski: Again, this is, it all comes down to the choices we make with the right of way. What do you want to designate the roadway for? We will also have folks from the office of transportation talk more about the safety issue that exists on burnside. You have both a really high crash rate for vehicles, and for pedestrians, particularly bad for pedestrians. There are four of the different, of the 10 worst intersections in the city that you can find on west burnside.

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Adams: And the four worst intersection right now are already signalized? We can do some additional things to try to make them more safe under enhanced conditions or we will do them working to do them immediately. But the basic design of the existing street is a huge challenge.

Chlapowski: And as we touch on it a little bit part of the reason why there's such support for this in the pedestrian advocacy community is that they know that -- you get the most dangerous streets by having traffic coming from two directions. It's when people tend to misjudge the traffic comes towards them. That it gets too be more dangerous by reducing the amount of roadway that you have to cross and by making all the traffic come from one direction, you can really, really reduce pedestrian rates. Then also we, burnside has a very high concentration of high collision intersections. There are other intersections in the city that have more, but they are very densely concentrated along burnside.

Adams: These are some of the enhancements to pedestrian safety that we are pursuing right now. And it's part of the package. I have asked the city council, was good enough to fund last year. [sneezing] bless you. A package of safety on 122nd, 182nd and many of the these immediate enhancements, west burnside as well.

Chlapowski: We worked with the Portland development commission to see what we would expect in terms of economic benefit and overall redevelopment. And they found that we would be able to pay back the public investment part of this project and this is the full \$80 million of street improvements plus the streetcar in 14 years, and this is the overall sort of taxes collected and you would get up to \$28 million every year after you are 20. And, again, no one is saying that the couplet is necessary for economic growth because as you can see there's a baseline projection that we are looking at. But what we are saying and what you will hear today from a lot of the different property owners, on burnside is that you get better development and you get more development and you get four-faced development. Where you wouldn't without a couplet and the streetcar.

Adams: So the project benefits, you worked hard to meet both project goals and vision, the neighborhoods to address the problems. And also to meet the vision points that I put on the table after hearing from the problem for both burnside and couch. Next slide. Just quickly go through these.

Chlapowski: Again, this is the community vision. Humanize burnside. Make it a people place and provide safe access.

Adams: Thank you. Got some excited testimony as well. So we could have the next people to come up to talk about issues related to carbon and transit. Allen, want to go first?

Alan Snook: Sure. I'm allen snook with d.k. Associates. In addition to do traffic operations analysis we conducted we also evaluated the environmental impact. This is also typically called carbon footprint or the 23509 print an alternative would put on the environment. So I would like to briefly go over the methodology and results associated with that analysis. The methodology used same traffic forecasts and traffic analysis models that were used you were the traffic operations analysis. That really gave us an apples to apples comparison. Subareas within the overall study area were kept the same. Been referred to as lower burnside, central burnside and upper burnside. We supplemented the data because the analysis that is primarily done because the traffic lines are heaviest in that time frame. We supplemented that with daily traffic volumes to get a profile of the entire day on the corridor. In those three separate areas. And we loose took that daily and extended it into an annual look across the board. The planning horizon was kept consistent with prior analysis for 2025 for the future. We did look at the existing conditions as well. So the four scenarios we looked at this carbon footprint was no existing conditions, alternative build. The carbon footprint analysis measured, had two measures of effectiveness. One was the amount of annual fuel consumed in gallons and the other is the annual emissions in tons. The emissions looked at four components. They are related to carbon "die objection sid and has the biggest impact to the global environment but also took a look at other elements, nitrogen oxygen and vo 3. All

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three of these elements have more localized effect on the environment. Health issues, quality of life and the local climate. However, these three elements can combine with other elements in the atmosphere and create carbon monoxide. The existing conditions say 2 million gallons of gas are consumed in the study area. The no build will increase that by 13%. The enhanced alternative increased the annual fuel consumed by approximately 59%. And the extended couplet increased the annual fuel the family will consume by 3%. Difference between annual fuel consumed between the enhanced existing alternative and the extended couplet are due to two primary things. Two-faced signal operations within the couplet area. Other being shorter pedestrian crossings.

Adams: What do you mean by two-phase?

Snook: The two-phase signal operations, if you imagine what the couplet is going to operate like, you have eastbound travel on burnside that you can make a left turn from and it does not appropriate or constrain the opposing traffic which would be on couch street. Under the enhanced existing program, or excuse me, the enhanced existing alternative, if left turns are being mailed from burnside they are actually holding up the imposing volume of traffic and letting cars sit there and idle. The shorter pedestrian crossings with respect to that is the enhanced turn. Its does not change the amount of distance the pedestrian needs to make. The couplet shortens that distance. It allows you to have shorter price times or green time to service those pedestrians. That side street green time is holding the main line, the most amount of traffic today. So by shortening that pedestrian prosing that effective time that cars would have to wait on burnside sitting there idling. The emissions results are also base on the annual fuel confirmed for existing with that being the enhanced existing, having a higher impact than the extended couplet and the extended couplet have less of an impact. It's just a point of comparison. Homeowners admit 3815 carbon monoxide. That's associated with both their cars and this is a typical two-car garage type family, as well as their house. In comparison, the existing conditions has about 11,000 households associated with it in energies of the 15 mat trick. The future no bill increases that by about 450. The enhanced increases that by 6,696. A future extended 283 houses.

Bill Scott: I'm bill scott, general manager of flex car in Portland and I chaired the peak oil task force which recently presented you its car. I'm speaking here as an individual. But my remarks are intended to convey the spirit of the task force report and based on what I learned there. You adopted a resolution setting a goal of reducing oil and natural gas use in Portland by 50% by the year 2030. And the report and implicitly your resolution acknowledged that additional work must be done to quantify the impacts of various actions and investments on overall the fossil fuel use. And specifically, roland already called out the language and that talked about directing the office of transportation to consider impacts of rising oil prices when deciding where to invest. Basically, what I would like to do today is grant late pdot for beginning the process and quantifying impacts on fuel years and building consideration of energy conservation and carbon emissions into its criteria. I believe that the analysis requested by pdot and presented by dks today is a solid first step in moving toward a new paradigm in evaluating transportation system investments. The analysis shows a difference of roughly 1 million gallons of gasoline per year between the two most prominent alternatives and for reference that's roughly equal to the total of all gasoline consumption by the stiff Portland government in a year. That should be taken very seriously as you decide thousand vote on this project. The calculations are largely based on differences in idling time between the two alternatives. And I guess I would just caution that it would also be important to consider which option is more consistent with a more sustainable energy future in terms of better supporting expansion of transit and a pedestrian-friendly environment. These could produce significant long term effects on mode shift and trip generation so I look forward to the development of evaluation tools that deal with those additional dimensions of fuel use as well as the idling time. Thank you very much.

Adams: Rick.

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Rick Gustafson: Rick Gustafson, executive director of Portland Streetcar Inc. The board of directors have designed, built and operated the streetcar on behalf of the city since the original contract in 1996. We opened service in 2001. Recently the board adopted a resolution supporting the Burnside-Couch couplet and the inclusion of streetcar in that couplet and resolved to work with the city in helping and further proposing this plan to the streetcar development along the corridor. My comments are directed toward more the operational issues of streetcar. We operate streetcar primarily on couplets currently. We do have some operations on two-way streets. On Harrison and Lovejoy. Generally, what we have experienced in the period is that our operations are far more consistent and more readily managed on a couplet system than they are on a two-way street system. A lot to do with signallization and, of course, the same traffic impacts we have already referred to. The operation we have evaluated with and worked with consultants and D.K.S. and others, and the board has adopted a resolution supporting it. The second is streetcar as a transit service and a component in an urban environment like this has proven to be beneficial and supportive of higher quality of higher level of development along the corridor. Probably supportive of the types of numbers they have discussed about number of increased households and the number of total amount of economic activity. We have experienced on the existing streetcar corridor over \$2.5 billion in investment in the period of time since the streetcar was announced in 1997. And over 7,000 new housing units have been developed along the corridor. This kind of improved economic activity is also a result in a higher level of first floor retail activity along the corridor of Tenth and 11th. So to that extent then in finally in the streetcar is electric service. And is very compatible with higher density environment and has worked well in these kinds of operations.

Adams: Next panel is on the issue of safety. Mark Lear from PDOT, Nick, and Ludwin Rammen.

Saltzman: Just a point of order. I see a lot of parents with children. How many more panels before we get to public testimony?

Adams: We have a few.

Saltzman: Any way we can accommodate? Families with children?

Adams: We will get our panels done.

Saltzman: How many more panels?

Adams: We have a few.

Saltzman: Two?

Adams: No more than two. We have waited a long time to get here, Commissioner. Go ahead.

Mark Lear: Keep this short. My name is Mark Lear. I work for the Portland office of transportation. I run the community school. I want to provide background on the traffic safety conditions on West Burnside. There was a great article that came out on April 3 in the Portland Tribune summarizing traffic, crashes in the city and since then we have gotten some questions about how that article relates to the conditions we have on West Burnside. And a part of that confusion is that we look at in the city our high crash locations for motor vehicles, we also care a lot because of how great we have done making it safer for pedestrians. Our high crash intersections for pedestrians, West Burnside has a fair number of motor vehicle crashes. But what really stands out is its pedestrian crashes. There's no other area in the city that has anything comparable to the density of fatalities and serious pedestrian injuries as that section of Burnside from the river basically up to 23rd. Even though we have a lot of fatal and serious pedestrian injuries in corridors like 82nd and 122nd, there's nothing like this for density. In fact, if you look at that 23-block section which we did over a 10-year period, there's almost as many serious injuries and fatalities on those 23 blocks as the whole rest of the downtown business district. So it's just an enormous area where we would like to improve traffic safety, bring down speeds and reduce the severity of crashes. Thank you.

Ludwein Rahman: My name is Ludwein Rahman representing the pedestrian coalition. I want to definitely second what Mark said about Burnside, West Burnside being the worst stretch of road anywhere in the city of Portland or in the Portland metro area from a pedestrian crash perspective.

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So as far as we're concerned, not doing something about pedestrian safety on burnside is not an option. The willamette pedestrian coalition has participated in the process for burnside for the last four or five years, going on six, I believe. We believe that on balance, the couplet does offer the most benefits from a pedestrian point of view. We understand that there are difficult tradeoffs and we have struggled with those ourselves within our board and our membership. But as I said on balance, we believe the couplet offers the most benefit for pedestrians, both because of improvements to sidewalks and especially the crossings on burnside, combined with signalization on couch at a speed progression that is friendly to pedestrians that isn't too fast. As well as with the bike lane on flanders and then improving or simplifying, clarifying the crossing of couch over i-405. Altogether, offer the most benefits to pedestrians. We found the project deemed to be very responsive to the concerns that we did like at transitions, at the intersection of second avenue where it comes from the bridge to the couplet. And we think that they have come up with some good solutions for those. And as far as we're concerned, the streetcar is pure bonus. It's, it makes it even better from a pedestrian point of view because it extends our reach. It means we can go farther by just walking a little bit and then hopping on the streetcar. And it adds more to the pedestrian friendly setting. So we would recommend that you approve the couplet.

Nick Servos (?): Good afternoon. My name is nick and I am actually here to put a face on your safety. On january 1, 1998, I was the victim of a hit and run. On 19th and west burnside. A car ran through the red light, and it knocked me 20 feet. Broke my lower leg in three spots. I was in the hospital for six days. I recuperated in my apartment for nine weeks. And actually walked with, after learning to walk again through physical therapy, I walked with crutches and then a cane until october of that year. I want to stress that I was in a crosswalk. With the light green crossing to go over to the bus stop south on burnside. And the car ran through the red light and hit me. Whether they couldn't see me because of sight of line, whether they were in a rush because of traffic, whatever, you need to know that there are victims and I was following the rules. There were a lot of people in this room who are going to follow the rules. They are going to be in a crosswalk. They are going to be in a green light. And unless something changes, with the safety, they are going to be hit. It is very, very dangerous there. I recuperated. I was lucky. Like I said, it broke my leg in three spots. It scraped off the right side of my body and the only reason the police officers at the scene said I survived was because my head landed in my backpack so I did not suffer major head trauma. There are a lot of people in this room that if they cross at this intersection which is a very busy intersection, they might not have the same luxury of being here to talk to you. Thank you.

Adams: Thanks. So those children that are upstairs and want to testify, we are going to do one more panel. And maybe while the panel is up here talking, those of you that have signed up can make your way down stairs over to this side of the chamber to our right. And we will try to keep things moving here. So the next panel is on some insight into the community process. Ann niles, michael powell and richard harris.

Ann Niles: My name is ann niles. And on the perfectly district planning and transportation committee. I have been a member of the stakeholder advisory committee since we began meeting in 2001. I want to talk a little bit about what the stakeholder advisory committee was. It was a broad representation of people from the community. About 28 members included 10 neighborhood associations and other businesses in those neighborhoods along the burnside corridor. The bicycle transportation alliance, pedestrian -- willamette pedestrian coalition, the regional arts council, Portland business alliance, social service agency, and developers included gerd and edlen. City developers were included beside the office of transportation. The bureau of planning and the Portland development commission were participants. The problem we had to solve was, as you have heard today, to eliminate burnside as a barrier and to make the street like a downtown street, one that connects, that doesn't divide. The process was very simply, one, to consider alternatives, secondarily, to reach consensus and, third, to endorse a plan. The alternatives we considered were

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just to you've the existing burnside, much of what is being advocated today by the bureau of planning. Second was to emphasize more the north-south connections at intersections along burnside. But neither of these alternatives in the view of the stakeholder advisory committee really solved the problem. The fatal flaw that we felt with these plans, these alternatives were that no left turns were allowed. And without left turns, you really can't connect downtown with the pearl district or old town-chinatown. On its own, the stakeholder advisory committee came up with the idea of the couplet. It was not in any way a solution that was proposed by either staff or anyone else. In the process of discussion, we decided to do -- that was the best idea. Because of the free left turns and all of the other benefits that you heard about already. In addition, it seemed an obvious solution. Because the couch already connected with the overpass over i-405 so it made a natural connection with that couplet. In coming up with this solution, which is endorsed by the stakeholder advisory committee, it was reached by consensus. And I think that's really important when you consider that the participants, in reaching that consensus, include the bureau of planning representative, and also the gerding edlen, the developer of the brew rear blocks and the henry. The city endorsed plan in 2002. The next phase of that plan was to do the technical refinements report and again the stakeholder advisory committee participated in again with group discussion and that work was completed in 2005. And as we have heard again today in 2006, commissioner Adams requested a separated analysis of the burnside problem. It was completely independent of any work that we had done. After the alternatives were examined, the couplet was the only alternative that solved the problem. Again, that problem was to make burnside not a barrier, but a Portland city street and connects both the pearl district and old town-chinatown with downtown. I just want to say that the staff advisory process, I think, was the best citizen advisory committee that I have ever served on. We had frank, open, respectful discourse on potentially and sometimes divisive issues. We had ample time to work through our disagreements. Our solutions came out of our discussions, not imposed by staff or consultants. We really felt that it was our solution and because we had participated in it, we all came to an agreement and bought into the solution. Therefore, I ask, since the city council already adopted the initial plan in 2002, last year, you adopted the east side portion of this plan that requested today that you complete the process and approve the west side part of the plan. Thank you.

Richard Harris: Good afternoon. Richard harris. I'm wearing two hats today. One for central city concern, and the other is for the old town-chinatown visions committee. I have been working in burnside for 27 and a half years now, in fact, five years I had my office on second and burnside. And have witnessed just how difficult the street can be for both pedestrians and automobiles. But my real concern is that we have four residential buildings on these two streets with total of 547 residents who reside either on couch or on burnside. And i'm concerned about how those residents manage to negotiate burnside on a daily basis. I'm not here really to talk about the safety issues. I think they have been talked about by others. But to point out that many people have to live with the street the way it is. One of the documents that governs much of what we do in old town-chinatown is the old town-chinatown visions plan. And I think there's been a misunderstanding about why we are even talking about burnside today. As some believe it was simply a repaving project that got out of control. I can tell you that in old town-chinatown, the neighborhood has been concerned about the barrier of burnside and the efforts to tame it and make it more human dating back to 1995, when the visions process first started. So the visions plan that was completed in 1997 identified burnside was not only safety issue but a psychological and physical barrier separating north and south of burnside. The old town, the skid row of the city, with the downtown business area. I think most of us in old town believe that we need to unite the parts of the city in a way that old town shares with the benefits of the rest of the city: Economic development and there's many signs that this is beginning to happen. The street still remains a barrier. In the visions committee repeatedly, this project had been discussed and brought forward. And finally, we badgered pdot into actually

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taking a seriously about how long it took to cross the street. They added some time to the signals at second and burnside. Gradually, pdot got the idea that actually the neighborhood was really quite agitated about fixing this street. It also coincided with not just old town-chinatown plan but other neighborhoods were experiencing the same issues. And so I just want to sort of set the record street that I think that this comes from a grass roots place that the street has been a barrier and a problem for many people for a long time and it's really time to address those things. So the neighborhood believes it's a high priority. Idle prioritized this in the top two or three items in the p.d.c. Budget for the last five years. We take seriously the public resources should be spent on this project. The time needs to be now that we do something about it. We really can't wait any longer. So moving this forward with the engineering study seems consistent with the new data that's been developed which confirms what was really done in my other favorite do you mean, which is the burnside transportation plan from 2002. So I would urge you to move forward on this as soon as you can.

Adams: If there are also conferring with the mayor if there are parents with kids that have signed up to testify that would like to testify, as you would like to leave early, sitting through the conclusion of the hearing, why don't we also take your testimony early as well. Michael.

Michael Powell: Thank you. I'm michael powells, also a member of the stakeholder advisory committee that was convened in 1999 and carry the plan to city council in 2002 and then stayed with it through commissioner Adams' reevaluation. Delighted to be here today. I guess for full disclosure i. Also say I chaired Portland streetcar board and am on the board of the pearl psychiatric business association. Occasionally I sell books. So much has been said about the process and the public process and I just want to echo a little bit of ann's and add a couple thoughts of my own. That this is, I have been involved in public planning going back to central city plan, and I have been in the west end plan, pearl district plan, revisits to the central city plan over various administrations. And I am the proudest and happiest to be able to be here today. This is the best work I have ever been involved with. And when I sat down in that initial room and saw that there were business people, associates, association, next to neighborhood associations, next to bicycle enthusiasts and pedestrian enthusiasts, and city bureaus, I thought, there's not much chance that this is going to work because there -- yeah. And richard just whispered in my order, a tree hugger or two. The fact is the meetings got too quiet I would say let's chain saw those treats and that would liven things up for a while. [laughter] the group took its responsibility very seriously. This is Portland. And Portlanders are often asked and do hard work and it's the Portland process you take representatives from the neighborhoods, representatives from stakeholders and interested people and you put them together and you give them professional help and you say, what can be possible solutions? Doesn't mean that they are always going to be right. Doesn't mean the city council has to rubber stamp any of it but it is a Portland process. And it's one that's now gone on for seven years and it's a valuable process. And I don't think we have designed a camel here. I think we have designed a brilliant solution to a real problem. Last 27 years of my life, which have been spent in Portland I have run my early working days out of my store or my offices on burnside and confronted immediately the reality of burnside. If I am with a friend, it means getting off burnside so you can walk and talk. You can't do that on burnside. It's too noisy. Too congested, too dirty and not very interesting to look at. If you look up and down burnside you see very few businesses. Those that are there typically turn their back on burnside. Whole foods focused on couch street but had an entrance on burnside. It's locked. Bank tower has stores and shops in its corridor. Has an entrance on burnside. It's locked. Most of the businesses and even the social service agencies that find a reason to have one face on burnside, find a reason and an opportunity to put their door on the seed streets. It's just not a comfortable place to be. My customers don't like it. People I see walking through the neighborhood don't like it. They fine ways to avoid it. Businesses have avoided it. Development potential is stagnant and I think we can change all of that. Burnside deserves better. Portland deserves better. The work that's been done here deserves to be recognize.

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And I think rewarded. And I think this is a project and a plan that speaks for itself. This is an opportunity to fix something that needs fixing. Here's an opportunity to do it in an efficient, cost effective and design effective way so that instead of being slightly embarrassed by the shabbiness of the main street that goes through our city, we can be proud of it as we are so much of the rest of our city. So I really applaud the process. I made good friends through this process. We have had some stout arguments and disagreements but in the end I can't believe how well this group has held together over seven years. If you were to call a meeting tomorrow of the stakeholders group, everybody that was physically able would come. They are that proud of this plan and that proud of the work we have done and that's a testimony. So I hope you can see it in your hearts and in your minds to support this. This is good for Portland. I really believe that.

Adams: Thank you. Do we have any children or parents with children that would like to testify now? How do you want to do this?

Potter: Come on up.

Adams: Come on up.

Potter: Thank you for being here. When you speak, if you would tell us your name we would appreciate it. And why don't you go ahead and start. Who wants to start? Ok.

*****: We're all doing it together.

Potter: Oh, together. Ok. Got to speak into those microphones up there, too, so we can hear you.

Adams: You can pull them down a little bit. A little bit. Yeah. [laughter]

Justine: Hello will my name is justine.

Carolyne Howser: Hell mow. My name is carolyne howser.

Grace Becker: And my name is grace becker.

Justine: The following is a recipe for healthy and safe children taken from the kitchen of cathedral school which serves 227 students written by justine donaldson. Good, clean air, free from exhaust fumes.

*****: We already have fumes from the freeway.

*****: Playing outside will be unhealthy if more cars drive beside our school. Quiet surroundings. Traffic noise is too close to the school building will make it hard for us to hear and understand what we must learn.

*****: It is right next to the music room.

*****: Safety. Will drivers go 20 miles per hour and respect our crosswalks?

*****: Changing the traffic patterns is not a wise choice.

*****: It is a dangerous and unhealthy one for our school.

*****: Thank you for listening to our speech.

*****: We would like to invite the mayor and city commissioners to our school to see what would happen if we made couch street a busy street. Thank you.

Potter: Thank you.

Adams: Very nicely done. [applause]

Potter: Other children?

*****: Well, i'm doing it.

Potter: I'm sorry. [laughter]

Leonard: We just thought you were there for good looks. We didn't know you were going to talk.

*****: Oh, this could be a comedy show. [laughter]

Adams: You have no idea.

Phil Milligan: I am phil milligan and I want to say that I find it hard to study if there's a bunch of traffic going on outside. Thank you.

Adams: Very well done. [applause]

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Fergie Bush: Good afternoon. My name is fergie bush and I have been a member of st. Mary's church for 12 years and currently have a kindergartener and first grader. I have lost sleep over the thought of the amount of traffic that this couplet would bring to our school and church neighborhood. This proposed couplet would flat out endanger the lives of hundreds of children on a daily basis. I would like to think about these things but how can I not? God forbid that this couplet plan goes through and takes the life of one of our children. It many shatter the lives of hundreds. Children are not developmentally the same as adults and less able to protect themselves from an accident. They are shorter and harder to see. They sustain more severe injuries than adults from the same exact. They assume if they see the driver the driver sees them. They are less able to accurately assess speeds and direction of sound. They do often what the parent and the driver least expects. I cannot see any good of coming out of this proposed couplet and streetcar plan and for the safety of our children I beg to you stop this proposal now. Thank you. [applause]

Potter: Hey, folks, if you can remember to use your hands to wave and not the clapping. Thank you. Are there other children?

Valerie Stegall: Mayor Potter, commissioners, I am going to cry. Just so you know. My name is valerie stegal. I am a parent of the lowly forgotten emerson charter school. My address is 1533 n.e. Skid more street in Portland. I recognize most of you who have already made up your minds. So I really appreciate you hearing me. Here's what I know. You guys have put a lot of thought into this. You clearly have. I think a lot of it is such a great idea. But you didn't recognize our school. We sit on the corner of northwest couch and northwest park. We serve over 125 students every day from all around Portland. I ask you to think about what it would be like for them sitting in their school feet away, 10 feet away from a very busy street, couch. Trying to pay attention, trying to hear their teachers. Picture them trying to concentrate on their lessons just like the cathedral school kids said. I also ask that you think about them and the playground which is in the park blocks which by the way was totally cut out on your proposal. Thanks. I ask that you envision what they are going to breathe. I ask you to envision the noise. I ask you to envision them being dropped off and picked up every day right next to couch. I ask you to please, please envision clearly in your minds unaware drivers traveling too fast on westbound artery because it will be whether u it to be or not that's what drivers are going to think. And they are going to try to get to their places quickly. I want you to think about the police officers. We expect to you put there to monitor the people that are going the speed limit. If you don't do that now our kids deserve that. They will deserve it with a couplet. When you envision Portland's future which you clearly have, please include our kids. They deserve it. Thank you very much for hearing me.

Berkeley Franklin: Good afternoon. Mayor Potter and city council members, my name is berkeley franklin. I live at 1533 n.e. Skid more street in Portland, Oregon. I am six years old in the first grader at emerson school in the pearl district of downtown Portland. Thank you for allowing me to speak today. I would like to talk to you about the burnside-couch couplet because I think there should be a better way of making the street safer for pedestrians especially children. I think your idea is about adding traffic lights to the area are fantastic. Traffic lights will make it easier to cross streets. I take the number eight bus into downtown every day. I have to cross northwest Broadway and couch so I know how dangerous that area is. Crosswalks on burnside should be lighted because people drive across them when I am ready to cross and it makes me feel frustrated. If you put in traffic lights the area will be safer for all pedestrians including children. What I don't like about couplet idea is that there will be a lot of pollution, noise, and safety problems. Our pollution will irritate our lungs so the children go to my school will not have fresh air on the playground and inside school. The noise will be so loud from the cars and traffic that we won't hear each other on the playground or teachers during our lessons. There will be lots of safety problems. For example, adding lots of traffic would increase our chance of getting hit by a bar car, a bus or even a trolley. So will adding traffic lights is wonderful for pedestrians in our school,

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adding lots of cars is not too wonderful. Thank you for coming up with the ideas of how to make the pearl district safer for pedestrians. But I would appreciate you considering how increasing pollution, noise, and traffic would, safety of the children who go to my school because they will be there every day and it affect us. Thank you again for letting me take the time to speak and for keeping in mind these important words.

Potter: Is that all the parents of children?

Jackie Brown: My name is jackie brown and I am the parents association president at cathedral school. These are my children. I am going to talk a little bit about some of the financial concerns for cathedral. We have an extremely tight budget. And it's critical that we be able to stay at capacity in order to retain or to not have to raise tuition and if we raise tuition we price out some of the lower income families that are at our school. Our ability to retain students and attract new families can be hampered due to the following reasons. Increased traffic means we can no longer use 17th as an overflow area at recess for older students. Which will cause more congestion in the playground area. More noise from cars, trucks, emergency vehicles, buses, and a streetcar causes disruptions in the learning process. Additional traffic means worse air quality for the classrooms and the playgrounds. And extra pedestrian traffic causes more issues with strangers in the area. While the school is in an urban area it is in a quiet zone that's been encouraged by the city through the closure of 17th between couch and davis as well as the diverter at 16th and couch. These devices severely restrict traffic in the neighborhood and change this is means changing the atmosphere of the school. Secondarily, l.i.d.'s would cause a huge impact in two ways. The increase in our budget from the i. Are l.i.d. Will create a need to increase tuition which would cause a hardship on our lower income families and as a catholic institution, it is our responsibility to continue to offer a catholic education to all at every income level. The l.i.d.'s would take money directly off the our operating budget. This is a particularly unfair hardship since the students' families pay for the cost of the project, but the children can't ride the streetcar on their own. They're too young. When we polled the families at the school we could find no one that would commute to the school on the streetcar. Although several families live in northwest neighborhoods none live close enough to the streetcar alignment 20 use it as a viable alternative. Our families come from 24 different zip codes and carpooling has been our most efficient commuter option. Please consider these impacts on the school when you make your decision. Our goal is to continue to educate these students as well as serve our community. We need your help to attain this goal. Thank you.

Mary Healy: My name is mary healy and aim graduate of cathedral school as well as a parent of six-year-old twins who currently taliban the school. I have many fond memories of my years at grade school at cathedral in the 1970's. However, I do have one very vivid and still to this day disturbing memory that is relevant to our discussion today. The third grade classroom was and still is situated on the koren of 17th and couch. One day we heard a loud crash outside the window and all rushed to see what had happened. What we saw was something that school children should not have to see. It was a fatal motorcycle accident, the driver killed instantly and his stiff body laying in the middle of couch street. I share this story with you today decades later and now as a parent to illustrate an important point. Extending the burnside couch couplet to 19th avenue erases decades of progress. Back when this accident occurred couch street was a throughfare and traffic was recognized as a very big problem. The school and the parrish have worked collaboratively with the city over the years to minimize traffic and to increase the safety and health of our school children. Most notably as was just mentioned, in the late 1970's, 17th avenue was closed in front of the school between couch and davis and then later a divertedder was added at 16th and couch. The couplet would bring back the traffic and safety problems that so many have worked so hard to correct. Why do something that negates this progress? That accident could easily have involved one our children. Perhaps while walking to the church to practice for an upcoming school mass or helping their parents with a daily litter pick up around the school. This is my biggest fear and

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perhaps why I cannot get the image of the dead motorcycle guy out of my mind. Please vote against the burnside couch couplet. Thank you for your time today.

Potter: Next family.

Liz Johnson: Good afternoon. I'm liz johnson. I am a parent at cathedral school. I am a parishioner of cathedral parrish and I am a business and building owner in goose hollow. I am very strongly opposed to the couplet. This is my youngers daughter. However, I have been at the cathedral school and poor irish for nearly 17 years. I think that what we are enin danger of doing with this proposal especially with bringing it all the way up to 19th, which has not been on the table for a number of years as we know, that we are now endanger of not having just one extremely busy street in this delicate area but two. And I actually see that as a step backwards, not a step forward. We all know that our city is expanding and growing. We see it around us every day from the steps of the church, from the school. We are not necessarily people opposed to change. We just feel that there are safety issues on the table and there are extreme disruption issues on the table that need to be dealt with. I was a little bit disturbed at one of the meetings we had earlier when we brought up the fact that this would be not just a little bit of time but this would be a long, long time of disruption every single day. And we were basically shut down with, oh, no, we would be able to do that during the summer. Well, the summer vacation is about two months. One of my oldest children was at st. Mary's school, and the streetcar construction was a disruption to her education for three years. Not two or three months but three years. I really feel that there are a lot of issues on the table that have not been looked at carefully enough in terms of safety. I feel that we are moving the problem from one street to two streets. I would ask you to please take a more careful, considered look at it and come up with a different alternative. Thank you for your time.

Elinore Neidemeyer: Hello. I am eleanor niedermayer.

Lillian: And I am lillian niedermayer.

Matt: And i'm matt neidermeyer.

Joseph: And i'm joseph neidermeyer.

******* (Mom):** We go to cathedral school. And we are all brothers and sisters. And I think we have a very big disturbance in our studies and other social things there. And it's just a disturbance to us because like we couldn't concentrated. Our teach he was couldn't concentrate on teaching. And it just wouldn't be fair to the school body and the students, the -- just like the whole cathedral school.

*******:** I walk -- oh, wait. Oh. You go. [laughter]

*******:** Well, I want to -- I wouldn't like the fact that there's going to be, there's going to be more pollution in the air and the streetcars and the disturbance to our classes, especially music room. And, yeah.

*******:** When a teach are is trying to teach something and a big truck is going by, you will only hear like the noise of wa-wa, and you won't really get it. Because you will hear the truck noise. And she said, or he, would say, yeah. Did you learn anything? Like, no, I didn't hear anything. Yeah. Now your turn.

*******:** I --

*******:** Hi.

*******:** I just don't like the noise in the streetcar.

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

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

*******:** Sixth grader, fourth grader. [laughter]

Adams: Good job, mom.

Potter: Other children? We will return to the presentations.

Adams: Let's have chris smith, who is on the streetcar boards that recently took action and also nwda, patricia -- no. Sorry. Lou bauers and lou elliott. Two lou's.

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Chris Smith: Good afternoon. Chris Smith, and for the record, I am chair of the Portland streetcar citizens advisory committee. I am only going to make one point in that capacity. The issue of pedestrian safety around the streetcar was raised by an earlier testifier. We are now in our sixth year of streetcar operations and with the exception of one intoxicated person who walked into the side of the streetcar, we have had no pedestrian incidents, pedestrian collisions with the streetcar. We have a very, very safe operation. I am primarily here in my capacity as the former nwa transportation chair, and nwa's representative to the Burnside stakeholder committee. And in that capacity, nwa has supported the couplet since the 2002 plan and continues to do so. I would like to speak to the contrast between the couplet and the enhanced existing concept that a lot of people have put forward as a viable alternative. I think it really is not an alternative. And the reason for this is that the couplet manages to do two things simultaneously. It accommodates the traffic while taming it and it provides a greatly enhanced pedestrian safety environment primarily by splitting the traffic so a pedestrian never has to deal with more than two lanes at once. Taming that traffic through progressive signals so it's a speed well below 20 miles an hour. And providing signalized crossings at every intersection essentially. The enhanced existing can't come close to that in terms of pedestrian safety features. Sure, there are things we can do. But in a two-way street operation you are essentially always making a tradeoff. The more friendly you make it for pedestrians, the more you restrict auto capacity. That's an important issue to neighborhoods because we know that this is a major corridor. If you do try and restrict capacity, you may reduce some traffic volume, but we study to death what happens in terms of traffic diversion. And significant pedestrian safety improvements to the level that we get with the couplet would cause unacceptable diversion of traffic in the neighborhoods which is both a livability issue but I think primarily a safety issue on those local neighborhood streets. That's not where we want the cars. We want to keep the cars on the corridor but put them there in a safe way which is what the couplet does. Thank you.

Lew Bowers: Mayor, counselors, member of the public, I'm Lew Bowers. A senior development coordinator. A manager for the Portland development commission. And I manage several of the downtown urban renewal districts. As part of the research that went into the couplet proposal, p.d.c. Commissioned a consultant to do a study to estimate the amount of private redevelopment that could be estimated by the construction of the couplet and the streetcar. We did one version, in June of 2005. We then updated it in December of 2006 to reflect the new alternative you are discussing here. At this point we are only talking about the west side is what we estimated. The consultants were Lloyd Lindly, Integra Realty and Jerry Johnson all of which have Lloyd on the urban design and Integra and Jerry are very knowledgeable of the real estate market in downtown Portland. Methodology they used was referred to briefly by Rolland before. They created a base model which is what kind of growth in assessed value is likely to occur with no project. And that you saw that on the graph. Next they created a trending analysis that said, ok, with this project, there's likely to be a higher level of investment along the entire properties adjacent to the couplet. Third they identified a key catalytic sites where there was a significant amount of potential redevelopment and for these sites we actually estimated building volume, assume the uses and did pro formas so we could come up with a more specific analysis of what kind of investment and/or gap may be there. The time frame was 20 years after the completion of the couplet. I want to stress this is not a development proposal nor is it a development strategy. It's a feasibility analysis to help see whether this might be a good investment. The map -- before you shows those catalytic sites going from east to west. Basically the lower Burnside site is a second one in and that's between third and fifth and that includes such sites as the Goldsmith parking lot and the building owned by David Gold, the Daunt's Club which is on the other side and the gas station which is immediately on Burnside. The next catalytic area is Burnside at Park and the properties there include the Bugger King which is credentialedly vacant, the parking lot, the tire store and the Federal Reserve building which is recently purchased by Harsh. And the next site up is Burnside between 12th and 14th. And there

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we looked at harsh properties, they caught one-stop building, just north of burnside. Then burnside at 18th, the old mercedes store between 17th, 18th, morrison and alder, the carwash and the rasmussen block all were considered to be ripe for redevelopment. And finally burnside and 21st. There's the rite aid and the red robin sites. We did not include 24th because we felt the development was already underway and the couplet would not necessarily have any direct impact. So the results. Basically we asked the question how much new development is likely to occur as a result of the recommended alternative. 20 years after completion, the estimate was that the net new satisfied value would be \$1.4 billion. That's composed of a base of \$1.3 billion which would happen in anyway case and the \$1.4 due to the project for a total of \$2.7 billion for area along the couplet. The next question was how much new tax revenue would this investment generate? Gun, 20 years after completion, the net new taxes would be \$28 million per year. That's composed of a current 6 mild that is collected on this area. The base would go up to \$25 million. And then with the project it goes to a total of 53 so the 28 is in fact, the net new additional taxes. Third question, we attempted to answer is this a good public investment? And here we use two measures. One, is based on the cost of the couplet, \$41 million for the couplet and \$39 million for the streetcar. We calculated on a return on investment. It is the that means there would be \$800 million of net new assessed value as a result of investing \$80 million in public funds by year 14. The next measure is a more simple analysis of pay back. And it was calculated that the pay back of the \$80 million in project cost could be achieved in year 15. This would be the net present value of that new tax stream. It would be created. Now, all of this development is not currently feasible in the market. It was calculated that there was a 3.2% of cost gap there was \$45 million that would need to either the market would have to make the development more feasible or the public would have to come up with that to realize this private investment. The gap made decrease over time if market conditions improve but if you assume that the public sector invests the entire \$45 million gap, then, your return on investment stretches from 14 to 17 years, and your pay back stretches from 15 to 18 years. Finally, what are the key factors that affect development along here? In summary, the streetcar services proved to be very effective. The on street parking, better access north and south off burnside, improved pedestrian environment, and the improved image of the area. I think that some could certainly criticize this report as conservative. I believe there are additional properties that are very close to the ones I have mentioned that also are ripe for redevelopment so the number, total investment could likely be larger than we estimated. Others would argue that this analysis is very aggressive. It is difficult to prove economic cause ality. Other than the letter from harsh that states they would be willing to invest if the pellet goes through there are not any other specific commitments from property owners to do the kind of investment that we have talked about here. So therefore, if you do decide to proceed I would recommend that the proposed financing plan seek firm financial commitments from a number of these property owners so that we can show a greater nexus between the public investment and the private -- investment. Thank you.

Saltzman: If I can ask a question, lou. That analysis is based on a public investment of \$80 million? Your return analysis?

Bowers: The cost, yes.

Saltzman: So those numbers are low confidence numbers at this point. And I guess --

Bowers: Yes.

Saltzman: I'm looking at the east side streetcar loop that's projected to cost \$176 million. I am having a hard time reconciling that with a burnside loop that would cost only \$39 million. So I mean if those numbers were, say, to triple between now and when the project was actually done, have you looked at that? Have you country that kind of confidence analysis?

Bowers: We have not done that. We certainly could do that analysis. It would be a matter of doing the math. I would be happy to get back to you on that.

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Potter: Just to understand for myself, is that the, the \$80 million investment in the streetcar but you say, you are saying an additional \$45 million in development money would be required to really position this area for the kind of return on investment that you are talking about? Is that correct?

Bowers: That is correct, mayor. When you do the proform that some of the projects would noting economically viable right now. That's where the \$45 million gap comes in.

Adams: Brad, dennis wild, greg goodman.

Dennis Wilde: Dennis wild, gerding edlen development. As was mentioned previously, welsh an initial party to the stakeholder advisory committee then participating in it from day one. And continue to participate in the burnside couch committee. We endorse the initial proposal for the couplet and were supporters, and then moved to being what I would call strong opponents to it. Primarily out of the concern that we were moving from one bad street to two bad streets. We have create \$on couch probably the most envied pedestrian environment, not just in Portland but the united states and the thought of pushing 15,000 cars a day up that street didn't bode well for maintaining the quality of pedestrian environment that's been created there. With the addition of the streetcar we felt we would have to move back to what I call a neutral position because we have been strong advocates for mass transit in Portland. We see that as a critical component to long term suck set in the community. That said, \$80 million is a lot of money there are a lot of a affordable housing issues in the neighborhood that that money could well go to support in terms of alcohol and drug abuse treatment programs, similar supporting programs like central city concern and reach and hap. And that the reality of trying to move people out of the car -- and I laud commissioner Adams's emphasis on the peak oil concerns and the need to move the position of the city in terms of the automobile. I still believe there may be some solutions where burnside could be turned into the kind of amenable pedestrian-friendly street that we are talking about without imposing these traffic volumes on to couch.

Greg Goodman: Good afternoon. My name is greg goodman. I think the first thing I would like to say is to me it's exciting to have a defining project here and have all these people out. These are the things in my opinion that make Portland great, regardless of what we do. It's good to see we are back at it. You know, I want to start off by saying I guess I disagree with lou. I think if the public infrastructure is built for burnside couplet with the streetcar, I think that's a huge emphasis and impetus for development. We own 10 properties within three blocks. Couple on couch, some on burnside. I can think of no -- I am not going to ask for subsidy and I am going to tell you that I can think -- I would rather have you put the infrastructure in and then let the private sector go about developing on it. I think that the street that sam and the people are involved here have just done an outstanding job. I am not saying there isn't refinements. I'm just saying it's a huge, huge catalyst project and you look at the streetcar and you look at what john carroll did and all the stuff that's happened on the streetcar, this is everybody bit as big if not -- not every bit as big. It's multiples bigger than the streetcar on tenth and 11th to do what you are doing to burnside. I look at burnside and I say, this is a street that is great as Portland is, it's a back door street. It's a street that, you know, we have had huge number of issues on. And now we have an opportunity to do something, what I would call not in a gauze and cream approach where you put a few turn lanes in but in an approach where we do it in a Portland way. We do somethingic conic. Make it a street we are not known around the country for, but around the world for. You have multiple use transit on it with bikes and cars and streetcar. Make everything that happens, make it, make it green not just within the sidewalks and the public right of way but if you are building on burnside and couch, have that a model of green and sustainability. I personally think this is just the type of project that our city should be getting involved in and then turning it over to the private seconder hopefully after that to make some great developments that we can all be proud of. So I would encourage you to support this project. And I can tell that you the goodmans aren't going to ask for subsidy on our properties if this goes forward. Without it I can tell you we will need them. Thank you.

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*****: Mayor, commissioners, i'm glad to be here. I want to say this both as --

Potter: Could you state your name for the record.

Brad Malsin: Sorry. Brad, bean development. I also represent the bill naito company. I want to say I see my 13 years in Portland, I have seen certain defining moments come and go. I have seen certain opportunities won and lost. And I see this as a seminal project that can define where we go and how we, how we handle and deal with difficult projects. There's no question that the this needs to be done. Couplet needs to happen. The issues that surround the couplet needs to be solved. And I think by the protecting the pedestrians and school children all these things need to be addressed. They need to be enforced safety. But these are issues that I think we can solve. They are our responsibility but it is our responsibility to connect north and south side of burnside. There is, I will say along with greg that we represent almost nine blocks of development in old town-chinatown, and that we believe with the improvements from the couplet that we will be able to proceed in a significant way with private development. We see this as one of the critical elements. As long as we calm the traffic, as long as we protect the pedestrians, I think we are on safe ground. And I think the era of omission here is much greater than the error of and I think we need to commit ourselves to this and rewe need to solve issues and forge forward. It's an essential and important component and I thank everybody who has come here and spoken with their heart because I love Portland for everything that it really is and everything it tries to be. Thank you.

Adams: Betsy ames representing the planning commission. Rick michael son and brian pierce.

Betsy Ames: I'm betsy ames. Assistant direct are for bureau of planning. Don hansen, vice chair of the commission was going to be here this afternoon but unfortunately he was called to a meeting in wilsonville. The planning commission understood their role in this process to be an initial filter for public testimony for the city council to clarify issues, provide some analysis and discussion of potential responses and provide their advice and recommendations to the council. The planning commissioners as individuals and collectively dedicated significant time and thought to the future of west burnside and northwest couch street as well as the surrounding neighborhoods. They had several presentations on the proposals. Read volumes of information, held a hearing in january, walked the streets and developed their concludes based on all of this information. Based on their analysis they concluded that burnside has not proven to be a barrier to new residential and commercial development. They did, however, agree that something should be done about burnside and that doing nothing was not an option. They were concerned about the increase of volume of traffic on couch to 18 to 19,000 vehicles a day and that that would be too great an impact on that street for what could be gained on burnside. Couch and davis provide a quiet zone between the couplet of everett and glisan providing something to be built upon. They felt the area of lower burnside with its wider right of way and most activity should be the focus of redesign plans and safety measures should be installed immediately at the intersections indicated by transportation and analysis and testimony. Planning commission specifically recommends that the city council not move forward with the couplet as preferred alternative at this time. They recommend further developing enhanced burnside alternative as a preferred alternative and looking at what elements can be done and phasing as well. There were some elements that they heard in presentation could be subtracted that would significantly reduce the cost of the enhanced burnside alternative. They thought the city should take immediately steps to address safety concerns at the intersections especially at eighth and burnside for which they heard particularly compelling testimony from a number of testifiers. They recommend further developing and implementing urban design and pedestrian environment improvements both burnside and couch, utilizing the existing rights of way of lower burnside and couch to accommodate those improvements. Ensuring that existing regulations are applied throughout the corridor. And title 33. These are areas in transition and new buildings and developments go in they can provide wide are sidewalks and streetscape amenities. They wanted to encourage economic investment strategies provide

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incentives for the redevelopment of vacant and assist social service providers with facility improvements. They heard a lot about psychological barrier and the desire to work with social service agencies and others. They recommended implementing left turn lanes, provide access to downtown at third and Broadway, and to old town-chinatown at Broadway and Fourth if possible. They also heard a lot of testimony about the east west streetcar line and met a lot of interest and support and recommended evaluating potential east west streetcar alignments you through downtown as part of the rail system plan. As part of their decision the planning commission also voted to forward some recommendations of the council decided to move forward with the couplet. Those included implementing pedestrian safety measures now. They found that very compelling and those improvements shouldn't wait. They also recommended making the streetcar part of the up front improvements, having the streetcar be considered an integral component of the proposal and having it bill at the same time that the vehicle traffic is moved on to a couplet. They recommended not extending the vehicular traffic component of the couplet past 15th. But felt that perhaps the streetcar could go, be acceptable with appropriate mitigation measures on that section of couch. They recommended humanizing the I-405 overpass with pedestrian safety improvements and a streetscape upgrades and finally they recommended directing, that the council correct the office of transportation to bring forward the street designation changes to the transportation system plan as part of the comprehensive plan through the legislative process throughout planning commission. And to city council as soon as possible to resolve that policy issue.

Rick Michaelson: I'm Rick Michaelson and I own property on West Burnside between Ninth and Tenth Avenue. I want to make it clear I oppose creating a Burnside-Couch couplet. I oppose all couplets. They are out of character with our neighborhoods and unpleasant places to be. We should look at eliminating existing couplets instead of creating new ones. However, this project is not about creating a couplet. It's about in degree greating Burnside and Couch into the existing downtown grid. I want to repeat this this project is not creating a couplet. It's expanding the downtown grid and therefore I strongly support it. It will improve the pedestrian and retail character of the area that Burnside. It meltdown town and old town and make the street system more understandable. It will make auto traffic safe every without significantly increasing traffic tiles and make many more trips more convenient. And it will still keep Portland and Burnside street. The plan today is not perfect. It still has too much of the feel of a couplet rather than a fully integrated system with downtown because few revisions this with engineer like how it begins, where it ends and what you do with Davis streets and streets immediately to the north is a real opportunity for improving this. I have been following this project for a long, long time. I was on the planning commission in 2002 when we first were briefed about it. We didn't take formal testimony or formal action at that point. But we were all enthusiastic about the idea and, in fact, many of the comments if you read through transcripts are about why can't we make this happen faster? Let's get to work on doing some of it today like pedestrian safety issues. And turning Couch into one o-way street now rather than waiting for full improvements. General tenor that was clearly to proceed and proceed quickly. This proposal is bold and transformative in the same way removal of Harbor Drive was notice 1970's. I urge council to act quickly to move this project forward. Thank you.

Brian Pierce: My name is Brian Pierce. I am the general manager for Unico Properties here in Portland, largest asset that we own here is U.S. Bank tower. We also own total of four blocks in the Burnside area. In June of 2000, Unico co-placed a huge bet on the vitality of Portland with the purchase of its tower. It's the largest office tower in the state, 5% of the entire downtown office market and it's an icon on the Portland skyline but it's also on the edge of a critical physical barrier and that is West Burnside street. Over years since we have purchased the building we brought in new joint 70 which are parts inner and lenders incorporated countless tenants and Burnside street is a detraction. It is the single largest impediment to leasing space and attracting businesses to our

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building. Our project has entrances on all four sides of the building, however, do you to security concerns we have been forced to keep the doors to burnside locked from the outside and we are in the alone. There's a lot of other buildings up and down burnside that have had to do the same thing. It's easy to identify the problem here. But it's extremely difficult to identify a viable solution. We have been active throughout friends of burnside couch in an effort to help identify a workable solution that makes burnside more hospitable place. If we can make the area more hospitable place we have development opportunities on our existing properties and we would be not -- we would not be afraid to go forward with those developments. And like the goodmans I am confident we would not ask for subsidies to do so. But it's imperative that the area become a more hospitable place and today it is not. We have 3,000 daily occupants in our building. And base on a survey of off tenants, less than 2% of those ever encloses burnside to go to lunch, park, to do anything. It is too much of a physical barrier. And if we can improve that, and we think the couplet is the way to do that, it will spur private sector development on a grand scale which will raise the tax base which I think helps everybody. Thank you.

Adams: Steve rosellly and craig henderson.

Steve Roselli: Hello will thank you for the opportunity. My name is steve roselli. I am vice president regional manager of harsh investment properties. I oversee all of our commercial holdings in the Portland market. We for many years have had extensive holdings in this west burnside market. And have added to that in recent years. And a lot of great points have been made by other people throughout the day here so I won't elaborate on those. But just as a quick example of the impediments to development along burnside point out a couple of our property recently purchased the federal learn building. And if you will notice on, we have got this beautiful pietro belluschi building that faces on ninth and oak and ninth because of its nonconnectivity across burnside is a dead street as well as oak is to the west of Broadway. We think with the connecting of ninth and park and some of these other cross streets that there could be some kinds of benefits to this area right around burnside. As well we have the one stop block immediately west of whole foods. And we have been playing around with different ideas for redevelopment of that block but we always are running into the challenge of what do you do on the burnside side of it? The brewery blocks which is a fantastic project wasn't able to solve it. They have got ng nog but locked doors and like brian pointed out sort of a condition up and down along burnside. We support strongly the burnside couch couplet. It's not perfect. But we think it goes a long way to solving a lot of problems along there. We will be very supportive of developing any number of our properties in that area if this can be moved forward. Thank you for your time.

Craig Henderson: Craig henderson. Excuse me. I own a building actually at 13th and burnside. For us it's not an abstract issue. We are in the process of developing the building. We are not quite sure how high but something between the 12 to 18 stories. It represents an investment on that corner, 13th and burnside, of something between \$15 million and \$20 million. Our questions with this location have, are, how do we address burnside? What do we do actually to address burnside or do we face the building on 13th? So the couplet allows us to really address burnside as a front door, not as a side door. So just to reiterate what this fellow was saying, this is not abstract. In our case it's an actual development. Real development dollars going into that area. And it will depend on what we do on what you do. We are trying to design a building which is unique, sustainable. We are looking for a platinum status. We are looking at unique situations and to solve parking like automated garage. That sort of thing. And the couplet allows us to really look at those things with new think. Not that we can't do it without the couplet. But I think it's important for us that we really seize the moment, as it were. You guys have a chance to make a decision, which I think in its way is similar to the decision made 30 years ago to pursue light rail.

Potter: Thanks, folks.

Potter: We will start with the list of signed-up folks. How many folks do we have on this list?

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Moore: About 80. Some may have left.

Potter: Eight zero? [laughter]

Saltzman: I think some have left. Plus the kids.

Potter: I assume some of those have already testified.

Moore: I tried to cross them off. Yes, they did.

Potter: But I am going to limit testimony to two minutes. I will be very strict about that but I also ask as I said earlier at the beginning, if someone else said what you said, please try to keep your comments as precise as possible. So call the first three folks.

Moore: Judy john barr. Is she still here? Was somebody going to say her testimony? Ok. And let's go to patty merrill. Jobie an co- and jack mcnally.

*****: Hi.

Potter: Thanks for being here, folks. When you speak, state your name for the record.

Patty Merrill: I am patty merrill. And I am a business own neither pearl district. I own a business called cargo. I am on the corner of 13th and flanders. And I wish I had brought a puppy or a kitty because I feel really bad being on the other side of the kids and parents. But you quite honesty, my business, I have been through a lawsuit in the pearl. When I started there, you know, they were doing digging all the improvements. Then all the buildings started to go up. So there was no parking. Then light rail. And we are getting to a point where it's actually, people want to come into the pearl. And it's getting them in and out of the pearl that's the problem. And when people call to see how to get here we have little asterisks by the maps that are handed out because there are certain ways that we cannot -- people can't get into the pearl to get to our store. And I live on the east side. As all my employees do. And I can tell you first handled that driving home at night is one. Most adrenalin ridden drives that you can imagine. I go down 11th and then turn on to burnside. Only the closest street. And it's really scary. And then, you know, to cross burnside, you know, the crosswalks first down closer to the burnside bridge you would have to have a death wish to go across those. I have seen so many people that don't know those are crosswalks and people are going by and they go right through. And so it's pretty, it's you know, somebody, it's -- it's harsh. And you know, I have lived here most of my life and I remember as a kid, going down burnside and just being, it was like a horror movie. You know, and it hasn't changed much. It's still, it's really, it's tough to know that that is sometimes one of the first streets people who come to visit our city see. It's just, you know, it doesn't work. It doesn't reflect Portland. You know, and i'm for a change in it. Thanks.

Jack McNally: I'll jack mcnally. I live at 29th and quimby. I will make this very quick. Most of this discussion seems to indicate that it's an either/or proposition. You accept the two streets or you accept the single street. And I think there's a compromise between that. You could end the couplet at 15th and merge it back down to burnside. You are doing that at 19th right now. If that's good enough between 19th and 24th, it should be good enough between 16th and 19th. That way you would keep this heavy traffic out of essentially a residential district. Residential street that runs by the cathedral school, by the cathedral church, and numerous apartments. Also none of that property is business property. So you will never see any income from business development along that street. It's the only residential portion that's affected by this entire plan. Almost all the benefits of program would still be intact if you ran the couplet as far as the freeway and stopped.

Joe Bianco: Thank you very much. "name is joe bianco. I am a writer and also have a book publishing company. For many years I was a journalist working for "the Oregonian." and I am very impressed with the previous speakers and I must admit, I feel like a minnow in a sea of big fish. But I am going to do the best I can. To give you my side. I have been a member of the st. Mary's cathedral parrish for about 30 years. And I have also, I am -- I have been a resident of this city for a little more than that. I think my gray hair will attest to that. But I am sure that the mayor and others here, I have been receiving letters both postal and electronic that have been protesting

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the plans to disfiguring couch street in the area that's bordering st. Mary's cathedral and its adjoining elementary school. As a resident here, I am saddened that a person, people of your stature, would even consider a construction of a roadway that could possibly endanger the lives of many young school children. I and others hold you, as our mayor and councilmen, in high esteem. So please don't disappoint us. Please think of the children and of their safety. Thank you very much.

Moore: Next are phil brown, tara o'neal, and john cues sack. They will be followed by nancy hogarth, liz scott and bob mcallister.

Potter: Would you read the names again.

Moore: Phil brown, tara o'neal and john cusack. Nancy hogarth, come on up.

Potter: Thanks for being here, folks. State your name for the record.

Phil Brown: Thank you. I am phil brown, chair of the cathedral parrish administrative council. 35-year member of the parrish. Past chair of the school board. Father of six graduates of the cathedral school. I am not here to oppose the or to express an opinion on the couplet as a whole but just on the portion that would extend west from northwest 15th many as you heard already the devastating impact on the children who attend cathedral grade school and who to the people who attend st. Mary's cathedral. The following are a few reasons why couch west of 15th turning that into a one-way throughfare with streetcars is a bad idea. Safety. That part of couch between 16th and 19th where the children and church is located is a now a quiet street. Small children play in the area throughout the day. Parents drop off their children on couch street. They walk along couch to the school and to the church and back. Kids as you know do unpredictable things like sometimes perhaps darting out in the street before an adult can stop them. And the negative implication of dramatically increasing the traffic on that quiet section of couch from 1,000 cars per day to 18,000 cars per day is so obvious it's hardly needs explanation. Health issues. Only the sidewalks straits the nearest classrooms from couch. The school building is not air conditions and therefore the windows are often open. The increased automobile exhaust that would drift throughout windows would create a very unsafe environment. Noise, I don't think I will say anything about that. That's pretty obvious. Congestion, how can the streetcar line take up part of the street and 18,000 cars co-exist with the cars, buses, wedding transportation, that regularly stop in front of the church to load and unload? And that church fronts on couch. Whatever marginal advantage advocates may see in extending the couplet cannot possibly be worth the virtual destruction of the church and school environment. Thank you very much.

Tara O'Neil: My name is tara o'neal of the I am the administer of the emerson school, a small charter school on northwest park and couch. You heard probably everything I could think of saying from our first grade student earlier so there's not a lot to add to that. What I would like to add is my concern as the administrator really is for the students' safety, as the gentleman next to me stated. They are not predictable. Students coming and being dropped off by their parents can easily become involved in traffic without people stopping them in time. And the increase in traffic is a huge increase in liability to our school. In addition, we are allocated in one of the only buildings in the urban area of Portland that's still retains a school occupancy. And the chance of our being able to move into another site easily is very slim. So we would be potentially making do with a pretty negative situation in terms of construction time line, and the result of that could also be devastating for our school's enrollment. While parents would like for more convenient placements for their children, ours is a public school. We would be losing funding as that happened. And it could cost the school dearly. The other concern that I think was not yet brought up about this is specifically for our school, our air intake for the entire building is located right on couch street over a doorway. We had that entire air handing system redone when we moved into the building in 2003. And it would overwhelm, I think, our air handling system in terms of the additional exhaust and traffic so there's an environmental health issue for us as well. I would urge you to think of every possible

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option and consider the safety of our children. In addition to if you do approve the couplet to really keep in mind that the students safety and health is a big concern. Thank you.

Nancy Hogarth: Hello. My name is nancy hogarth and I safely walked across burnside from one of the greenest neighborhoods in the united states, the henry. I have been waking up at night imagining a really terrible noise and I think it's a little streetcar dragging up burnside with an \$80 million price tag attached. We have been told many times that the money for this couplet and the streetcar could come from the federal government or more local taxes. I could lose 30 pounds and fit into my high school prom dress but that's a pretty low confidence estimate from me, too. [laughter] not after voodoo doughnuts, believe me. No stakeholder committee or neighborhood association ever represented my neighborhood. We have four businesses, a platinum award winning gerding theater, 123 homes and a new city park. We didn't even exist five years ago. If this is really about safety, the money you have spent on brochures, charts, consultants and a new slide show for every single meeting in the last five years would have put stoplights on burnside and repaired it from gresham to hillsboro. If this is about developers, none of them are going to pick up their dirt and go to vancouver. They are all going to build here anyway. I will spare you a longer speech and ask you one thing. Please vote no on this couplet which is actually voting yes for the rest of the city. There are lots of other streets that need help. Step back. Take a breath. Come up with a better plan. Once this bell is running it won't be you think running and I think you will do the right thing. Thank you.

Moore: Liz scott, bill mcallister and andy. They will be phenomenoned by justine donaldson, terry parker and sadoody richman.

Potter: Thanks for being here, folks.

Liz Scott: My name is elizabeth scott. Thank you, gentlemen, for your time. One look at a map makes it clear burnside are one and only direct east west throughfare and the market between north and south is the heart line of Portland. Burnside is our grand boulevard. I can think of no other city in the Portland whose main boulevard is a one o-way street. In fact, cities all over the world are decoupling after finding the couplets deenergize streets and neighborhoods. If we are lucky enough to get an east west streetcar wouldn't a direct route down burnside make more sense than running the length of the couplet? Visually organically and functionally a couplet on burnside makes no sense. From east to west burnside is lined with local, independent businesses. The very kind of creative population that is crucial to the health and vitality of any city. What will happen to this creative class if this ill-conceived couplet proceeds in large developers take over? And what about young emerging businesses yet to be born? They would be driven out of the central city with a higher rents and l.i.d.'s that would accompany the couplet. Ultimately what we would have is a street lined with generic, ubiquitous chain stores as opposed to the likes of hippo hardware, crystal ballroom, rocco's pizza and even the iconic powell's which was once such an emerging business itself. Which of these most represents our city? Portland is a city of values. We have an international reputation as a city that stands for sustainability and community. Just last week a contingent from china came to study the brewery blocks. Do you this think they would have come if the neighborhood had the five fold increase in traffic it will incur with the couplet turning couch, now a pedestrian-oriented neighborhood into a clogged arterial? Do we want to make the drastic impull receive decision that favors large developers over organic growth that reflects our values as a city? There are more important things than rapid growth. Please don't disregard the enhanced burnside alternative. Please don't risk driving the creative class out of the central city. Please don't turn our city into a generic mall. Don't destroy the brewery blocks. Don't limit nature our one direct east-west. Don't choose large developers and cars over people and community. I urge you to make this decision with an eye to what we want the city to look like in 30 years and please hold Portland values. Thank you.

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Bob McAllister: My name is bob mcallister. And I am principal at cathedral school. Thank you very much. We were not informed of the couplet proposal until the planning commission meeting. Since that time, I will say because of that, we have had to play a lot of catchup but since that time commissioner Adams has met with me and the councils at cathedral school and the council at the cathedral itself, the church, twice. And I appreciate that. Couple of things you need to know. The traffic currently from i-405 west runs about 200 cars roughly a day. And this has not been particularly disruptive to instruction. However, fast forward that to the proposal, and it could increase to 18,000 vehicles a day. That's delivery trucks, construction, emergency vehicles, buses and now a proposed trolley. And that's enormous. We have 227 students at cathedral. And that, they will be affected by that increased traffic. Six of our classrooms sit on couch itself. Fresh air is supplied at this point with windows opening up on to couch and with two large vents directly off couch. Even if an hvac system was to be stalled it would not alleviate exhaust fumes on the playground which is 100 feet off couch. The issues of safety and visibility is a factor on couch and 17th with a building and large trees impacting site distances. The couch area at 17th is now used for unloading students in the morning and picking them up after school. This reduces the traffic congestion on davis and ultimately all the way up the street. The school's front door is on 17th. And is a short distance from couch. Students often use that front door to exited the building and then walk up couch to the cathedral for masses and other events. Increased costs along the way, we have already talked about that some so I won't get into that but one point is that the building itself is built in 1961. And the increase in traffic, particularly with heavy trucks, buses and so forth, would likely have an impact on the basic structure of the building which could cause quite a bit of financial impact on the building. I would encourage you to consider, if you are going to run this couplet, to terminate the couplet at i-405, making for greater that would make for greater sense and certainly not impact a quiet residential neighborhood in front of the school, cathedral, and private residences. Thank you very much.

Andy Metzler: My name is andy metzler and I am speaking on behalf of the cathedral school staff. I am a fourth grade school teacher and my classroom is located on the first floor of the couch side of the street. And I can tell that you any changes to northwest couch street be it a streetcar or a one o-way couplet to match burnside will increase traffic on the street and decrease the quality of life at our school. When I talked about this proposal with my students they were concerned and they were frustrated. As a class we brainstormed 78 implications. Positive and negative that could any change to northwest couch street would bring and it turns out they felt that none was very positive for the school. In the long run. The students honestly worry about distractions, and increase closed traffic would bring and they fear sitting in a hot stuffy classroom because we wean be able to open the windows. They were apprehensive about the increase of strangers on the sidewalk talking loudly, smoking sometimes swearing and playing music. Also the students were troubled by the safety of our student body during recess, morning drop off and during afternoon pick up times. In fact, my students all wish they could be here to tell you these things in person. We have studied government and written a lot letters to folks come salem. And we couldn't come today. A lot of us couldn't come so I brought you letters. These were not written as an assignment from me. As a reaction to this morning's conversation. Our students want to you know they that do care about what happens to our school. They care a great deal. They care enough to get involved by writing you letters to tell how think feel about these proposals. I promise you this did not come from me. I joke often with my friends I am a charge of the future of america. That's what I do during the day. But in this instance I am not joking. I am in charge of the future of Portland and I am in charge of the future of america and as a teach are I can tell you I sing and dance and speak and joke and laugh all day long to keep the attention. I cannot compete against a streetcar, against people outside, against traffic. Crucial, crucial learning moments will be lost making connections between subject areas and new concepts takes at least eight seconds of uninterrupted. And I can guarantee with you

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a streetcar with people walking with more traffic we will not get that. So in order to educate and cultivate a future community members who are able to think critically and problem solve schools need to be come respectful communities without any traffic so if you can see that that' with us, still taking care of the city of Portland that would be great. Thank you.

Moore: Our next three are terry parker, saboody richman and jim dulcich. That's terry parker, saboody and jim dulcich. They will be followed by mike dowd, michelle beaker and robert corey.

Potter: Thanks for being here, folks. Please state your name when you speak.

Terry Parker: My name is terry parker. I am a tax payer and lifetime resident of the city. Burnside is the east west spine doing far more than it was designed to do. It was a unique functional street with triangular corners that connect distinct places from border to border. It's a necessary components of our transportation system. Calling this street a barrier is psychological. In its current form it offers opportunity for grasping a diverse variety of development. Burnside couplet proposal is about installing social engineering rather than transportation engineers. The couplet proposal fails to recognize that all Portlanders, including drivers and passengers of the almost 40,000 cars and trucks that daily use burnside are stakeholders. These financial -- financier tax paying motor stakeholders have been unrepresented and left out entire planning process. Safety issues with the couplet proposal abound. Motor vehicle lane widths, reductions on upper west burnside are narrower than tri-met buss and narrower than many large freight trucks. The couplet section, in the couplet section turning to burnside are more difficult and aspire to add congestion. Pedestrian safety is compromised when trucks must drive over sidewalks to maneuver around corners. Adding a streetcar to the couplet makes the whole proposal worse. Streetcars duplicate bus service but only for a short distance. There right costs to tear up the infrastructure and tear up the burnside bridge. Streetcar operations do not pay their own way unless the fares are changed. Taxpayer financed subsidies will be necessary to keep the frank wheels rolling. It will are fare cheap tore buy commission are Adams a lionel train set on his birthday than expect taxpayers to fund this full-sized one. From the operational estimate placing streetcars on high involve streets on traffic intensive streets like burnside obstructs traffic and increases congestion. I am almost done here. Burnside traffic already backs up halfway across the bridge during peak periods. Unless the streetcar tracks share space with bike lanes adding it to the bridge will original women it. Having streetcars block it on east west sides to load and unload passengers will result fuel convulsion.

Potter: You have to bring it to an end.

Parker: Ok. That little bit of hypocrisy violates or own policy goals. The burnside couplet is obsolete concept that should be rejected. Thank you.

Subhuti Lichtman: My name is subhuti lichtman and I provided each commissioner two copies of an alternative proposal to the burnside couch couplet and I encourage you all to read them carefully so that one, your chief of staff to read and one for yourself to read. I am first representing the cathedral parrish council and I would like to tell you that virtually everybody at the cathedral parrish, which involves 1400 registered families, and thousands of visitors who are not registered, are opposed to the couplet extension through the quiet zone of 15th through 19th. And you have already heard testimony explaining why and there's additional information in the booklet. But secondarily, I would like to reflected on some of the comments that you have heard today. You have heard about locked doors on burnside due to security concerns. You have heard about unsignalized crosswalks such as eighth avenue. And other concerns about crossing burnside. Now, I have a business on hawthorne and I spend a lot of time on hawthorne. We have two lanes going west, two lanes going east. We have traffic that goes fast. We have a lot of noise. We have people wandering the streets. But two sides of hawthorne are not divided. The two sides of hawthorne are united. What's the difference between burnside and hawthorne? The biggest difference is that we have neglected burnside. And a large part of that neglect has to do with the conditions of lower burnside where we serve people who are poor, homeless, needy, destitute, escaping abuse and

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having drug addiction problems and so on. If burnside is improved, these situations can change and they are changing. As an example, university of Oregon is entering into one of the large buildings at the base of the burnside bridge. They are refurbishing it inside and out. They are bringing in a new group of people into the neighborhood. All along burnside developments are taking place, take a look at the civic tower. The testimony we have heard is tremendously focus on the problems at burnside from years ago. What we have to look at the problems burnside has now and address them. Thank you.

Jim Dulcich: Mayor Potter, commissioner, my name is name is jim dulcich. I have two children in the cathedral school. Five years ago I was chair of the school's advisory council which is the rough equivalent of the school board. And in that capacity I attended a number of the meetings of the stakeholders advisory committee. And you may know that initially the committee had recommended that the couch street portion of the couplet extend to 18th or 19th avenue. But based on the testimony and other information that was provided by the archdiocese, by the parrish and the school and other representatives of the neighborhood, the stakeholders advisory committee reversed itself and decided that it would recommend the city council that the couplet, keach street portion terminate at 15th avenue. In a letter dated november 14, 2002 to dennis owe donovan of the arch die ceases then commissioner francesconi said "as you anyway mow after consideration the tradeoffs and extending the couplet to 19th avenue or 15th avenue the advisory committee voted to end the couplet at 15th avenue. The recommended plan will show the couplet ending at 15th avenue and couch west of 15th will remain unchanged." that's why it came as a great surprise to members of the parrish and the school last summer or fall when the public announced a new plan was in place that would extend the couplet for couch street portion to in ath avenue. The archdiocese, the parrish and the school had no notice of the meetings of the stakeholder advisory committee. If we had been aware of it we would have had the opportunity to provide the same input information that we did five years ago. So if you are inclined to move ahead with the couplet, we urge you to consider the well considered recommendation of the 2002 stockhold are advisory committee and terminate the couplet at 15th avenue.

Potter: Thank you.

Moore: Next are mike dowd, michelle beaker I believe is the last name and robert corey.

Mike Dowd: I am mike dowd, a cathedral parent. I oppose extending the couplet west of i-405. But I have a different take than most of the other cathedral testimony. I think from being an architect, active in the land use and urban revitalization, from my per peckive I think the real problem isn't the couplet is bad for cathedral, but that cathedral is bad for the couplet. I don't go to church there so I think it's ok that I said that. I worked for 15 years on m.l.k. Designing projects under the albina community plan. That plan has been a successes where the zoning and transportation changes matched the needs of the affected properties and the heal failure where it did not. In the case of cathedral, you have the exact same situation. That the impacts and goals of the couplet are entirely at odds with cathedral and many of its neighbors west of i-405. The result will be that the impacts on cathedral will be much worse than east of i-405 and the goals of the couplet will not be achievable. Conversely, if the couplet is a good idea east of i-405, stopping it before cathedral isn't going to harm things for the properties to the east that do want it. You can read the reasons why I say all this in the written testimony. I think the main thing is that the, if cathedral and the school and church were built today, the zoning code would not allow them to be built because they're so pedestrian unfriendly according to the design regulations. And because they cannot change their use or their design and they cannot move, they will be a permanent problem for the success of the couplet if the goal is to revitalize areas around the couplet and make them more pedestrian friendly. I think the final, to summarize it, I think the plan is trying to fix cathedral by sacrificing couch.

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Michelle Becker: My name is michelle becker. I am a parent and parishioner at cathedral. I also am a former transportation engineer. I worked on a light rail, proposed light rail for the downtown chicago area. And I have also worked for developers on due diligence. I provided you with a handout and if you can turn to the second page of that at the figure it will help as I proceed along and I think I have different information than has been previously presented. I endorse the planning commission's february 27 recommendations but add further that should a couplet be pursued with the best bound traffic and the streetcar be diverted back to burnside at 15th. If you look at this, this is a cost analysis for you. The proposed couplet and streetcar to 19th is estimated to cost \$1.7 million. That includes one major intersection reconstruction. You can see that by the yellow triangle. Three signal, at least, at \$300,000 each, road and side way reconstruction, and, of course, the mitigation to the school and church. If you were to consider perhaps terminating the pulp at 15th it's still continuing on with the streetcar I would like to bring to your attention that would still run you probably \$1.7 million and then some because you will now have two major intersections to reconstruct. You will be reduque the 15th and burnside intersection to bring the traffic back on to burnside and you will redo the 19th and burnside intersection to bring the streetcar back over. You will still have to put in three signals at a minimum. You will still have to do road and sidewalk reconstruction. And you will still have mitigation with the church and the school. As opposed to option b. If you were to terminate the couplet and divert the streetcar back to 15th, you would save the city \$1.7 million. You would also limit the impacts to the school to the church, and you would be making a financially responsible decision. If inclined to vote for the couplet I urge you strongly to terminate the at 15th and diverted that streetcar back at 15th, too. Thank you.

Robert Koury: Mayor Potter, commissioners, my name is robert koury, a parent of two current and one future student at the cathedral school. I want to thank each you and your staff for taking time to meet with us and especially thank sam and rolland for taking time over the last 60 days to do the outreach that didn't happen due to miscommunications or whatever else that happened in the past. Not withstanding those negotiations and discussions I remain opposed to the couplet west of 405. I remain opposed to destroying the quiet neighborhood that contains apartments, condominiums, churches, schools, and still has single family homes on it. Why does the couplet have to run to 19th? The goals of this were to fix burnside while continuing to enhance the character of burnside and couch street. But nothing about this project between 16th and 19th enhances the character of that quiet neighborhood. 18,000 to 19,000 cars a day compared to a 1,000 a day does nothing to enchance homes, schools, condominiums and churches. If it works stopping at 15th to solve the problems on burnside why does it have to run to 19th? P-dot's own analysis indicates that the problems with the traffic on burnside, the problems with pedestrian issues on burnside are solved with a couplet that stops at 15th. Why does it need to run to 19th and destroy that quiet neighborhood? There's limited equipment along couch. Church, school, and archdiocese control three and a half blocks. The already one and a half are developed into existing condominiums are apartment buildings. The planning commission voted three to one opposed to the couplet. The one member who voted in favor of it said in his comments he is opposed to it in that quiet neighborhood not withstanding he is in favor of the couplet. Essential planning commission was 4 -- 0 opposed to couplet between 16th and 19th west of 405. I am implore to you walk that neighborhood on a school day before you make your decision if you decide that you are going to impact that quiet neighborhood. Thank you all for your time.

Moore: Our next three are fred gasol, brian run dull and gregory mauer. They will be followed by lynn collins, sarah, and eric lester. That's fred gasol, brian run dull and gregory mauer.

Potter: State your name for the record when you speak. You each have two minutes.

Fred Gast: My name is fred gast. I come here with a different perspective. I am a real estate developer. And those things from a real estate per speck I have absolutely accurate that these types of public private partnerships do benefit the real estate development community and add to

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tremendous positive things within our city. All of that said, every big idea and there's lots of them in this city and we are thankful for that has what we call diminishing returns and I am here specifically to talk about the connection between 16th and 19th. I am a cathedral school parent. From the developer's perspective there is limited development opportunity of the blocks that this one connection entails. That alone should be enough to take a second look at what it is that is being proposed for that section. Another interesting comment that I did want to make is that from a developer's perspective I have been somewhat impressed with the way that the cathedral community has responded to this proposal. From their credibility it's outstanding from my perspective. You rarely what we are hear in our world is not in my backyard, I don't want to impact my property values, I don't like those additional cars and the way they are going to impact my views, that's not what we are heard here. There's been several development proposals in and around the cathedral parish and school. They haven't opposed them. We are not in opposition to progress. We are looking at what deal was made with us in 2002, stopping the it short at 16th, that is a change of the expectation was. We are coming here today to say that change should be reversed. We should be back to where we were in 2002. That's where the diminishing lines stop. And we would support that.

Brian Rundle: My name is brian rundle. Aim cathedral parent as well, two kids there now, one on the way. I don't think I could add much more value to the statements that have been made to the negative impact that extending the couplet beyond 15th would have on my interests as a parent. As somebody who is in that area and whose kids will be there the next I think 13 years just kind of a scary thought. I think I can add that maybe a little bit of value to representing people who actually use burnside as a throughfare. Maybe a dirty word but I drive a car. I drive it to work. I drive to it pick my kids up. I drive it to go to places that I really love in the pearl and in northwest and downtown. And because I have kids, and because I don't live in the pearl, I take my car to these places. And when I get there I park and I walk. But I need to get there and I need to get through there. And I lived in Portland for 36 years and burnside is one of the only streets that I can brag about saying, I can get from first to 21st and just a few minutes. U-can't say that about other streets and the problem is if you turn every street into a beautiful, developed, highly commercialized store fronts on it parking on both sides you are not going to have a wait to get there. You are not going to have a way to get through. Burnside exists to get from east side to west side and it may be an impediment to get north and south, but that's what we pay for. I-84, i-5, these places get us in the direction they are oriented and they impede travel but that's the way it is. The last thing I want to say we are kidding ourselves this is not going to negatively affect traffic. I have heard 12 miles an hour will be the average speed across the street. When you consider all of the traffic lights on ever street, the high, high traffic at peak volumes, parking on both sides and dealing with people parallel park, the streetcar, the additional impact of people now able to turn left on burnside, now you can't when you are headed whatever direction, you are adding an entirely new direction for people to wait for pedestrians who are crossing. All of this affects traffic and I believe that burnside will become a nightmare in gridlock and will not allow people to get into these places that we love. That's pretty much all I have.

Gregory Maurer: Good afternoon. My name is greg maurer. Thank you for giving me the opportunity to speak. I am one of the leaders of the young adult at cathedral community. And I took a walk today on couch. I park near 17th street and walk around and it's a very beautiful place. Sort of like we saw some of the slides about before and after and this is even better than after slides. We had a tree that goes completely across the street like a canopy. The trunk is on one side. I walked across the street and the branches are on the other side. There are buildings there from that have roman numerals on them from 1925. When you walk this area you get feeling of permanence, legacy, safety, sanctuary. This is couch on the other side of 405. This place is a different character than downtown. It was mental to be that way. It's a quiet zone. It's a sanctuary.

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The sanctuary from the demands of the pressure of ever day life, from retail, from the buzz of downtown from burnside. Those things are necessary things but sometimes you need to get away from them. And that's why the cathedral school is there. It's place for children to safely study and learn. And that's why the house of worship is there. Cathedral is there. It has an open court yard where sometimes special services are held. There's an open walkway with brick arches exposed to the street. And this is a house of worship that supports Portland as well. This april we are doing rebuilding together to renovate the home of a 78-year-old woman. In may we are doing Oregon food bank projects. Portland impact projects in june has been dat for humanity. So this is a sanctuary. This is a school. A house of worship, this is 18,000 cars a day? I mean, the couplet just doesn't fit. It's sort of like the sesame street thing. Which one of these things does not belong here. The couplet doesn't fit. So I am here to ask, please don't destroy this fragile environment. Don't cut down the tree canopy for the streetcar. Don't bring burnside's vehicle traffic next to the school. Please don't let the cars blow exhaust in the school rooms. Don't let the noise pollute the sanctuary. Please leave a legacy we can be proud of. Don't extend the couplet or the streetcar to 16th street. Thank you.

Moore: Lynn collins, sarah, and eric lester.

Leonard: You each have two minutes. Please state your names for the record when you begin.

Lynn Collins: I am lynn collins. I am a parent not from cathedral school, of a student at the emerson school. I have been listening to do testimony all afternoon and one of the things that comes into my mind is it's difficult to compare to developers that are talking about how much money they are going to bring our city if you approve this couplet. And I can only speak as a private citizen that has chosen from living outside of downtown to send my kids to an urban school so that they can learn to love the city of Portland and the way that I do, we are not up at 15 through 19th. We are down on park and couch. And we are a public charter school. We are a project-based curriculum and this means our kids, you see them around the city. A fund raise are at city hall and my kids said, I know i've been there already. You have? Yes, I have. They go all over the city. Right now the area outside their school is not going to be safe for them to come out anymore. I hear about 18,000 cars coming up couch and I can't imagine how my kids are going to get across to the playground and crosses the street safely. I want to say to cathedral school how much I appreciate all of their compelling reasons they have put out about why it's not safe to have a street coming by a school. So I really appreciate if you all will take into consideration the public school children as well as the private school children when you make a decision about this couplet and I also want to say just listening to all these compelling reasons about changing burnside I would love to see that. I just wish we could explore alternatives that will make it safe for our kids in the cool. Thank you for your time.

David Horstkotte: My name is david, I am the current chair of the advisory council at cathedral school. We discussed 15th to 19th portion of the couplet at our december meeting after first reading about it in "the Oregonian" article. The traffic increase was our greatest concern. And our concern with the streetcar was it not benefit our families as our school is a commuter school. You have heard about carpooling and the 24 zip codes our family comes from. Our primary concern was safety. And our question was how can you possibly mitigate the impact of an increase of 17,000 cars a day on couch street? Which is 20 feet away from over half of our classrooms. The city has a history of creating a safe enclave in this area. We have heard about the permanent closure of 17th, which is adjacent to the front door of our school. And also the westbound traffic being blocked at 16th on couch. Currently, traffic is about 500 a day. We are looking at up to 18,000 a day. Unlike other urban schools cathedral has no buffer. We saw a map of a number of schools around town that face very busy streets. One was benson high school. I drove by there today. There's a 120-foot grass court yard between 12th street and the front door of that high school. Couch is our buffer. In your presentation today we saw photo of 16th street at couch. And then a representation

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of couch with a streetcar on it. What we didn't see was additional 17,000 cars a day. Presentation also listed a number of methods of mitigation that we come back to the question we started with. How can you possibly mitigate for that huge of a change? And council's position remains in opposition to the couplet on couch from 15th to 19th.

Joe Tennant: My name is joe tenant. I am a cathedral parent. I have three children currently attending the school. I was born and raised in Portland. Grew up on the east side and have juiced the burnside bridge extensively over the years. I currently live on the west side. My children attend cathedral. I think a lot of the other cathedral parents have said better hand what I can say about the couplet. But a couple things that I would like to point out is, again, a lifelong resident of Portland the thought of coming across the burnside bridge and having to jog to the right to couch, go up couch to some point, hopefully not past 15th, but some point and coming back to burnside, to me seems like a waste of time, waste of money and a waste of gas frankly and again I am not an engineer so I don't know all the studies but I think if the city council could really devote some time, energy, and money to study the problems that are on burnside, and I will agree that there are problems on burnside in terms of pedestrian crossing, but the time it, the extra time it would take people to go through the couplet and then back to burnside, I would think that you would be able to slow that traffic down on burnside or add the number lights or whatever to make the pedestrian more pedestrian friendly. And then come summary, michael powell I think stated it earlier, with regard to burnside, is properties on burnside, you can't walk and you can't talk on burnside. And if you add 18,000 cars currently what you have on burnside to couch, I think you are doubling the problem and if it went by cathedral school, the fact that he points out you can't walk, you can't talk, would be devastating both for the parish and for the school. Thank you.

Jon Duclos: We urge you to support the couplet and take immediate action. I see so many times pedestrians coming close to being hit. And they're in the crosswalk. Myself personally, there's been times at night I will give you an example of trying to cross the street. And sometimes it seems safer to cross in the middle of the block so that way I can have a perspective of both sides of the street so I don't get hit. A lot of times cars won't stop for you if you are in the intersection or at the crosswalk. And so you do basically take your own chances at times when you are crossing. So that intersection at eighth and burnside is a hazard and a light would help. So many times people coming down 15th toward eighth avenue, a lot of times what they will do is they will speed up to try to catch the lights and by the time they get ready to get to eighth avenue it's like they don't want to stop because they don't want to have to wait for the next light. And so it would be nice if a light was there. That way people would slow down. I thank you for your time and one other comment is I support the project that we have been talking about. And I know that you guys have a lot of innovative thoughts and ideas that put problems that they are for the school and the church. I feel that you guys will be able to solve them so everyone is happy. Thank you.

Moore: Next are adele nofeel, ray mathis and lee johnson. How about jim north. They will be followed by william tripp, richard potestio and michael mccullough.

Potter: Thanks for being here. When you speak please state your name for the record. You each have two minutes.

Adele Nofield: My name us adel nofield. I am here representing the pearl district business association which has a membership of at least 265 members and after your vote, it could be more. Burnside currently acts as both a psychological barrier between core downtown and both old town, chinatown and the pearl district. Physical barrier is the correct character of burnside which prohibits reasonable vehicle access into the two districts and provides unfriendly, unsafe pedestrian crossings. I haven't told you anything you don't already know. The pearl district also supports a project as instrumental to the future development at the north, northern most end of the pearl district. Since access to do district and movement within will dictate the level of retail interest and success in the area. Currently the flow of traffic in and out of the district is restrained. I think we

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haven't talked about what happens on burnside affects the whole neighborhood. It affects vehicles. It affects the streetcar line and its timely basis or not timely basis. What happens on burnside ripples all the way through the district which continues to grow going north all the way down to the bridge.

So we want you to be aware of that also. Pedestrians and business in the district also suffer from gridlock. Currently that happens on couch. It's unsafe when the fed ex or any large delivery truck comes along and there's no place to park so they double park. Pedestrians, bicyclists, vehicles go into the other lane which is unsafe. Whether or not this project expands to 16th or whether or not east-west extension of the streetcar is ultimately made a part of this project the business association feels strongly at this time for evaluating, investigating this project as come and gone over the last five years. We ask that you resolve this and make the best solution. Thank you.

Ray Mathis: My name is ray mathis. For the record I've lived in the pearl district for 11 years and have an office in old town for 8 years. Thank you for the opportunity to appear before you. The burnside couch couplet is a Trojan horse. It's a produce of special interest and political ambition dressed up as concern for the safety of the indigent population of old town and more efficient transportation. Instead, this gift horse contains unfunded liabilities, grossly underestimated public costs, new taxes, the degrading of one of the most viable neighborhoods in Portland and the creation of a traffic nightmare for the public and commercial interests that depend on burnside as a gateway to the city. The couplet is an old design that took on new life when commissioner Adams was elected and became its advocate. The political campaign and it is a political campaign, to support the couplet included a cherry-picked committee who at the end of the day rubber stamped this outdated proposal. Did this committee include any of the homeowners on couch? How about the small businesses in the brewery blocks? How about representatives of two schools? No. No, no.

The couplet is flawed in many ways. For example, you've already heard about the turn situation. If you want to go from the east side to west 23rd, you make four turns to accommodate the couplet on the east side and four turns on the west side. And this is done in the name of traffic efficiency. This proposal can't stand on its own merits, the political proponents decided to frame the proposal as a way of helping the homeless of old town safely cross burnside. How cynical. In closing I refer tout only three studies that objective studies of the couplet proposal, the planning bureau report of 2005, the kittleson report of 2006, and the planning commission report of 2007. All say the couplet is a bad Idea. You can add streetcars or any trinkets, but you still end up with an ugly pig. I urge to you vote this down so you and the rest of us can direct our time and energy in more productive ways and hopefully the commissioner of transportation can find time to focus on repairing the long neglected streets and bridges in our city. Thank you.

Potter: Ray, how do you really feel? [laughter]

Jim North: My name is jim north. I speak as a concerned taxpayer in opposition. At this point there have been so many numbers tossed about with regards to the projected cost of the total burnside-couch project, they've almost lost their significance. Having said that, thou here are some facts. The burnside-couch investment and return analysis that was prepared by commissioner Adams' transportation office in 2005, projected a total project investment and cost of \$84 million. This was months prior to the 39 million dollar streetcar ever being introduced to the project. So the required public and private investment in my estimation today is over \$123 million. Second, the time between the original cost projections and the present has seen unprecedented worldwide inflation and commodity costs that have had a tremendous impact on the actual cost of steel, cement, asphalt, fuel, Etc. The original cost projections have not been modified to reflect any of these increases. Moreover, the street improvement cost projections have been reduced tonight to the \$41 million figure we heard earlier from staff, that's a \$4 million decrease from the 2005 report.

That defies logic. We've been advised these are all soft numbers. In hard numbers -- hard numbers will be provided after the completion of only 35% of the engineering study. That makes no sense. What are we to expect? Here are two more historical facts to consider -- the original aerial tram cost

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were projected to be \$15 million. The actual costs were \$57 million, almost four times the estimate. There's confusion about the funding. Two additional facts, there's no certainty of any federal transportation urban renewal, p.d.c., s.d.c., or t.i.f. Dollars to pay for this project. And if this is the case, the burden by definition will fall exclusively on Portland taxpayers. Citizens of Portland are owed an objective, transparent, and defensible project analysis without being clouded in the current politics. This requires straight talk and a time for that talk is now. Thank you. Couplet.

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

William Tripp: bill tripp, i'm an architect and urban design consultant. My office is on 11th just two blocks north of burnside. Burnside is a part of Portland's d.n.a. It's a part of our history, and any urban design has to respect that d.n.a. Or it won't succeed. Burnside is unique. It's a landmark street, a signature street, and a way finding street. The role it plays are crucial to the overall plan of the city. Burnside is not a part of the grid. It's a seam between two grids. As this plan is coming up, you can see burnside is the seam that connects these two grids, and it connects the east and the west. It's a huge mistake to try and force burnside into the grid. It just won't go. Burnside creates these unique public spaces, these public spaces are just come nothing their own. People are drawn to them, they're alive, and they work because so many streets converge. Burnside is the most important wayfinding street in Portland, but to find your way in a city you need to create a mental map. For that you use major landmark streets, and for these you have to retrace your steps. Also two-way streets are essential for a city, but they're also good for business. This diagram shows on a one-way street you only see one side of a building. With a two-way street you see both sides. You double the amount of Building frontage you can see. As a retailer, it's pretty obvious which you'd choose. Good urban design should be simple and beautiful. The couplet is awkward and disorienting. You're going to arrive at the west end and have to make a detour immediately. Portland's at a turning point from a downtown confined to the west bank to a downtown that spans both sides of the river. Portland will more than double in size this century. It's the key to connecting the city across the river. It can't do that if it's broken. It must be strong, coherent, and beautiful.

Richard Potestio: I'm an architect, I live and work and have for many, many years along burnside. Great cities have eye conic streets. Think of columbus street in san francisco, massachusetts avenue in boston. Iconic streets are always unique two-way streets. Burnside defines Portland historically and figuratively. Burnside can be a uniquely iconic street serving all our citizens. Imagine celebrating burnside by enhancing what makes it unique rather than blending it into the relentless one-way grid. Consider the potential of the intersections of vista and 23rd on the west and sandy boulevard on the east. These spaces would anchor revitalized street of varied and exciting experiences. In this vision, burnside becomes the main street for new central neighborhood that spans the River connecting the east and west sides and the north and south. Along this street are dynamicking urban spaces such as ring letters and powell's square. New buildings integrated with ae historic ones. Broadway and burnside is marked with public art. Arcades, like those of our sister city bologna, shelter sidewalk and create a european ambience. I believe this vision of an exciting urban neighborhood is one that will attract the creative individuals and locally owned businesses who we hope will derive the city's economy in the future. The fact is, this future vision is in today's reality. It is emerging now along burnside and the streets the flank and intext expect it. Streets like couch but also oak, stark, and ankeny are drawing energy from their proximity to burnside. They are streets defined not by cars but by economic and pedestrian activity. From the dress shops of young designers, to the flagship stores of sportswear brands, this is a fashion center. From the ringside and elephant's to he pigeon. This neighbor defines Portland's culinary tradition and reputation for innovation. Art galleries, book stores and schools make this a neighborhood of culture and education. The doug fir and crystal ballroom with theaters and p.g.e. Park are major entertainment venues. Housing alternatives serve young and old, rich and poor. Of this is a unique

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place, form, and character of burnside that attracts and supports the creative and vitally diverse community and neighborhood. Since the enhanced burnside achieves all of the improvements, I ask you to consider, what impact will the couplet have on this emerging neighborhood? Will our youthful population embrace a banal couplet escape that has more in common with the suburban lifestyle mall than a truly you're pain city? I believe the answer is no.

Michael McCollough: Mike mcollough, i'm an architect. I do sit on the design commission, but i'm not testifying as a design commissioner. The thing I want to observe about what you heard today is that every one has said how important burnside is. No one in this room is neglecting the importance of burnside. And so a solution for burnside, if it's driven by an incorrect process, I think will not result in consensus and an understanding for -- and a buy-in from not only the citizens of the community, but business interests and others. Brad talked eloquently I think about the importance of what Portland does. It works things out. It believes in itself and it's creating new solutions. And burnside I think we all agree needs a new solution. I think we just need a process that fits it into its Confection -- context. If you zoom out to 30,000 feet and look at the diagrams you just looked at, burnside is a major, major figure. It is the spine of the city. It's somewhat -- some would argue it's the heart of the city. This city is changing with all the changes that have occurred north of burnside, it's a completely different animal than it was five years ago. Dramatically different than it was 10 years ago. So what I would urge you to do is because the central city plan is being undertaken for rethink now, and inclusion of the central city plan into a major overall metro look, I would really encourage you to allow that process to go on. So i'm asking you to consider tabling this proposal you're seeing today. It may be the one that's accepted in the future, but it needs to be seen in a much larger context. I sympathize with the people on either side, but I think we also need to look at this from a larger metro perspective, because this thing is -- it is literally the vertebrae of our city. Thank you.

Lee Johnson: I am the president of jet delivery and a member of the Oregon trucking association and i'm here representing my company and the Oregon trucking association. Burnside is not a local street, burnside is a regional street and it connects businesses in hillsboro all the way to the airport. I know. Every day my company picks up valuable products in Washington county and we scramble to get them to the airport in time for their flights to points all over the globe. My customers include airlines, intel, tech, e.s.i., lablist, global forwarding, h.p., u.p.s. Supply chain, to name a few. My job is to get them to market so that we can compete with the rest of the world. We prefer to use highway 26, but when it's at a stand still, burnside is our one major backup. We and other businesses just like us rely on burnside as an important east-west connection. Further, more this is an emergency route. The plan before you for burnside will increase congestion. It hinders through freight movement and emergency access. It will also make it more difficult to make local deliveries with a few freight loading -- with only a few freight loading zones. The turning radius is too tight. Drivers attempting to park will slow down the traffic. The streetcar will make frequent stops. This plan also will make it difficult for buses. At a time when we need more funding for transportation projects, it's imperative that Portland preserves the roadway lane capacity that it has and spends its transportation resources wisely. There are streets in Portland that are supposed to move traffic and burnside is one of them. This is not a neighborhood street, it is a regional transportation resource. Folks well beyond this neighborhood will be affected by and be watching your decision today. While we understand the neighbors need for safety improvements, we suggest improvements to burnside also, including better lighting that could go along to addressing this problem. The Oregon trucking association urges you to vote no. Thank you for your time.

Charley Kaplan: My name is charlie kaplan and I live in couch street in the brewery blocks. Which is one of the most pedestrian-friendly communities in the country. The brewery blocks attract thousands of very diverse pedestrians every day to add 15,000 more cars every day to couch will have a very strong neaglingtive effect on an area that is now currently very successful.

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Judy North: My name is Judy North. Time and again I've heard Commissioner Adams declare Burnside unsafe. Stating injury and death would not continue on his watch. Granted, accidents have occurred on lower Burnside, but those accidents are nothing but a few well-placed crosswalks couldn't fix. I'm always forced to cross my -- scratch my head when I hear such an argument. Why hasn't the commissioner put a.f.l. His energy into getting something done sooner rather than later? He wants to eliminate traffic congestion and vehicle conflicts in the brewery blocks. Tell me how putting five times the amount of traffic on Couch, including freight, emergency vehicles, buses, and a streetcar moving slower than most pedestrian traffic solves the problem. I keep hearing this process has been inclusive, that the advisory committee represents the affected neighborhoods, businesses, and property owners, gentlemen, nothing could be further from the truth. Of the advisory committee does not represent me, Pearl District Neighborhood Association does not represent me, and somehow I doubt they represent the vast interests of the most important stakeholders, the hundreds of thousands of Portlanders who use Burnside daily. Time and again I've heard Commissioner Adams boast about the additional analysis his team conducted to ensure they were getting it right. Yet how is it after all these years we wound up with exactly the same plan pitched at the inception of this process? Portland is now a different city, most certainly the Pearl District, particularly the brewery blocks, are different neighborhoods. Doesn't it follow that a different plan is called for? The Burnside Couch Couplet Sedated Plan, it's unwise and unnecessary. I urge you to vote to defeat this plan and to instead support a thorough investigation of an enhanced Burnside alternative. One that is championed by urban planners and that considers Burnside's relationship to the entire city. Thank you very much for your time.

Jackie Gordon: Jackie Gordon, I want to thank you for listening to all of our concerns today. I reside on Couch Street, and -- in an area that's a shining exemplar of urban planning gone right. I live in the brewery blocks. I'm here to ask you to vote no on the Burnside-Couch Streetcar Couplet. I think all of us agree Burnside needs to be fixed, but not at the expense of ruining Couch Street. Couplets are an outdated transportation scheme. Many cities throughout the United States that built couplets are seeing the negative impact they've created instead of one busy street couplets create two busy streets. The same cities, cities like San Jose, Sacramento, and Seattle, are decoupling streets to improve livability and make streets more compatible with pedestrian and bicycle traffic. Commissioner Adams would like you to believe the couplet is the only way to improve Burnside. But the enhanced Burnside alternative solves many of the problems that currently exist on Burnside without negatively impacting the award-winning brewery blocks, Emerson School, which is the only school in the Pearl, St. Mary's Church, Cathedral School, and the many residents who have relocated to the neighborhood. To look at Sam's power point it appears that Burnside will become one of the happiest places on earth. But he doesn't say much about the effects of Couch Street. Couch Street was not designed to be a major traffic arterial road. Yet it will have to accommodate 18 to 19,000 cars per day, plus emergency vehicles, plus freight trucks, plus a streetcar. All this plus parallel parking. It sounds like a traffic nightmare waiting to happen. The couplet project has been driven by the Department of Transportation, but in fact it has morphed into a larger project that has citywide implications. It should be part of the central city plan. It is spot planning now. We need this to be part of the larger central city plan. The planning commission and the planning bureau have looked at this with an urban planning and citywide view, and they are against the couplet. Please heed their expectation and vote no on the couplet resolution. Thank you.

Danelle Romain: Hi Mayor Potter, city commissioners, my name is Danelle. I live in the brewery blocks and I'm a first-time homeowner in the brewery blocks. I live in a certified green building. I'm opposed to the couplet, and -- for the enhanced Burnside option. But I'm actually here reading the testimony of Bruce Sternberg, who is an architect. Bruce was the chairman of the East Portland Community Plan Advisory Committee, member of The Bureau of Planning Professional Advisory Committee on Community Design Standards, and chairman of the planning committee for the east

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moreland neighborhood association, chairman of the a.i., the architects association committee on Portland design quality, he's a Portland architect and an urban planner, and his -- has been opposed to the proposal for the following reasons in my experience, coupletting have proven to be repeated failures in other cities. Every city I have traveled through in Oregon with a couplet downtown, sandy and newberg come immediately to mind. One or both of the streets clearly suffer from underdevelopment. When you add in developments that would cross streets between the couplets, it's never clear to shoppers where the focus is. On a street such as burnside with somewhat marginal retail interests, why would you anticipate its already limited shopping energy? On the contrary you need to develop reasons to intensify activity on burnside with both vehicular and pedestrian traffic. You cannot determine the street's image, purpose, and vision unless you see it comprehensively with other streets in the city. What is its unique image which serves the city's overall development? This question is not been address and certainly will not be addressed by this couplet proposal. Its role negated by the Bottleneck created where the couplet begins and ends. Furthermore it will confuse a traffic patterns and render the area it serves more inaccessible to shoppers. It will also destroy what is becoming a very successful pedestrian friendly east-west oriented shops area along couch street. Thank you.

Sue Horn-Caskey: Good evening mr. Mayor and commissioners. My name is sue. In the interest of time i'd like to make one of the points i'm -- from my prepared comments. I have been a budget analyst for state government in my professional life, and our city of Portland, like almost every of budget making organization, underestimates the cost of projects and proposals. We have heard already that the dollar numbers are hazy and perhaps fungible. I would ask that you as members of the city council responsibly ask yourselves how you can consider this project with only 35% of its preliminary engineering completed. This traffic -- is traffic running plan something -- planning? Thank you.

Rick Caskey: I live in the pearl district. A couple blocks from couch street. And in deference to the late hour i'll make a couple quick points. Since it was conceived the couch couplet, couch has changed very much and it has become in its own right a wonderful pedestrian friendly shopping street. Please don't destroy what it has become. Point two, burnside has safety and traffic issues as we've heard quite a bit, but it sounds like those issues can be dealt with with much less money and in much quicker time frame than the couch couplet that's proposed tonight. Listening this evening, most of the evening, it appears that there is a disconnect. What was originally begun as a transportation idea has become way bigger than that and its has become basically a city planning issue. And I would say that it's time to back off a little bit, consider this in the context of city planning. But specifically my request is to vote against the couplet and fix the problems for less money.

Scott Bricker: Mr. Mayor, members of the council, scott bricker, I am a lobbyist. I'm here representing the bicycle transportation alliance tonight. The bicycle transportation alliance has been involved in this project since the inception. Not me personally, but my previous boss, catherine, and we have been working with the commissioner's office and the committee and we support this project. Burnside -- let me -- a little background. The b.t.a. Developed the blueprint for better bicycling and found bicycling in downtown was a primary barrier of people of the city. However, bicycling into downtown has increased 250% over the past 14 years while automobile traffic has stayed flat. The number of bicyclists in 1992 was 2800. Coming into downtown. In 2005, it was over 10,000. However, bicyclists over the burnside bridge have stayed flat. If not decreased. This is a poor corridor at best for bicyclists. However, bicyclists are continuing in increasing group of people commute nothing downtown, visiting the downtown, shopping in the downtown, living in the downtown. Burnside remains the most dangerous street in downtown for pedestrians. The p.t.a. Supports this project and includes specific points that I will list. The eastbound bicycle track on west burnside, a northbound bicycle lane on northwest second, and a

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world class bicycle boulevard on northwest flanders street, which was a compromise that we came up with instead of putting bicycle lanes on couch. And bicycle and pedestrian amenities that include high visibility intersection crossings. We think this project is designed has done a lot to improve bicycle and pedestrian access. So we support this project. Thank you.

Ann Gardner: Ann gardner, thank you very much for the opportunity to testify. I'm here on behalf of the of Portland freight committee. The Portland freight committee has been monitoring the Conversations about the burnside couplet for quite some time. In january commissioner Adams came and talked to us about it, and advised us that the conversation now included the streetcar. But we had not deliberated about our feelings about the couplet since a conversation with the commissioner in january. So when I heard about the hearing today, I sent an email out to the freight committee and got responses back from a good number of our members. Their comments are included in the written paper that I provided to you, but they're from bob at glacier northwest, tracy, rob mathers, steve bates, all expressed some current concern unknowns about what it means to add the streetcar to the conversation about the couplet. They're concerned about turning radiuses, about slowing down traffic, they're concerned about local freight deliveries and so forth. On my own concern, my own oner is invasion is that we've been trying to solve a localized problem of safety and urban design, with the solution being offered is really a major change to a regional transportation system in my own view is with -- is out of context, and is actually not consistent with some of the conversations we're having with the regional transportation plan update. Let me quickly mention judy johnson barry who was here earlier and had to leave, she's a member of the northwest industrial neighborhood board and she represents -- she is the Chair of the emergency disaster response committee. And she wants to make note that burnside is an emergency evacuation route and she's concerned about how it will function as a couplet and i'll provide her comments. Thank you.

Jack Cain: I'm president of the Portland beavers, interim president. We draw 750 -- approximately 750,000 people at p.g.e. Park with 130 events a year, and whatever could be done to expedite traffic and bring fans and people to p.g.e. Park in a safe and efficient manner, we're for it. If it means this project, we're for it.

Ken Puckett: Ken puckett, vice-president of operationing at p.g.e. Park. I agree with everything jack said. As you know, parking at p.g.e. Park suspect a problem because there isn't any. So anything we dock to make it more pedestrian friendly, the streetcar, widening the sidewalks do, things to make it more of a family go-to thing instead of people running for their life across the burnside and things like that would be much appreciated.

Alan Beard: Mayor Potter, my name is alan beard, I live at 2210 southwest main in the kings hill area of goose hollow. I have appeared before you before on other occasions in my role as architect. Today i'm here to talk as an architect, as a resident and someone who works daily at 12th and burnside. A barrier between neighborhoods. I can go on and on, but you've Heard a lot today about that. Burnside as is doesn't work. And as modified image -- in its unique role of handling traffic i'm not sure will work either without a bold solution for change. We can intellectualize all we want about these jug handles which I think would move forward regardless of the couplet, couplet or not. They can move forward with the couplet as well. Portland is known for its willingness to take bold action when necessary. Often times in the face of significant and legitimate opposition. To make a few -- to name a few success, we had the banfield light rail, east bank waterfront, streetcar, the tram, harbor drive, the transit mall. We're used to making bold decisions. And on balance, it's my opinion that this project will be for the greater good. I'm supportive of the couplet with the streetcar to 23rd. I think the church school has some legitimate concerns that ought to be addressed in the study, or if it goes to the planning commission. It's a bold plan that really deserves your support.

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Phil Kalberer: Good evening. Mayor Potter, commissioners, I'm Phil Kalberer, long time resident of downtown Portland and our family has owned property and businesses in old town-chinatown for over 60 years. I appreciate what department of transportation has done to put together this plan not only in breaking down the barriers of Burnside and addressing the issues we in old town-chinatown have seen for years, but also adding the element of the streetcar which makes Burnside and Couch now not only a humane street, which it isn't today, but also a very vibrant street that will really encourage a lot of development. I was involved as chair of the vision committee in old town-chinatown, put together the vision plan adopted by council in 1997, an economic development plan adopted in 1999, and also the update in 2003. I guess I get a little disturbed when I hear now that the issues of safety, of pedestrians, is a new issue being used to put forward this plan. We talked about those issues in 1997. In fact, we still have been waiting for something to happen on those issues, because Burnside is more safe today than it was 10 years ago. But there's other issues. Connectivity to the rest of the city, development, the environment of pedestrians, and bicyclists. And even car circulation and accessibility. As a group we tried for years to bring down to the area retail, banks and the like. It was always, no, we can't go north of that barrier of Burnside. When I tried to get funding for our fifth avenue court complex that we built a few years ago, the original appraisal really said we're red-lining this area north of Burnside. Burnside is a barrier both physically for safety and also the perception when you're trying to do development. So I urge you and I encourage you to go on with the Burnside-Couch couplet. Thank you.

Art Lewellan: I'm Art Lewellan, I live in the Pearl District, and I've been supportive of the couplet project since its start. I've always been a little more excited about seeing on the east side of the river than downtown, figuring that Couch on the west side would be a more difficult arrangement to set it up. I don't want to second-guess the engineers. I don't want to assume that traffic will not be improved by the couplet itself. We figure it would be better for pedestrians, but we should also look that it may be better in many ways for car traffic as well. We can't neglect there will be benefit for car traffic, being able to turn left from the corridor to access north and south sides of town is a good thing. In the engineering sense I want to add three suggestions. One is, don't go as far as 19th into that neighborhood. I always thought the most natural turning point was 16th. Not 15th, but 16th, and I would like to know how it could work or if not, why it can work, 16th was the break point I thought was the most logical. Second, I think we could get the feel of what Couch would be like one way if we initially set it up as a one-way street. And watched how it worked and see how it felt for Couch without going all the way. Through with a couplet idea, set it up as a one-way street, watch how it works. Of course it wouldn't have the volume, the number of traffic, but we could see how it would feel. And I like the -- being able to get across the one-way streets. I think it's safer. And I think it works for cars as well. Third, this is kind of difficult, it's an alternative that I think might be possible, but I think Burnside could have a -- maintain its westbound transit in a transit-only lane. Rather than moving transit over on to Couch, my time is expired. Can I wrap that up?

Potter: Quickly.

Lewellan: That was a difficult part with me, engineering that much traffic on to Couch and transit - putting transit on Couch seemed like it would load the traffic down too much. So I thought maybe maintaining a transit only westbound on Burnside so you could have a special access lane and emergency vehicle lane on Burnside. It's a different way to look at it.

Jerry Powell: I live about five blocks from the Burnside street as it exists right now. I know me as an -- a representative of the Goose Hollow Foothills League. Today I'm representing myself. That process involved admittedly appointed members of the stakeholders committee which met in open meetings. Many people were invited to those meetings, some came. In those meetings the best science that was available was presented to the stakeholders. We listened carefully. That process is designed to keep the loud voices from drowning out the quiet ones. The good science is often the quiet voices. It's a necessary part of a public process. You get a whole lot of very influential

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people hanging on your ear to do what they themselves want you to do. We regret the impact that this process -- this project may bring to certain interests along the burnside corridor. They're necessary. They're also mitigatable. We have experience with west side light rail in doing just that, through goose hollow we ran westside light rail past two churches that have major performance capabilities. Those churches are still there, still healthy and growing. Thank you.

David Leiken: My name is david leiken. I own the property that has roseland theater. When this process started I was what I would call an enthusiastic supporter. It looked great on paper. Now with the streetcar coming into the situation, i'm a little bit worried about what it means to the logistics of what we do. We do 175, mostly musical events a year. Serve about 150,000 music fans in the city of Portland and we've ranked over the last 10 years in the top 20 showcase venues in the nation. Mainly my concern has to do with the logistics of what goes on on Couch. I think you could say the front half of our property loves the idea, the couch half, we're not so sure. Because of what's going to happen now with the streetcar and what it's going to do to our buses and semis that need a turning radius to get into our property to load into our freight elevator and those kinds of things. Listening to this whole process, I don't think i'm alone. It sounds like the couch side of this situation has a lot of concerns, and I just hope that no matter what happens, that all of us individually including schools and businesses like myself are taking into consideration when the final design is done. Because without that, we're basically out of business. That's all i've got to say.

Jim Kautz: Gentlemen, I applaud your stamina. My name is jim kautz, I was a stakeholder on the burnside transportation urban committee, representative of the east burnside business association. There seems to be a perception this was some sort of a weird idea, conjured up by a bunch of urban design and transportation wonks. Mike powell, and chris smith, previously mentioned that the committee worked very hard to get here. And to present their recommendations to you. Having been on that committee and representative of the east side, i'd like to support the work the committee did. Thank you.

Ruel Fish: my name is raul fish, i'm a small business owner. We have a business on flanders, and i'm here representing that business as well as the pearl district business association. A bunch of mostly small businesses, and they're not on couch and they're not on burnside, but they are affected by what goes on there. Anecdotally we have customers that wander over from the mallory, mark spencer, and as far away as the marriott to taste wine. I've got to tell you, our wine is good, but I don't think i'd brave crossing burnside just to get a glass of our wine. So we support the project as it's been recommended. Second thing is, for whatever its worth I think projects are a little bit like sharks. If they stop moving, they die. And if we study this thing more to death, it's going to die. And I think the time is now to move forward, and I urge your favorable vote on this. Thank you for your time.

Marion Haynes: Good evening. Thank you for having me here. My name is marianne, I represent the Portland business alliance. The Portland business alliance has been working on this project and tracking this project for many, many years now, and I wanted to thank commissioner Adams and the pdot staff for all the work they've done over the many years. Out of respect for your time, this is a long hearing, and i'm not going to reiterate all the reasons we believe this is a project that we should support -- safety, eliminating The barrier, the development opportunities that this creates. You've heard all of those things, so i'm here to let you know that the Portland business alliance continues to support this project, and we urge you to vote yes to move this forward. Thanks for your time.

John Beardsley: i'm a property owner some years, decades, actually, in old town. And i'm in favor of this program. What i'd like to offer is a little historical perspective. I have own add building on the corner of second and burnside since 1966. And I can tell you that intersection looks pretty much the same today as it did in 1966. The -- the lower part of burnside is -- it is totally dedicated

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to the automobile. In the morning, cars come in, if they're going to the central business district, they have to take a turn onto couch anyway to turn to catch the grid to cross burnside. So people already are making that turn if they want to go south of burnside. That's just a fact of life. In the evening, the traffic floods from burnside from broadway across the bridge, and as you near -- the nearer you get to the bridge, the wider burnside becomes. It's just like a reverse funnel. And the cars pick up speed and they hit it to catch those lights to get 8 cross there. It is the one street in downtown that is still in our -- still an a are tieral. It is the street dedicated to The automobile. We heard some of the freight people talk about that today. That's great for motor vehicles. It isn't very good for the people adjacent to the street or the bicyclists, it isn't very good for the pedestrians. And if we're going to be agents of change we've got to acknowledge that and add burnside and couch to our existing grid system. Thank you.

Tom Carrolo: I'm the recent past chair of the old town-chinatown neighborhood association. Our neighborhood long ago identified burnside as a great problem needing fixing. Plus our neighborhood is bifurcated by burnside, the only neighborhood that we refer to as north of and south of burnside. It's the only street that beuse to recognize ourselves as split. Others in the city have recognized the same deficiencies and this advisory group has formed a long time ago to which the neighborhood was represented. Many many -- after many years and many options the couplet rose like cream to the crop. It reduce barriers of entry to the neighborhood with left-hand turns, calming the traffic, narrowing the widest points of burnside for safer pedestrian crossing, expanding the sidewalks, and increasing on-street parking. Those are our main key issues. The couplet will also add new eyes on couch, which today is a dormant street with many underutilized retail storefronts. Many of the of buildings on Lower burnside have floundered ever since they were chopped off for the street widening 50-some years ago. They face greater hurdles for redevelopment due to their small floor plates, the couplet may create the right street level environment to allow these challenged buildings to once again flourish. The streetcar goes above and beyond the neighborhood streams on improved access into the neighborhood. This idea has been overwhelmingly supported. I also believe it creates many funding opportunities, leveraging our local transportation dollars. In my opinion the couplet will not be a 1-to-one ratio of relocated cars onto couch. It constantly seeks the path of les resistance. People are already turning on to couch like that water would flow. And we're seeing how a couplet would flow. It's a good example. We have a couplet in our neighborhood now at everett and glisan. It's gist part of the one-way street grid, and it's accepted. Our neighborhood thanks to council for the representative continuity and planning and commitment to correct the problems. Thank you.

Adams: Is this poison? Thank you very much. It's very nice of you.

Potter: State your name when you speak. You each have two minutes.

Carol McCreary: Thank you very much for your Patience. My name is carol, i'm a resident of old town-chinatown. The neighborhood with four of the city's most dangerous intersections all on burnside. And I have recently had the pleasure to be starting as chair of our neighborhood association. A neighborhood association that has forwarded this idea of the couplet for almost a decade. I just want to tell you a couple of little stories. About people in our neighborhood. Prior to -- shortly before your visit two years ago, not shortly, several months before your visit a couple years ago we brought together groups of our residents and groups of our people to find out what was on their mind. And I remember leading a group with a group of about 40 of our people, many of whom had physical and mental disabilities. And I asked them what was on their mind. And what did we need to tell the mayor? And right from the get-go it was pedestrian safety. And particularly on burnside. And what acity councilled me was every person in that room knew someone who had been killed or seriously injured in an automobile accident. These were residents. Of our neighborhood. And just this morning I was in my neighborhood and I encountered five separate groups of school children led by urban tour leaders. And in every case, they were visiting

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both the skidmore Historical district south of burnside and the new chinatown-japantown historic district north of burnside. So on behalf of our residents and our visitors from all over the state who are so important to us because we have this gem, I ask you to support it.

Adele Nofield representing Sue Miller: I am -- I am representing susan miller from hoyt street properties who had to leave this evening. Dear council members. Hoyt street properties llc as the largest developer in the pearl district, supports the burnside-couch couplet. As we continue in our commitment to develop a world class environmentally responsible urban neighborhood in the pearl district, we encourage the council to give their support to this very necessary and important plan to remove the barrier currently created by west burnside and improve the flow of both traffic and pedestrians from south to north. The economic health of the pearl district and success of future redevelopment of the north and in particular will rely heavily on transportation plans that not only allows -- that not only allows and encourage traffic to enter the district from west burnside, but which thereafter provides for safe and easy movement within the district. Your support of this plan is important to the future by, vie -- future vitality of this city.

Laura Castleberry: Hi. My name is lara castleberry. I just want to thank all of you for allowing us this opportunity and for being so patient. And especially commissioner Adams, because he's taken some hard licks. But -- and I know it's near and dear to a lot of people's heart. I heard so much on both sides, it's very compelling. However, I am here to ask you to give -- to support the enhanced burnside project because I worry -- I -- the lady in black behind me and the gentleman in white, concerns about loss of diversity and creativity and financial situation, because I think -- in trying to make it humanized, to make it -- I don't know the word, anyway, we have not taken into account all the human beings that will be affected by this. And it will have to in the end pay for this. And i'm afraid some of the social services will not be able to stay there because of the rents going up and things. And obviously there's a problem, very serious problem about safety, but would I liking to see, because we have so many projects going on now that are very costly and very unsettling to the Portland community, I would hate to see another long-term -- anyway, so I appreciate your time. I thought it was me setting it off.

Potter: Kind of. Your time is running out.

Castleberry: That's it. I would like you to consider alternative ways of providing safety to all of the people, and thank you for this wonderful process. I just feel so fortunate to live in this city. I think it's wonderful. I love it. Thank you.

Adrienne Hill: Good afternoon. Thank you for sticking around this afternoon and taking the time to hear us talk with you. My name is adrian, I sit on the board of the goose hollow foothills league. I am a resident of kings hill and i'm the mother of two little boys who are both at home right now hopefully in bed, otherwise they would be here to show you their shining faces. They are 4 and 6 years old. I want to talk to you tonight as a mom. And as a resident who's committed to the goose hollow neighborhood and the northwest Portland neighborhood which is just across from us on burnside. There is a moratorium in my neighborhood on children crossing burnside without an adult. It's the result of a recent run-in, one of our kids had with a vehicle on burnside. They were crossing with an older sibling, were nearly hit, and as a result moms in my neighborhood got together and decided that they would no longer allow the children to cross burnside. The kid from my neighborhood are very clear on what that means for them, it means no more unsupervised trips to the ice cream store, it means no more walking to and from music class, it means no more attending play dates with friends over on northwest davis. For those of us who live in the neighborhood, safety is our number one concern. And we haven't heard today about the safety of the kids who live either in goose hollow or in the northwest neighborhood, including the area that borders on the cathedral school. Some of these children I see out on burnside on a daily basis and some of these kids are what we would call at risk. And as you've heard this evening, these kids don't have a voice to speak for them within this forum. By definition that's why they are at risk.

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And the proposal on the table tonight would give them greater access to the city, and make their lives more safe on a day-to-day basis.

Stuart Smith: Good evening, mr. Mayor, council members. My name is Stewart Smith, I reside at 2220 S.W. Main Street in Goose Hollow. I spent the last 12 years before moving to Portland in Beijing, Hong Kong, Singapore, and Australia, financing infrastructure projects. I could speak at length about the couplet and what's being done here, what's contemplated to be done here and how that compares to what's being done elsewhere. That's not why I'm here. I'm here because like Adrian, I'm a parent. I'm a Goose Hollow parent. We've heard a lot about safety issues, and -- in Lower Burnside. There are a lot of children in Goose Hollow there. Are a lot of Goose Hollow parents. Anyone who doesn't think Burnside is an obstacle hasn't crossed it with one hand on a stroller and a child's hand in the other hand. It's difficult to get to the services for our neighborhood, all of which are on the north side of Burnside, without dealing with that obstacle. Coming back to my background I'm a permanent resident of Hong Kong and Singapore. Could have lived anywhere on earth. However, I'm one of those types who has come to Portland. I've come to Portland because Portland I believe has a very well justified reputation as being a family friendly city. The couplet in my mind is a very, very strong exemplar of that family friendly attitude. Once completed it's going to knit together Southwest, Northwest, and if you address the 405 pedestrian crossings, the Pearl as well. It's exactly what Portland needs. Thank you.

Ann Colonna: My name is Anne, and I both live and work in the Pearl District and I'd like to ask you to please support the couplet with the streetcar. I get up every morning and jog, and if I choose to go south of the neighborhoods I have to cross Burnside, and by far it is the most dangerous intersection that I cross. And that's even at 5:30 in the morning. I work along Naito Parkway, and that's 45 miles an hour and I feel much safer on that street than I do on Burnside because they have the added parking and the bike lanes. My husband and I only share one car between us, so that means I usually have public transportation as my option. I think that the addition of the streetcar is great for all of those in the Pearl District as well as the rest of the city. So I ask you to please think of everyone not just the few residents in the Brewery Blocks when you're considering this plan. In addition, I don't know if you remember the article that came out in "The Oregonian" about the levels of benzene in our -- benzene in our area, but after having watched the plan today and how that's going to lower the time along Burnside in that area, I really ask you, because right now the benzene levels in our neighborhood are the highest in the city, and that does worry me as a resident. I work there all the time, so please do support this plan. Thank you.

David Gold: Good evening. I feel like I'm a finalist in Survivor tonight, it's been so long. My name is David Gold. Along with my partner I own the Goldsmith Locks in Old Town-Chinatown. Our property includes four buildings on one block, between Couch and Burnside between 4th and 5th, and the Chinatown parking lot. 40,000 square foot surface parking lot between Couch and Davis and 4th and 5th. Our property has been described, referred to as a catalytic development site for the neighborhood. The two blocks straddle Northwest Couch and in addition, I'm in the process of purchasing four buildings that face the parking lot between Couch and Davis on 5th. Which is where Three Lions Bakery is. Old Town-Chinatown needs economic development now. When I was considering whether to purchase the Goldsmith Locks I consulted with Art Demuro, who is redeveloping the White Stag buildings for the University of Oregon. He told me good news -- Chinatown-Oldtown was on the brink of an incredible economic revitalization. Then he told me the bad news -- that he had been saying that for 20 years. My two greatest concerns are first the pedestrian barrier and the traffic and the crossings create and second, the inability of eastbound traffic to turn left into Old Town. The couplet addresses both these issues better than the alternatives. Next comes the impediment to investment in the area. West Burnside is not a desirable development area. For example, commercial interests have spoken with their actions, U.S. Bank close their doors on Burnside as well as Whole Foods. Without the couplet, there is a greater

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likelihood my property would be developed without the burnside frontage currently occupied by the grove hotel. I believe other developments will turn their back on the street. I strongly support both the couplet and the streetcar. Some opponents argue the investment for both these Projects is too great. I believe the increased public safety improved environment and substantial job creation more than justifies the expense. In addition, they increase property tax revenue will pay for the improvements in a reasonable time frame. My name is up. I urge you to support the couplet and the streetcar as proposed today and trust you'll do the right thing. Thank you.

Patricia Gardner: Patricia gardner, 1116 n.w. Johnson. I'm here on behalf of the pearl district neighborhood association, the planning transportation committee, which supports the extension of the one-way grid. I need to give a vision of the pearl in the next five or 10 years, according to plans and the streetcar, the entire pearl is going to become a couplet. All of it. It's all going to go one way if we're lucky we'll be able to keep 13th two ways. So in essence, if you don't approve moving this forward, we're going to have a downtown of couplet and a pearl district of couplet and no way to connect. So that's something to take into consideration. The other thing is regarding the enhanced existing option, it only costs \$4 million less if you don't throat streetcar n only \$4 million left. What do you get? You get to cut down the median trees, you get limited turn lanes, you don't get a streetcar, you don't widen any Sidewalk in the pearl district, you don't get necessity reduction of traffic or any efficiency that a one-way system offers you. I'd like you very much to keep in mind the big picture rather than these -- the one street, the 30 city blocks that have had quite a bit of dissent this evening. The project is about Portland values. It's about sustainability, it's about mass transit, it's about pedestrian streets, multimodal access, and a fantastic exhaustionive community process, not only did we have stakeholder meetings, but we had I think 10 public meetings. And the number of times people had doors knocked on because -- just in general I want to get to everything. I wanted to ask this question -- where is the big vision of connectivity? Can we instead look at another vision by spanning the barriers, start with burnside, we can begin a conversation of one city, one downtown, according to the central city plan the merle district is part of the downtown. We'd like to connect to it and so would our businesses. Finally, in conclusion, there's something on the wall that I really like, it's a little plaque at the bottom and it says this -- there comes a time in the development of every city when people must look beyond the needs of the moment and take action for the future. This is that moment.

Brad Perkins: Good evening. Brad perkins. I'm a land use chair of the irvington neighborhood association. Member of the streetcar eastside alignment committee. And also a commercial broker. But i'm opposed to the couplet. And i'm in favor of a unique main street on burnside. I've been around the world quite a bit, around the united states. And notice that many main streets in towns and cities have been destroyed by couplets. I live in northeast, right near the Broadway Weidler couplet, which is a major failure, in my mind, as far as a pedestrian oriented street. Traffic, speed is a problem getting across at the intersections is very dangerous. So it's better to enhance burnside, it's better to calm the traffic. With better signalization. It's so simple. Make it safer through improved intersections. Again, very simple. Zebra stripes on the intersections. Like they've done on alberta. Adding another busy street, though, doubles the busy intersections. With the addition of streetcar, the burnside-couch couplet has been a top-down approach to planning by sam Adams. No rocky mountain up your sleeves process by the general public has occurred. East side streetcar will take about eight to nine years before it's a reality, but it's been processed by three different community groups. Another streetcar leg on the west side to hollywood I have a Sandy diminishes the chance for a streetcar line to hollywood I have a Broadway Weidler, which we are looking forward to on the east side. Your approval now for a couplet on burnside-couch with a streetcar sets a priority for a new streetcar line before the new hiring package 16e -- sweeney -- begins his work on the inner city as to where to put the next streetcar line. The couplet plan should not be proposed as a build or no-build proposal. Major vestors or developers will not wack away if the

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couplet does not happen. I know they want definition by the city. How do we get this definition? It's interesting that Gil Kelley is not here tonight, but he will be starting the comprehensive plan that we all are looking forward to. Why not include this idea with that plan? **Potter:** Thank you.

Rick Parkor: Mayor Potter, commissioners. Thank you for the opportunity to speak. My name is Rick Parker. I have a family business on Grand and East Burnside that's been there since the 20's, and I am here tonight to ask your support for the West Burnside-Couch preferred alternative. I have been part of the stakeholders group since the beginning. It seems like a long time now. And also part of friends of Burnside. We've studied this thing obviously for years and for a long time, and as far as the Eastside is concerned, we've talked a lot here about the West side and the way Burnside divides it -- it means a lot to the East side to have a project like this that ties both the East and West side together. I think it's extremely important that this process moves on. To me this is kind of once in a lifetime of being able to improve Burnside. I believe the streetcar will really tie East and West together, and I appreciate your time and ask for your support on this project. Thank you.

Ilse Wefers: My name is Elsa, good evening. I am an American citizen. I am a resident of the city of Portland. I am honored to be here. First of all, I am also a member of Cathedral Parish. And I have seen in the last 47 years that I have lived here how beautiful Portland has developed. And we live here because of the beauty and the families and the human values that we all support and want to bring into this project. We don't -- with all the work and hard work that Mr. Addams has made, and all the people that have been connected with him, the business people, the politicians, and the developers, I respect their work. But I as an old person, would suggest for you to think it very carefully. Ok? To think very carefully the weak parts. The fragile parts of -- that are you going to be touching and maybe harming if you are not careful with what you're doing. My suggestion is it is much better to go back to the drawing board than to start something that is going to be very harmful. I am all for including the city -- for improving the city, for improving communications, for improving the safety of the people in Burnside. But please, please, give it the serious consideration. I do not support at the moment the way this is being done, with all respect.

Doug Klotz: Doug Klotz. I was on the Burnside stakeholder committee, at least the first several years. I am also a cofounder of the Willamette Pedestrian Coalition and the City of Portland's City Advisory Committee since -- almost since its founding. And I work with all those organizations. We have studied pedestrian safety and pedestrian environments, and how it relates to children, old folks, the disabled, and other folks who are currently temporarily abled, anyway, so far. And just studying this, look at the plan that our committee came up with, this is really the only way to improve the pedestrian environment from the Park Blocks West. The enhanced Burnside plan does not do anything for it. You still have nine-foot sidewalks and fast traffic right next to the sidewalk. This couplet proposal, I was initially skeptical, but it was the way to do it to get a much better environment on Burnside without affecting traffic. If the engineers -- traffic engineers are to be believed, and we have no option to disbelieve them, I'm not a professional traffic engineer, that the traffic will flow equally as well on this couplet as it does now on Burnside. And possibly better. The crossings of Burnside will be better because you're only crossing two lanes. It won't be like Hawthorne currently has four lanes, but it also has parking to buffer the pedestrians. Burnside does not have that from Park Blocks West. The couplet will improve the environment on Burnside, it will make improvements on Couch, including signaling all the intersections, signaling crossing Broadway, which is very difficult, the area around 405 on Couch is very dangerous with the pedestrian -- with the freeway off-ramp there. I think in total the effect will be much better for pedestrians with the couplet. And I think the effect on Couch will not be that bad. The Cathedral School, that is an issue to be studied, and that is sort of an issue that can be separated from the rest of the couplet. So I hope that we can study that. And come up with a way to get all the benefits of the couplet, including primarily --

Potter: Sir, your time is up.

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Klotz: Oh. Ok. Sorry. I misread it. Thank you.

Jerry Ward: Jerry ward, i'm an architect planner with ward architecture. I serve on the north macadam urban renewal advisory committee with p.d.c., representing south Portland. I fist want to say fellow architect being sheldon -- the editorial summed up well all of the bogs, new paper opposition to the couplet idea. When he essentially said, why spread the conditions of burnside to two additional -- to two streets. Dennis wild seconded that analysis in today's testimony. The second issue is the cost issue of \$84 million. In all of the south waterfront 1999 budget projects that we have, every one of them exceeded budget. And particularly we know about the tram. It was \$8.5 million that was sold to the neighborhood initially. And at today's cost it's \$170 million. And I say that because it's hard and soft costs both. And so you had to look at really the soft numbers of that. The question becomes, how does this council and commission, commissioner Adams believe that the \$84 million estimated cost is achievable if so many recent city projects have been three times, 20 times over budget? And as commissioner Saltzman noted in his question, what is the economic benefit if the budget is three to 20 times over budget? Also urban renewal. I'm pretty knowledgeable on That, and I know that urban renewal dollars will be used in this project. Does this couch and burnside meet the criteria the state statute says on urban renewal? It doesn't. It's not a blighted area. At least in my opinion. The other thing is historical significance of burnside. And the urban planning significance of that. New york city has broadway. And thank god the planners of new york city did not make broadway into a couplet. Because the synergy, etc., of broadway would be lost if they did that. Burnside is not a back door, or a back door street. There's a third generation -- as a third generation Oregonian, burnside to people who have lived throughout Oregon have always considered burnside as a defining street. We give directions, we give distances based on oh, it's so many blocks north, south of burnside. And that will be diluted somewhat by this proposal. I encourage you to listen to the planning commission and the planning bureau.

Sumner Sharpe: Thank you for the time. I live at 9157 northwest germantown road, for five years I was involved in the planning process as part of the consulting teamworking with the city on this project. I know you've heard a lot of comments about the process. First, i've been involved with community groups the last 40 years working with them and trying to deal with policy Issues. And I would say this has been among one of the two items, opportunities I can identify as being a totally open process, public process, in which really the solution -- it was also about east and west. It was not just about west side. And the public record was clearly established at the end of the concept plan. The council at that time unanimously approved moving ahead with the couplet idea. So I wanted to raise some policy questions. One is, about the sidewalks and streets of Portland really belong to all of us, not just the people who live abutting or do business abutting those sidewalks and streets. They belong to all of us. If the idea of extending the one-way grid is a bad idea on the west side, i'm a little puzzled why the planning commission and planning bureau haven't raids the questions it's a bad idea on the east side. I'm just perplexed about the policy question. Fits not a good idea, why it is ok on one side and not other? And in many ways this -- the bottom line was identifying and responding to the issues that previous councils had adopted in plans, and I think it's important that those plans are adopted, stand the test and we built this plan around the documented plans and actions of previous councils. Finally, a policy question I think about delaying decisions that are really in process. Seven years of public investment and time and energy of citizens To move this forward, if we delay this decision, are we diogu others for central city plan update? If this had been the city's policy at the time of the original central city plan, the pearl district rezone would go have been delayed. Thank you.

Adams: Sorry, you have a great presentation, but we'll put it online.

Potter: Is that it?

Moore: That's all who signed up. There were some people who didn't get to sign up. Who might want to still speak. It's up to the council.

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Potter: Anybody out there who wishes to speak? Please come forward.

Sten: Having heard from your company --

Bill Stevenson: Thank you for the opportunity to speak. My name is bill stevenson, i'm a resident of the pearl district and I just would like to add my support to all the other people who have given their support to this visionary plan. Thank you very much for the plan, and I definitely support it with the addition of the streetcar. I'd like to say that the -- I live in the pearl district, I believe it's a downtown neighborhood. I'm happy to live in the downtown of Portland. I think that each of the neighborhoods that are touched by the burnside couch cup lt. Are downtown neighborhoods, and I think that the couplet is a downtown solution to the problems of burnside. And so I very much value the couplet as planned. I urge you to vote in favor of it. Thank you.

Kristopher Kopka: My name is christopher, and today i'm speaking on behalf of the friends of burnside. Obviously numbers of -- have spoke before so i'm going to try not to repeat those points. More than anything what i'd like to do for you is sort of deemotionalize about the amount of traffic that would happen on couch and burnside. It's important that you understand this in terms so people can gauge it directly. I think there's a lot of emotion behind it. So what will couch and burnside be like in temperatures of the amount of traffic it will see in the future under this proposal? It will be like alder and Washington in the same segment of downtown. It's urban, it carries a fair amount of traffic, it operates safely and conveniently and comfortably, and in that's something to keep in mind. It is not damaging to a neighborhood, is not damaging to the businesses along alder and Washington street today. The friends of burnside also understand the concerns raised, particularly by the cathedral family. It's -- our observation su need not make a final decision. You're not making a final decision about the project today if you approve the action that's before you. And that you'll have the opportunity and time to study whether the impacts are of the Nature that had bin described. You'll have the chance to study that with 35% engineering behind you, and I think you'll be able to make a reasoned decision at that point. So we're supportive of carrying it forward, at least for purposes of further study. Last I want to -- this is really about making two good streets. So our hope is that you will look at this proposal, you will think about the city, we will hope you'll take action, because we believe we have not only the beginnings of a project in place, but you have the spirit of the development community behind you at this point, and wanting to act -- willing to commit to projects, willing to proceed, and has the kind of momentum that can help make a change in the city in the near term. Thank you.

Potter: Discussion?

Sten: Well, maybe i'll speak to a couple smaller issues. I want to get a sense of how you want to approach the process. I definitely have some thoughts for amendments. I do not have them written up because I wanted to listsen to the testimony before I made any decisions. And so would you want to try and craft some things here or talk about the concept and bring them back?

Adams: Whatever the council's wish is. My preference would be to go ahead and wordsmith it here and get it done tonight if that's possible.

Sten: Before I say this, would I say having been on the Council in 2002 when we voted to put this plan in place, I think it's -- I will also say maybe elaborate on this a little more, this is really a good discussion that's been going on despite how heated it is. I probably never found as many conversations i've had over the last 12 months with this many people who are very, very compelling on both sides. I usually find myself able to not get convinced each time I talk to the other side, but that kept happening to me. I concluded that there was a reason for that, and it was strengthened at this hearing, which is that I think the pro couplet side is focusing on how bad burnside is, and the anticouplet side is focusing on how great couch is. I think that's the argument in a nutshell. I think the couplet is worse for couch to be blunt, and I think keeping it like it is, burnside is pretty bad. So i'm still going to be seeing if there's some ways to at least shave a little bit off of what's happening to both sides. And I do think burnside is pretty bad. As somebody who walks and it drives it, and I

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live on the east side, and when I come from anywhere northwest and try and get home on burnside, the inability to take a left is stifling. And it's -- I don't think it has to be iconic, it can be iconic whether it's one-way or two ways. I think I also found good arguments from some of the people I respect a lot. Mike and others who are saying we don't quite have this yet. I think -- but I think we don't quite have it where it is. I'll stop there on my first comments. I am inclined to stop the couplet at 15th. I think that the testimony of the cathedral group is compelling, and I don't think we get as much as we lose by pushing it further. And that was the original design that I think actually had a lot more people work through it. So I would be inclined to stop it at 15th at this point as a first comment. So ail 33 that to the council for discussion.

Leonard: I am actual -- commissioner Sten and I have not discussed this, but I have reached much the same conclusions as you. And the same kind of conversations you have up to and including appreciating you recommending the couplet stop at 15th.

Adams: Clarifying question. Does that in your thought process, are you referring to the car couplet and the streetcar would continue on couch?

Sten: I can -- I think it needs a little bit more conversation with the cathedral group and some of the others. I have got two things going on here. What i'm hoping to do -- when sides wage this strong a fight this, has been going on hard with every -- with me with every way I can be communicated with by good friends on both sides it's happened. I don't think a streetcar coming by a couple times an hour would have the same impact as the cars in terms of what the kids are talking b. But if I had to pick i'd say stop it at 15th and not run anything that far.

Leonard: You're talking about all vehicles traffic not occurring at cathedral school or allowing what is currently happening --

Sten: Keeping it like it is.

Leonard: Ok. And you're open to the streetcar one?

Sten: I'm still -- I don't feel like I can just sit up here and say the streetcar shouldn't government I don't think the cars should go there. I don't think it accomplishes all that much. I think the original design was right on that. What's changed is that the original design did not have a streetcar in it.

Potter: I'm persuaded by the testimony to --

Adams: I'm persuaded to return the car traffic on 15th to burnside. I'd still like to leave open the option given the narrowness of burnside between 15th and 19th. I'd still like to leave on the table the option of the streetcar from 15th and 19th on couch. And we have had conversations with school and church officials about that possibility. It is possible, we've done some preliminary work and we know that it is possible to put it on the south side of the street on couch by the school so that it would have sidewalk, parking, travel lane, streetcar lane. So there are some possibilities there, but --

Leonard: The primary concern from your perspective and pdot's is that if the streetcar were to head over to burnside at 15th, it's so narrow between 15th and 19th that it -- you'd have too much of the space?

Adams: It's workable, it's just less ideal than keeping the streetcar off burnside between 15th and 19th. What specifically would be the compromise between 15th and 19th on burnside if the streetcar went both ways? What would be compromised?

Adams: We would have f. We can't get additional right of way, which there is a block that might than possible that is currently owned by the church, we would have to narrow the travel lanes to the sidewalk. So it is doable, there's just more flexibility, there's less congestion between 15th and 19th by putting the streetcar up from -- on couch. I think it's a good compromise to not have the traffic go up between 15th and 19th.

Leonard: So if you have the car -- the streetcar go up 15th, and then down 19th, to burnside and back, what choose allow to you do between 15th and 19th on burnside?

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Adams: If there's only one line of streetcars on burnside going from west to east between 19th and 15th, it just has tooer things in the right of way at the point of burnside that is particularly constricted right now. We could make it work, but I think it's a fair representation from the experts that it would be better if the streetcar going from west -- east-to-west on couch stayed on couch up to 19th and then went over. But it is -- either option is workable. If you want to leave it open we can study both options.

Sten: My sense would be to narrow some of the choices down so people can begin to work on those. I think the council has enough information to make some decisions. I think the idea of leaving this thing completely in limbo for another stretch of time --

Adams: I don't want to do that.

Sten: There's been argument for that. I understand it, but I think it won't work. I'm prepared to support saying no cars past 15th. No cars in terms of the couplet. It stays as it is I think we should -- I'm open to continue to do some work on whether or not the streetcar is best on couch or on burnside. With kind of my personal just one vote instinct is I would err on the side of not putting on couch if it can't be worked out to the satisfaction of various constituencies that depend upon that stretch actually be safe and quiet.

Potter: I've got issues I'd like to have addressed. When I left home this morning my wife asked how I was going to vote and I said I really don't know. I wanted to hear what was going to be said. Now that I've heard there are issues I would need clarification on. One is the time lines. I've not heard if we were to start building this -- approve this today how long in the future this would actually occur. Because that would affect how we would then treat burnside up until that time in terms of safety for pedestrians and traffic flow. Let me get the other three out. It also ties into the transportation priorities for the city of Portland. We've got a number of transportation issues on our plate, and we have the actual freeway loop we've got several streetcar priorities, including the east side loop, including the streetcar to lake oswego, the light rail system to milwaukie, the east burnside couch couplet, and attendant traffic issues with that. So in terms of priorities, all of those involve cost. And my biggest concern is if we make a decision in a framework where we don't understand how this will affect our other priorities and how this will affect the cost and where do we find the metropolitan to pay for all of this, quite frankly I like many parts of this plan, but I'm -- I'm very concerned about what will this do in terms of not just building these kind of systems, but also providing the operating and maintenance funds to ensure those systems function and do what they're supposed to do. So it's about time lines, transportation priorities, cost,-to-build and maintain, and how do these fit within the framework of the comp plan and the central city plan? I have not heard those, and I would be very interested failing everything else I think that the council regardless of what it does tonight should move quickly to relieve the pedestrian issues on west burnside so that we can ensure that until such time as changes were made, that we could provide for the safety and well-being and also perhaps bridge some of that gap between the north and south sides of burnside. Of.

Saltzman: I want to get my concerns out there. I guess picking up what the mayor said, I'm not comfortable letting go of the enhanced burnside alternative. I'm not necessarily saying drag this into perpetuity, but I guess I've been "tramatized" and I'm not comfortable buying into one option when I feel confident that these cost estimates we're talking about now and basing projections on rate of return have any relation to what the real cost will be. And I think we need to have well established confidence levels about capital cost projects. I think we need to carry forward the enhanced project or the enhanced burnside alternative to a 35% engineering point of view and then make a decision here. We have other competing transit priorities, we have the east side streetcar loop, we have milwaukie light rail, and we have not a grip yet on how we're going to pay our local share for either one of those projects, and my concern is sort of the burnside streetcar chick can eclipse our ability to pay for those projects at the expense of putting everything into the streetcar

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because it does have more sex appeal to a lot of people who inhabit these chambers and who lobby us. We've got to look at the enhanced alternative. I think the emmerson school has concerns, residents of the henry and cathedral. I think we need to -- I don't think the enhanced -- it's been talked about, it's been assumed, it's going to be cut down, we can't widen the sidewalks, we can't do left turns. I don't think any of that has been taken to a sophisticated level of saying that's more than anecdotal information. So I think we're winging it on both options and I would prefer, and I don't think the expense would be great, to figure out how we're going to pay for this, what's the priority sequencing and also carry forward both options.

Leonard: I've listened very carefully this past year to this raging debate, and the one thing that I've asked more than once about is what people's expectations were when they moved to downtown Portland. We are the 23rd largest city in the United States, and I guess the argument that there's going to be traffic or even increased traffic on a major downtown street least makes me a little speechless for anybody who has that kind of reaction when they've chosen to move to downtown Portland. Which doesn't mean we should exponentially look for a strategy to increase traffic. But again, if -- I've lived in Portland all my life, I think I have a pretty good understanding of what different neighborhoods are going to be like in terms of congestion and in terms of density and certainly when I think of the Pearl, I think of major density, major issues in getting in and out, major issues of traffic that's just a given when you decide to move downtown. I too, three of us were here in 2002 when we heard this original plan, this is 2007. I think I've heard more about this than anything I've ever dealt with since I've been here, maybe even anything in my life. I'm not -- Commissioner Adams can stick up for himself, but I am saying some of the criticism I've heard leveled at him here today, some of them boarding ought to be personal and the suggestion this -- they don't fly with me.

Saltzman: I was here in 2002 and I supported the couplet at the time, the concept, and I think that was -- things have changed in the five years, I think as Dennis has said, Couch Street. That four-block segment has become a street that is to be enindividual in the country. So I'm not -- I don't want to take that lightly.

Leonard: We knew that. In 2002 we understood what the development was of the Pearl in 2002, and what it was going to be. It was our plan.

Sten: That might lead me to a second request. In addition to stopping at the 15th, I believe I did not when I voted on it have a perception of how terrific Couch was going to become. I think it shows how fast things can change. And for that reason I'm not in support of the couplet that I voted for five years ago, because I think things have changed. What I see as the potential middle ground, I'm still using the word potential. Because I want to make sure people understand if we can come up with a package I can support, and I vote to move forward, there's a lot of work that has to be done including funding it before it would get done, and it does have to be put in priority order. So this to me does not become a done deal it becomes the next step and hopefully it narrows the place so we can get folks of goodwill talking. But what I would support that was not the original one was the streetcar in there. And I think potentially designed right a streetcar down Couch has the ability to -- it will be more busy for sure, but to create more of the kind of urban ambience that has sprung up in the last five years and less of the traffic mover, and I think that's the change that's really very strong, but I would like to have language that can only be changed by this council that makes it absolutely clear that there will be no implementation of any couplet without the streetcar as a funded part of it. And that begs it so that it can't become sort of a bait and switch where we go back to the couplet. Because I think for this reason I don't support original couplet and I did at the time is the emergence of Couch. I think the streetcar will be part of hopefully making something better, and I would like to see some real directed efforts, I'd like to get some of the great architects and urban designers to specifically take a look at the Emerson School area, and the areas that have been raised today and go back in and say, OK. We were going to do the council is interested in it, if we're going to do a streetcar and a couplet, how could we work with it to reach the levels that think

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were talking about. I do know both the low-income and high-end business interests, and there are both now, which is terrific, in old town, are united behind the couplet. So the issue where it fall the apart, that's the area downtown couch that's the worst. So I think that area -- I think there may be twice put in some amenities and other things that, no, you don't win if you're against it in that area, but maybe it starts too reach that level. For me that's the compromise. The last thing I would say is that -- that says there's another step that we have to take. I don't know exactly how to do it, and I want to have sam give thought to this, and hopefully gil kelley, who is stunningly absent from this conversation, and I don't know why. To have a conversation of this level without the planning director in it is new to me.

Leonard: I need to interject. I think --

Sten: I want to finish my thought.

Leonard: The reason he's not here, he's been asked to excuse himself as has been communicated to me from these discussions.

Sten: I don't know. I'm just saying, what I think is, ok, this will be my last -- I think the couplet has to be tied to a funded streetcar we should not go forward. And I don't think we can make the decision to fund the streetcar until it's part of the central city plan discussion. And I don't think that means that sam can't move forward. I think that that -- whether or not we're going to pay for a streetcar down these two roads is really has to be part of the central city plan discussion. By paying for the streetcar we will not pay for something else. That much I know. And so that to me is the piece that ought to go into the bigger planning discussion and drive this thing.

Adams: Can I speak to that?

Sten: I'm done.

Adams: In terms of competing transit projects, our -- there are four. And the streetcar now has access to f.t.a. small starts. That's replenished every year. We have been recommended for the east side loop. That is a recommendation. We're number one in the hopper for streetcar, our streetcar loop project from f.t.a. to congress. Congress will be acting on that shortly. That's in first position.

Second position --

Saltzman: That's less than half of the project costs.

Adams: It's up to 75 million dollars. That is half of the cost. I'm getting --

Saltzman: I understood it to be 176 million.

Adams: No. It's not the cost of the project. Cost of the project I think is currently slated at 146? More or less about \$150 million. The rest of it, the funding plan that we're working from that includes an amount from tax increment financing, local improvement districts, which was recently increased in past week, bite steering committee to 15 million, we have an ask-down in salem, there's a -- we're pursuing a funding package actively right now to get our local match. They're not from resources that would come from either the lake oswego potential lake oswego line, or this line, or anything else. So the reauthorization is every year for the small starts. And this city is further ahead in terms of our capacity to do streetcar asks of the federal government and they encouraged us to apply for the eastside line. They want to fund streetcar lines. So there's that. The rest of it, the project money for this has to come from, I talked about it at the beginning, burnside is broken, it should have been investigated in with g.t.r. funding, a long time ago. It's about a \$20 million basic rebuild if you do nothing else. If you do don't change anything, it's about \$20 million. You don't make any more turns or anything else. The city should be on the holladay park for that \$20 million.

That's fair. The rest of the project, whatever it turns out to be, should be funded by proceeds related to the geographic area in which the project will go. And so you saw that list of about 13 items. In terms of operating support, this particular one it's the city usually pays a third of the operating, or does now pay a third of the operating support for streetcars. Tri-met pays the other two-third and we're on negotiations on the streetcar operations. In this particular case we currently do not have meters. Those would be added to this project, are a rich source and an obvious source

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for operating support for this particular line. That's not an option that we readily have on the east side streetcar for operating support because the parking demand and much of that alignment is not there. What we have failed to do -- around transit. We just committed ourselves to a 50% reduction in fossil fuel usage. In the next 25 years we'll have the same time the population is going to increase 50%. We can no longer do things the way we have, we can no longer keep the same level of investment that we have over the past 10 years. We have to ratchet up. We do not have it all figured out how to pay for everything right now that we've got in the hopper. Some of these things are in sort of the r&d basis. How does this fit into the big picture? As council might know, you need to know last year I asked the city council for some money to do some citywide rail planning that. Is done and it will be done in coordination with look at the continuous work time prove the comp plan, the central city plan, everything else. The initial look at that shows this is a really good high candidate for a streetcar. There are few places in this city but some of them include 1 lunn 22nd avenue, 82nd avenue, when you go farther out, sandy boulevard, east and west burnside, those are all potential redevelopment opportunities along with potential streetcar line extensions. So this will be confirmed bite citywide rail strategy, and if it's not confirmed council it will take a year to dot preliminary engineering at least. And council will have the option after the preliminary engineering comes back to decide what to do at that time. I share commissioner Sten's passion that this is a project that I put forward, it is a streetcar and car couplet for me they're indy visible. We'll see what comes back from the preliminary engineering. In terms of being traumatized, I don't think there are few people in the room more traumatized than I am, having had to -- having had to make sure that came in on budget, and what happened with the tram that you do not see pdot repeating any more, that s. I'm asking you for what concept of put into move forward for preliminary engineering. This council and I myself reserve the right when that information comes back to change our minds. We are not giving the ultimate yes today to this project. We are giving a yes only to the concept that goes in for 35% engineering. And you can only get to a higher confidence number on the estimates when you do that. You'll have more confidence in the estimates. These are low-confidence estimates all around. Given that what harm is there in carrying an enhanced burnside alternative to a 35% confidence level as well?

Adams: The only --

Saltzman: It's going to be harder to turn back -- .

Adams: I'd disagree with you, commissioner Saltzman. Enhanced alternative was, we're winging it. We narrowed a -- we looked at 11, 12 different variations. We got down to the final two, we did extensive research on the final two. So I wouldn't agree with you that we were winging it. The only harm in moving forward two options is I think a matter of cost, 2.6 million, and bill, i'm not an expert -- why don't we have someone who knows better. Bill?

Bill Hoffman, Office of Transportation: It work -- bill hoffman, office of transportation. It would be very difficult to do. It would not be impossible to -- it would be difficult to do. Keep in mind the enhanced existing has had no public process so far. It's being proposed as an alternative to a project that is a huge amount of public process. So the first thing which would need to happen with the enhanced existing is really to take it out and see if it meets the goals and the objectives of the wider community. That's a process that the couple has been through, enhancing hasn't. That was -- it's at least a year process, it could be more if there's controversy in the process of that, what we call the enhanced existing will probably morph into something else. It's not going to be static. The next step is, this is a step, we call technical refinements. As you know, it's very difficult to go right into engineering with the concept plan. There's a particularly for a plan as complex as burnside will be. So there's a need for additional sort of preengineering work, once have you the concept nailed down. So in effect, it would be difficult to run the two Processes parallel, because the couplet process is considerably advanced than the enhanced existing is. Or could be.

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Saltzman: Given the relative newness -- the issues involved with the streetcar once you've established the basic parameters of the right of way are fairly straightforward. It's quite a bit different than the issues involved that would be involved with the enhanced existing which are going to -- the points where there will be a lot of community discussion will have to do with capacity, diversion into neighborhoods of vehicles, left hand turns, the trade-offs between keeping traffic moving and making pedestrian improvements. The -- the suggestion that we hadn't looked at that frankly isn't correct. That was an alternative that was looked at in -- between 2002-2002 in the original planning process. It was looked at and was dismissed. Primarily because of the one even at best it did not address the essential needs that had been identified by the neighborhoods. But secondly, there were -- the closer you got to meeting those needs, the more impacts we're developing. So it has been looked at. I say this not to say we couldn't look at it again, but it's not as simple as moving it fords in tandem with the p.e. for the couplet. Only because there's been so much work done previously on the couplet.

Saltzman: I guess the only -- i'll stop after this point. I don't sense anybody is interested, but maybe. Getting back to the financial ability to pay for this all, right now notwithstanding the federal money, we -- the central eastside urban renewal area is -- I don't think we have the money in the foreseeable future to get to paying our share of the eastside loop. And we have to figure that out pretty quickly to get this federal start. One of the things i'm concerned about is the situation where we're on the central east side, where the streetcar is looking to take probably the lion's share, though we're going to do at least 30% affordable housing, but there's a lot of other competing priorities that may fall by the wayside. That are good things too. And I guess my concern is without knowing what we're doing on the west side of the river, those are -- what are the competing priorities whether it's housing, retail development, other infrastructure work. Again, are we going to find ourselves in a situation where the streetcar is the driving investment for us -- force, and those -- .

Adams: The discussion about streetcar on the central eastside, i'm happy to have that discussion with you. That does not compete for the work that we have underway right now, the resources we're trying to get from the central eastside does not compete for resources that could go to this particular project.

Saltzman: I understand.

Adams: I'm happy to have a discussion with you about what we're aiming for, and the status of those asks. We have a lot of support as you heard today, from the community that's already been identified. So i'm happy to go through that and --

Saltzman: I realize they're not competing for the same resource. It's the same dynamic. The streetcar is becoming the focus of the central eastside urban renewal area, and the same thing could happen I think on the future of the river district and south park blocks, that again, streetcar becomes the driving focus, driven by federal deadline and suddenly we're always looking to find the money to do streetcar, streetcar, light rail, and we're into the doing maybe -- not meeting our housing shares 30% housing things like that. Especially if they're not generate can -- we're banking on the burnside bridgehead project to pay for everything --

Adams: That's a different project.

Saltzman: I'm saying the dynamic. I'm not saying they're similar.

Adams: To move this project forward, it will be part of the discussion. I intend to make it part of the discussion about the creation of a new urban renewal district. We also are going to have a discussion about the future of the river district in terms of Either extending the maximum indebtedness or extending the amount of time that it's created. There are a number of conversations underway to address these issues. This is a discussion about what to send in to preliminary engineering and I think it's appropriate to have this discussion about potential funding sources. The next year, between now and when the preliminary engineering is completed, I have to return to you

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as do other people in the room, with a convincing plan this is financially doable. And if it's not, then we'll have to have that discussion then.

Leonard: I think it's important to also have this discussion understanding there are some major changes that are about to begin occurring in old town. And the Naito family is just ramping up to do some really phenomenal major work on multiple blocks, multiple properties, that will do what we usually try to have happen with public dollars. They're investing their private dollars, that I think will begin creating some of the demand in that neighborhood doesn't exist now because of its condition. We heard tonight from somebody from I think it was the U.S. Bank tower that 2% of their employees will cross the street. I'm not surprised. It's -- it isn't so much the condition of the neighborhood as it is a feeling of it not being safe crossing the street. So I guess I agree with those who have articulated this. Evening and up to this evening that we're kind of at a crossroads here, and the future development of -- not so much the Pearl and even east of 405, but old town-chinatown. And it's an issue that we're going to have to spend some time on in terms of where we want to draw the urban renewal lines around, but I see us making this decision now in a very complimentary way with what I also see is happening in the private sector. And I just -- I think that we need to kind of have some faith that the dollars that are going to be needed to pay for some of this stuff will be created as the new redevelopment occurs in old town-chinatown. I think it will.

Adams: Frankly, in some ways, to be blunt, there's more redevelopment opportunities and lands being held by developers who are ready to go on this corridor than there are on the two other streetcar corridors we're looking at. That's -- maybe I shouldn't say that, but that's the truth. And one of the benefits regarding the central eastside is that right now all the eggs for increment growth in the central eastside, not all, but an undue expectation on the central eastside is that the bridgehead project will go. And I hope it goes. And they're working hard at it. What the streetcar does is it diverse identifies the opportunity for income growth in the central eastside. You've heard before in other testimony before this council that redevelopment along streetcar corridors is three times what it is three blocks farther away. So this is development oriented transit as opposed to transit oriented development. And it's pretty profound, and -- in the success that we've had. And I don't think we want to ignore that. Commissioner Sten, I've got a suggestion to move forward your language on page 2. The first, now therefore be it resolved, the third line. It says for westerly traffic, so it reads alternative reports so you're amending what we would be amending what my report is. For westerly traffic from second northwest second avenue to northwest and change 19th to 15th. Turning Burnside into a one-way street for easterly traffic from 15th to second, changing the 19th to 15th, and adding a streetcar line from 24th to second with options for the streetcar on either Couch or Burnside between 15th and 19th. Does that sound ok?

Sten: I would move that language.

Leonard: On either Couch or Burnside?

Adams: Right.

Leonard: Second.

Potter: Just as a point of information, I am intrigued by the idea of at least exploring the enhanced Burnside option. What I heard Bill say is that there was not public process, but my understanding this is preliminary engineering and has nothing to do with public process. Is that right?

Adams: I think if you could maybe give a short answer, Bill, on cost. What again this is really low in the basement estimate, confidence estimate on the cost of doing in tandem the preliminary engineering for enhanced existing, we've got a \$2.6 million budget for preliminary engineering on the couplet, how much more do you think we would need for doing a tandem preliminary engineering on enhanced existing?

Bill Hoffman: I would suggest that probably we would not do preliminary engineering on the enhanced existing. I think it's not the next step. The next step is really to do almost project development on the enhanced end. I think that's a three, four hundred thousand dollar -- 300,000 task that

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involves public process, involves doing analysis. The thing to remember, when you go into preliminary engineering, you're actually engineering. You have survey. We don't have anywhere near the information we would need to start a survey.

Adams: You have design surveys. If you were to do the design surveys and then the preliminary engineering as a single sort of price tag, magnitude of --

Hoffman: I think that would add at least half a million dollars on to the project.

Saltzman: Half a million to do design development and preliminary --

Hoffman: We're suggesting it to do the engineering on the couplet is about 2.6. Let's assume that the cost estimate for enhanced existing was not that different from the cost estimate for the couplet.

So I would suggest conservatively that it would be 2.6 million to do the 35% p.e. On the enhanced existing, plus additional, and I would once again to be conservative, another half million dollars to do the project development work that would get us to a point where we could do the engineering.

So we're looking at 3.1 million dollars. Now --

Potter: As opposed to \$2.6 million?

Hoffman: In addition to the \$2.6 million if we were to do both --

Potter: 3.1 million in addition --

Hoffman: If we were to do both turn 'tis. -- alternatives.

Potter: A single street would require more than one street?

Hoffman: We base our estimates on -- these are estimates. We haven't received bids from consultants. But we base our estimates on preliminary engineering as -- we derive that from the cost of the project. The couplet was \$41 million I believe the enhanced existing was 38, 37 million.

So in terms of cost, in terms of cost they're fairly similar. A lot of that is much of the cost of burnside is the same whether we're doing enhanced or the couplet, in addition to that there's some rather expensive components around 405 that the Enhanced existing is driving the cost up. That's why the engineering costs are going to be somewhat comparable.

Saltzman: Is there any harm from an ability to do that, to correspondery both alternatives forward?

Hoffman: There's a cost.

Saltzman: My concern if you get too far down the road on one, you don't go back to the other, from a policy --

Hoffman: There's no -- we hired outside independent estimates that would be wrong, but I don't want to send the message that this issue is still in play -- I appreciate your sentiment but I also share the concern that it doesn't resolve the issue potentially.

Potter: Did I hear you say you're willing to put some money in there for some design work that would then give us another avenue if this does not work out for any reason?

Sten: It's a concept i'm exploring. I'd like to figure out how --

Leonard: I heard 500,000 and then 3.2 million. What's the cost to do that?

Adams: 3 find 2 million would be to go through the design phase, which he's estimate add half million dollars and then going on and spending another up to 2.6 for the preliminary engineering.

Saltzman: 500,000 for design development.

Leonard: What are you asking for for that design development?

Saltzman: I'm comfortable at least -- i'm comfortable with that.

Leonard: So it would be the 500,000 to get the option -- .

Adams: So it be clear in first position is the couplet and that's our backup? In your mind, commissioner Saltzman?

Saltzman: Sure. Subject to the comments of commissioner Sten about trying to figure out the issues between sort of the emmerson school and the 12th or 11th, 12th and 13th -- i'm willing to go there.

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Adams: So the couplet is the priority, and that this other initial design work would be done as a backup plan but it is the policy of the council to move forward with the couplet subject to --

Saltzman: Just like it was in 2002. Just kidding.

Adams: Yeah. Thank you, commissioner Saltzman.

Leonard: Do you have some language?

Adams: Therefore be it further resolved that the council directs the office of transportation to proceed with preliminary design work for the enhanced alternative option.

Saltzman: Could you say that again?

Adams: Are you writing? Can you repeat that?

Linly Rees, Deputy City Attorney: So be it further resolved -- To proceed with preliminary design work for the enhanced existing option.

Adams: Which is defined option in the plan. As a backup option. Assists.

Sten: Commissioner Adams, in terms of what I think there's some consensus around wanting to do some more work on the Particularly the school, emerson school and those spots, is that -- is that part of -- can that be done as part of the preliminary engineering? So we don't --

Adams: We can note that as our legislative intent and timothy evans also at the brewery blocks.

Rees: May I also suggest that your staff had prepared some various technical amendments you might want to move those at the same time there were some missing words here and there.

Adams: If I could pass out the technical amendments.

Sten: Would I like if it's not there already, to have maybe something along the lines of now therefore be it resolved that the couplet is -- will not be undertaken without the streetcar?

Adams: That's fine.

Sten: The streetcar will be worked on the central city plan. In order for the couplet to be built it must -- how about in order for the couplet to move forward it must include a streetcar that is integrated into the central city plan update. Something like that.

Leonard: What's that time line?

Adams: That leaves the project and the further level of limbo.

Sten: With three years out on the central city plan update, the broad brush strokes are going to take shape long before that.

Adams: If the project can't go forward without the streetcar but the streetcar is dependent upon the central city plan Saying that this is where the streetcar should go, then it sort of negates the citywide streetcar planning process I have had underway for six months.

Saltzman: I think some probably the mayor should convene this council and the planning commission and frankly the design commission and some of the transportation elements into some kind of meeting to talk about, ok, how do we get this thing to the next -- I believe this thing can be a huge winner, and can be something that minimizes the negative sides for you. There will be down sides for sure.

Leonard: Tying the couplet with the streetcar and then conditioning that on integrated into the central city plan, why does this somehow we can -- weaken that process?

Sten: I guess could I just ask the counter question, why wouldn't if this council wants to do this, and if it makes the accepts that everybody is saying it makes, why wouldn't it be in the central city plan? If it doesn't we ought to have real red flags. We're doing the central city plan update. We're spending a lot of money on it. It ought to sync up with our burnside-couch plan. If it doesn't, we need to have it out somehow. The council should not never be in the situation of saying, well, what if the planning bureau doesn't go along with this? We need the two month sayeses Together.

Leonard: I'm not worried about the planning bureau. There are a lot of forces beyond the planning bureau that are focused in on this, and i'd just as soon resolve that part now. The planning bureau, the planning commissioner are not my issues.

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Sten: I'm persuaded my amendment is good. I'm trying to get it so it gets to what you're trying to do.

Leonard: Are you giving a second bite at the apple as that plan is developed?

Sten: I'm pushing both side noose a ring that they have to -- that they don't get out of by going around each other. To be blunt. Let's be blunt about what's going on. We've got a planning bureau that's trying to undermine this project. We've got design commissioners who I think are very, very good saying you're not quite there yet, but you're getting close. And we've got potentially -- we've both been through this before, a project that we can't pull back once we start it. And I want to put those elements into the same ring as a little too gladiatorial. I want to put them -- you can't come out of the room until you shake hands, and get this thing figured out. But i'm putting a huge in my proposal, i'm putting a huge set of parameters around it that says we're voting to do the couplet with the streetcar, and it's not sending a signal to the planning commission, the design Commission that if you go out and try to say what we're going to do is undermine putting in this couplet, you're going to be successful. It's saying we want to you come back with a way to make it work. That's what I think is --

Leonard: Can you incorporate that into -- are you comfortable incorporating what you just said, that last sentence you said into a motion? We're sending the -- we're sending the message that three we want to adopt the couplet and have the streetcar be part of that, and we want that to be integrated into the central city plan.

Sten: What we're saying to the transportation side of the world is, let's do some design work on burnside, let's make sure the council doesn't find itself in a position that if things aren't what they appear today, we really have nowhere to go except to keep paying the bill.

Leonard: I hear that too.

Sten: I'm trying to put some parameters on both sides. I don't know if I can put that into a motion.

Saltzman: I second it, whatever it is.

Leonard: Did you get that, sam?

Adams: What is the language, to integrate --

Sten: My short version was, but then I expanded on it, randy help me. I said therefore be it resolved that the couplet will not be built without the streetcar -- without a streetcar that is integrated into the central city plan. That's a short version.

Adams: The couplet will not be built --

Sten: Without a streetcar integrated into the central city plan. We adopted the central city plan.

Leonard: I think that's fine, but maybe another sentence that said something to the effect that it is the intention of the council that the couplet with the streetcar be integrated into the central city plan because your language sounds as though you're actually just inviting another bite at the apple. I think you need to make clear if your intent the iss to send a message that would want the streetcar integrated into the couplet and then that can be part of the larger central city plan. I think we need to say that.

Sten: Right.

Adams: Be it resolved the couplet will be built -- will not be built without the streetcar and that the streetcar couplet will be integrated into the central city plan. Is that what you meant? Flying sounds like what we were saying.

Sten: And could you add into that another sentence that said -- directs -- design work should be done on --

Adams: We got that one.

Sten: They go together.

Rees: In the first paragraph which is adopt the west burnside couch alternatives report, and direct the office of transportation to begin preliminary engineering, comma, this is new language, next

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fiscal year as funds become available. And the remainder stays the same. Whereas, the sixth, two words add in the middle of that and an order to clarify the meaning of that. The third-to-last whereas on page 2, which begins whereas in response to the recommendation recently issued by the task force, assembled by commissioner Saltzman and the office of sustainable development, the office of transportation is undertaken analysis indicating, delete the remainder of the sentence and it shall read, that this project alternative has the least environmentalism pact in terms of carbon emission and energy consumption of all those studied, colon, and --

Saltzman: I would want to add the word "appeared to have the least impact." I notice the d.k.s. Study was still stamped draft, and this has all been done in relatively quick amount of time. So i'd say appears to have.

Rees: The first now therefore be it resolved amended as per commissioner Adams replace the word 19th two times with 15th, and adding at the end with options for streetcar on either couch or burnside from northwest 15th to northwest 19th. The following be it therefore resolved adds at the end in fiscal year 2007-08. The third now -- be it resolved adds developed cost estimates of a stronger confidence level it adds, and a funding strategy. I think probably following that makes sense for the second amendment that was proposed tonight, be it further resolved That council directs office of transportation to proceed with preliminary design work for the enhanced existing burnside option as a backup option. And then the final amendment added on the end or wherever you choose, commissioner Sten, let's put it at the end. Be it further resolved the couplet will not be built without a streetcar and that the streetcar couplet will be integrated into the central city plan.

Potter: Would it keep things simply, one of the in pollen sees we're going to carry it across the burnside bridge to southeast 12th. Is that part of this preliminary engineering, to do the work up to southeast 12th and burnside?

Adams: That's a separate action. We're just doing the west side right now. This is just a resolution on the west side.

Potter: Would it be cleaner to take out the reference to taking it to the burnside -- across the burnside bridge to southeast 12th?

Adams: It would be cleaner and we can come back with that one if you want.

Saltzman: Are you suggesting taking it out?

Potter: Yes.

Saltzman: The parenthetical --

Adams: We'll come back on the east sighted. That's fine. I just wanted --

Leonard: Why would we take it out?

Adams: Talk to us. You and ultimately -- .

Potter: This is about doing preliminary engineering for the westside couch couplet, and this references taking it to the southeast 12th avenue. And I think it just complicates the fact that this is about a preliminary engineering study of the west side. And that just -- that brings in a whole new area that we've not discussed.

Leonard: So is that -- does that in some way call into question the prior position we took five years ago to have the couplet begin at 12th and then go west to 15th?

Adams: Good point. I see. I thought that was related -- all right. Commissioner Saltzman -- Leonard makes a good point. I would suggest we keep it in there.

Leonard: We're not going to spend any money as a result of that. In this engineer, but I think it's important to at least have a document that reflects the intent of the council.

Adams: I think that's right. I agree. I'm getting tired. I have a clarifying question that roland just handed me a note. The time line we've seen on the central city plan is a three-year time line. We're trying to get the last -- we're trying to get the preliminary engineering done on this within a year. So how do we deal with that?

Sten: Between your team and planning to integrate your streetcar planning process with

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The central city plan. When we did the p.d.c. Enhance the budget process this year with commissioner Saltzman, we were working directly -- we actually worked with gil and basically made some decisions that certain things were going to be recommended into the central city plan so they wouldn't be debated as much. And I wouldn't say we just recommended in but I would think we could come up with a year process where that gets front ended into that conversation. Without you know shorting any conversation that ought to be had.

Leonard: Your intent would be that this be accelerated in the formulation of the central city plan so that if some decision needed to be made on financing it could be made before the final - -

Sten: I think we need to sit down with planning and talk through the real timing and milestones of the central city plan. There's a whole bunch of things coming in the central city plan that we can't reasonably wait until three years from now to make any decisions on. The issue of height and some of the key areas, where things are ready to go, cannot set for three year years. On the same token we need to know they're at least reasonably compatible with where the central city plan -- we ought to do some analysis with which things -- there some things that should hold off. For example, on the p.d.c. Budget planning, we made a recommendation that's coming back to the council that we extend the district into old town which pretty much everybody has been thinking about wells made a recommendation that after we shut down south park blocks and downtown waterfront we look at a new urban renewal district. We're in that second -- where that second one goes -- -- needs a full public debate and probably will take three years. This is problem lay middle ground.

Potter: We should bring in the planning commission, the design review together to discuss that.

Adams: Our project on citywide rail strategy, which is included the central city and the rest of the city, you've got to look at the entire city when you're looking at citywide rail strategy, that is a partnership project that's been underway between pdot and planning. So I think if our legislative intent is to get that integration within the next year I think it's very doable.

Leonard: We do have issues in chinatown, oldtown-chinatown relative to height that may impact I don't know how much betsy knowing anything about that. That's in the process.

Adams: For the record, i'm following up on that. I'm very concerned that the vibe i'm getting from planning is that a lot of things have to stop for the next three years until we get this intercity plan done, and I want to move forward on the central city plan, but three years and \$6 million is a long time and a lot of money. Ready to vote?

Rees: Commissioner Adams, we would need a motion and a second on the set of amendments.

Adams: So moved.

Sten: Second.

Potter: Call the vote.

Leonard: On which amendments? The technical amendments?

Adams: All the amendments.

Leonard: Including the ones we just crafted? Ok.

Potter: I think our vote caller disappeared. [laughter]

Leonard: I think we wore her out.

***** Do you suppose that's my job in lieu of the clerk? Starting with you, yes, commissioner Adams.

Adams: We're ready to call the roll on the amendment.

Moore: Moved by commissioner Sten and seconded by commissioner Leonard?

Leonard: Yes. Aye.

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

Leonard: We're not done, folks.

Adams: We still have to vote on the resolution.

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Potter: Call the vote.

Adams: I want to thank everyone who appeared today to testify. I want to thank the city council for their work on this very complicated issue. And for the amendments offered. I think that we can work with them. This moves forward, concept that will go through preliminary engineering, and I want to thank bill hoffman, lloyd linly, the stake holder advisory group, gwen baldwin, and especially my senior policy director for transportation roland, who worked very, very hard on this issue for the past two years. Thank you for your good work. I am pleased to vote aye.

Leonard: Testimony on this actually didn't begin today at 3:00, it began this morning at about 9:30. Our first person that signed up for public testimony was a young man who came in and had written kind of a little poem about the couplet, the -- that wasn't necessarily complimentary. But it did get -- he referred to it as gritty. He said he liked it because -- burnside because it was grit ooh. And it did make me pause and kind of reminisce a little bit. When I was growing up in high school we would often times go downtown to what was then known as the espresso cafe, tom Potter probably was a young officer tracee chased us out of there a couple times in about 1966, 1967, which was right around the corner from the crystal ballroom. And I won't get into what we did while we were down there, but we certainly enjoyed ourselves. And here about two months ago my wife and I went to an event at the crystal ballroom and then when we were leaving we walked around to burnside and I had one of those moments that you have sometimes when you smell a familiar smell or you see something that you haven't thought of a long time, and I looked straight down burnside towards the bridge from 13th or 14th, right there where the crystal ballroom is and hi a flash back. It looked exactly like it did 40 years ago. It was precisely the way it looked 40 years ago. There's a part of me that I thought was nostalgic. We walk audit cross the street, I realized although it looked the same, it was quite different. In later years I worked at blitz when I was going to Portland state, and the neighborhood was no place that you would want to hang out in by any means at all. And here just -- while I was running for city council the first time in 2002, there was an event at the wieden & kennedy building, I remember sam was there with mayor katz, it was quite an event, and I had never been into their offices before and I went and stood out on the balcony at wieden & kennedy, I don't know if everybody knows where that is, but overlooking basically 2002 what the pearl had developed into and somebody came up and said, doesn't this look nice? I said, you have no idea. You have no idea, because this was a really crime-ridden area and an area people didn't want to be in at all. And it went from that to and even as I speak here in 2007, i'm not even describing what I was looking at in 2002. So I recognize that development and change is a very difficult thing for people. There are parts of it that are very difficult for me to actually be able to have a vote on doing something that's going to change the way burnside looks. It's a hard thing to do. On the other hand, I am -- I think commissioner Adams has done a good job and has persuaded me that burnside is dangerous for people. I think we heard people testifying tonight that dangerous -- the dangers of burnside for them and their children. I understand that this doesn't help those on couch. But hopefully I think I really like the way commissioner Sten was framing this as he began crafting some of these debates that burnside is too dangerous and we're trying to reduce the danger, couch, there are those who like it the way it is and don't want to increase the danger. I think this discussion we're having is a good exemplification of how good ideas come from these kind of debates that we have in the community, and I think this -- we've hit it right. I think this makes of a couplet with a streetcar hopefully will not confirm any of those that are living there now as fears about what the increase in traffic will do. I actually don't think it I think it will be a -- an improvement, dramatically overall for the whole area. I have watched very carefully commissioner Adams process as he has developed this proposal, and I will say that for those who are criticizing him here tonight about either his motives or process, you didn't help your case very much with me. I certainly think each of us deserve to be criticize when we do something wrong. He has done this right and he has been inclusive and absolutely beyond what I am actually capable of had more

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processes than he should have been rightly required to do. But he has done that. And I think as a result we have a plan. I know not everybody is happy with it, but I think it's a solid plan that comes out of the community that balances a number of interests in an area by the way that 10 years from now or even five years from now we're not going to recognize. And I've been privy to see -- have some insight into some of what's plan to happen real soon. So once again I think the Portland city council has stepped up to the plate and is doing the right thing. Aye.

Saltzman: I want to thank all the time and effort commissioner Adams, transportation, planning commission, citizens, have put into this issue. And in drafting the proposal that we're now ready to pass. I think we all agree Burnside needs a change. A change that creates a safer place for pedestrians and bicyclists. A change that provides a business friendly environment, and the facilitates greater connections between northwest and southwest Portland. And I hope we dock that change without sacrificing the integrity of an established neighborhood. Admittedly established in the last four or five years, but it's become a vibrant and bustling level of street activity and I think streetcar combined with this couplet will keep that level of change, keep it livable. Nevertheless, my concerns about cost do dictate my support for bringing forward the existing Burnside alternative a little further before we totally dismiss it. We have a lot of priorities, spending priorities, associated with transit, Icy Side Loop, the Milwaukie light rail line, the labelings on line, and we have a lot of competing demands for urban renewal dollars. And so I think it's incumbent upon us at this level of cost estimates to be prudent and not put all of our eggs really in the streetcar couplet proposal at this point. Until we find out truly what kind of money we're looking at. So I think this is a balanced resolution and I'm pleased to support it and I'm confident that -- confident that we'll get to something that makes as many people happy as possible. Aye.

Sten: I think I've said my piece. I want to thank the advocates for very good and a good piece of work on -- piece of work on all sides. I appreciate the thoughtfulness you brought to it and I want to thank commissioner Adams and his team for took -- at times a thankless job. Thank you. Aye.

Potter: I want to thank commissioner Adams and his team as well as all these good folks who came in to testify on both sides. It's not an easy issue to resolve. And I want to make sure that as we move down that road that we do have a good financial plan for this. That it's consistent with what we want to do in central city, as well as understanding that Portland's future is really tied to Burnside. And that it is a defining street for us. So I support this course of action, and I'll be looking forward to the results. I vote aye. [gavel pounded] we are adjourned until 2:30 tomorrow.

At 9:00 p.m., Council recessed.

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

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APRIL 12, 2007 2:30 PM

* * * [roll call]

Item 386.

Potter: Do any council members have any ex parte contact to declare since the last meeting with either the appellant or the applicant?

Adams: I received and read an email from chris smith expressing concerns about the city's findings written up by the city attorney, and my chief of staff on one side today told me that there was a letter which I also read from I think tim ramis asking that the issue be remanded.

Potter: Likewise two members of my staff had ex parte contact, my chief of staff with the applicant, and one of my managers, veronica, with the neighborhood association. Prior to starting this meeting, I wish to make the following statement. At the beginning of the last hearing on this appeal I disclosed I had joined a neighborhood tour with members of the northwest district association. I said we looked at the site of this proposed parking garage and that I had concerns relating to several issues. I want to clarify at the time that I was on that tour, I made no decision nor commitment to the neighborhood association. After making this disclosure I said I intended to listen to the testimony and evidence in order to make a decision on the appeal. I made several statements that should have been part of my ex parte contact disclosed at the beginning of the hearing. Specifically, I said when I went out and walked around and I saw as I stood on the property and looked up to see the height of the parking structure, the issues with pedestrians in the area that made me feel this parking structure they say did not meet design criteria, and didn't meet my criteria for something I felt wasn't about fitting with the community, but was in a place that would not be safe, not be safe for pedestrians. I can't imagine 105 cars going in and out of there on a regular basis. I've been advised I should give anyone who wishes to question me about these statements or to rebut them an opportunity to do so. I want to give members of the audience a chance to do that now.

Potter: Please identify yourself when you speak.

Tim Ramis: Thank you, tim ramis, a lawyer, 1727 northwest hoyt in Portland on behalf of the applicant. With me is christie white, who is also a lawyer in Portland. I appreciate the opportunity to address the council. Thank you very much. And for your statement. Before we get into the specific response to that, let me ask a procedural question about how you would be handling the remand request. If there is council support for that, we would ask for a motion for that early in the proceeding because it would preclude the necessity of going on with this process. And if there's support for it as my letter indicated, the applicant is quite willing to work on the process, change the design, and really directly address the kinds of issues that the council has addressed in its comments and the draft findings from the city attorney. So we would be certainly requesting that motion if there's support for it.

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Potter: I just saw your remand today for the first time. In a letter that was written to the department of -- the bureau of developmental services. In terms of the sense of the council, do you wish to remand this to the landmarks commission for an additional, what -- what did you say?

Ramis: For additional proceedings. Consistent with your comments and observations about the plan.

Christie White: Christie white speaking. We view it as an opportunity and a venue for compromise. We've listened to council's concerns, we hear the concerns of nwda, and it would be an opportunity to sit in a public hearing, flesh out all those issues in more detail and directly respond to them and hopefully come out for a compromise design.

Leonard: Your idea is not for us to rehash the issues as they have been presented, but rather to address some of the concerns you've heard here?

White: Exactly.

Leonard: I'd be supportive of that.

Potter: I'd like to ask the neighborhood if they would choose to participate in that. Because that would make the difference, I believe.

White: Can I respond to that?

Potter: Sure.

White: Of course that's a valid question to ask of the neighborhood. I would respond in the following manner. This remand would be to a landmarks commission who would hold a full and fair public hearing perhaps a number of public hearings. And the nwda would be fully able to participate in those, reiterate any concerns it's reiterated here, but mostly respond to the design. I would hate to think that anybody in this town has the right to veto a venue for compromise. I'd like to see if we can give it a chance.

Potter: You know, it does take two parties to compromise. And that's why I was asking of the neighborhood association. I'd like to ask the city attorney's office on a remand, what is the procedure for the remand and subsequent procedures?

Kathryn Beaumont, Sr. Deputy City Attorney: Our code doesn't speak directly to remand. Basically the procedure would be a full public hearing before the design commission, at which both parties would be heard, the commission would take any testimony that's appropriate, and make another decision, and that decision would again be appealable to council if one or both parties were dissatisfied with it.

Adams: What's the time line? Is there a time line expectation?

Beaumont: I'd have to defer to b.d.s. staff. If it was remanded to the design commission, then they would follow their normal time lines for providing notice and holding a hearing.

I guess if council were to remand it to the landmarks commission and establish a date today for the landmarks commission hearing, there are several possibilities of hearing dates. April 23, may 4, may 28. I think we need -- if the council was inclined to do that, we need to pick a date that would allow enough time for the commission to make a decision and to provide a full appeal period, notice full appeal period and full procedures back to council.

Adams: If I could, picking up on your line of questioning, mayor, and considering this, before we hear from the neighborhood, what is your client willing to consider?

White: We're not foreclosing any options.

Adams: Can you give me more --

White: Sure. I think the -- I would hate to predetermine, because we're truly wanting to enter this as a compromise and as a venue for discussing that. We've talked about it amongst ourselves, we've read the findings. We could do any or all of the things that are proposed in the findings. We could be between the parties come up with different alternatives that aren't reflected in the findings. So we understand the risk, but i'm hoping to convey to you the earnestness of that request. And the real possibility that something could occur during those compromised proceedings to come up with

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a proposal that meets everybody's needs. We may not be totally satisfied and i'm assuming the other party may not totally be satisfied, but that's the definition of compromise.

Potter: Did you contact the northwest district association to convey this to them?

Ramis: We sent a letter to the staff to try to get some reaction to that. And then once our client had authorized we sent the letter officially to the city and shortly thereafter sent it to a representative of nwda and invited them to call me. There really hasn't been time.

White: That was today. But of course this isn't a hearing, so we are -- we're just asking to talk more at this point.

Adams: Kathryn, i'm not as familiar with the landmark commission process. If we were -- are we within the legal parameters of noticing landmark commission meetings to set a date that quickly for them to consider this issue and could there -- could the council set an end date in which they have to get back to us by?

Beaumont: I think once you send it back to the land marks commission, the timing is prescribed by the hearing procedures in the code. So it would just have to follow the timing in the code in terms of notice periods, hearing, and then appeal period. And notice of any appeal hearing before council. We're on a little bit of novel ground if the council were to announce today a date for a remand hearing before the landmarks commission. I think it's possible to do that. I think best practice would be to have a written notice of the hearing date, time, and place of any landmarks commission hearing sent. That is what I prefer rather than -- you could announce a date today if there is support for the remand. But I would encourage staff to follow up with sending a written notice to all those entitled to notice under the code.

Potter: We'd like to hear from the neighborhood.

Juliette Hyams, NWDA: Juliet hyams, northwest marshall with the northwest district association.

We would of course participate in the remand, but it feels premature, because we're not yet comfortable with the findings from the february hearing because we were supposed to receive staff objections on the third and we didn't receive them until the 6th, when the person who wrote the hearings was packing up to go out of the country for the rest of the month. We also feel like some of the pedestrian issues were not fully addressed in the findings, and we wanted to talk to you about that somewhat today. I'm also a little concerned about the idea of a remand, though i'm neither a lawyer nor a land use person, I understand that a remand would not have the same degree of public process and transparency as if they were to start a new land use -- a new application for the landmarks commission. I'm not sure about this, but we're sort of congratulating at straws because -- grasping at straws. We just got the letter about the remand, and we just got the findings. I didn't get them until friday night before a holiday weekend, so we're sort of trying to figure out where we stand. But yes, we would participate in a remand, but we are -- want more time to review the findings.

Adams: How much time do you need?

Hyams: Well, the person who wrote the findings won't be back until the end of the month. He would like to have until the middle of may.

Potter: When I ask the city attorney a question, in terms of their receiving notice on the findings, is there any procedure in the code that requires a certain time period?

Beaumont: No, there's not. The code gives them the opportunity as the prevailing party represented by a land use professional to submit findings. Those findings are supposed to be reviewed by staff and our office before they're filed with the council. They were reviewed. The findings they submitted were modified. Findings you have before you today represent staff in our office's modification of those findings. Once they're filed with the city auditor, they're available for your consideration. There's no process in the code, nor any requirement for submitting -- sending out those findings. They're available when they're filed with the auditor's office. Similarly there's no process and it's not the council's practice to accept comment on the findings. So if you were to

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be consistent with your past practice, you would not enter into a debate about the findings. Or allow the parties to enter into a debate about the findings.

Adams: If this was remanded, how long -- following up on the mayor's earlier question, would you -- you expressed a willingness to do that. Are you open to all the possibilities? Are you willing to look at all the issues? What's your reaction going into that, or what's your position going into that?

Hyams: Well, I don't relish that possibility, and I think that -- I don't want to comment on the findings because we're just told we're not supposed to discuss that, and it's hard to talk about one without the other. But -- stop me at any time. But I think the location was a big part of the issue before, and also that I heard you commissioner Adams talking about the need for a transit study that looks at multiple modes of transportation, including pedestrian behavior, and I would want to have some more information like that before we go back to a new design. Or revised design. So if something is going to be put in our neighborhood we want to make it as good as it can be, but I think some of those issues that were brought up at the hearing and came across loud and clear need to be ironed out first.

Dan Anderson, NWDA: If I may, dan anderson, also with the district association. How we get to this landmarks commission hearing matters. Clearly we've established simply by our experience today, that there's a little bit of a tradition of dropping things in at the last minute here. If we arrive, two, four, six weeks from today at a landmarks committee hearing where the substance of the matter to be heard is revealed on an analogously short time basis to the neighbors and the neighborhood association, that would not be a particularly satisfying procedure as i'm sure you can appreciate. On the other hand, if we take six weeks and there is substantial interaction between the parties well in advance of the hearing, it's a very different scenario. It certainly is not one characterized by our experience today.

Potter: So you're saying that if the parties were to get together between now and the landmark hearing, and if there was some fruitful discussion, that you folks would be willing to entertain that?

Anderson: I think we're willing to talk, but you've got to sort of provide enough of a time period in an atmosphere that is a realistic possibility for interaction. Learning about things, hours or only days before an event, which clearly characterizes the recent stages of the evolution of this entire process, doesn't speak to that need. It's not a good practice.

Potter: Ok. But to the point at hand, what would be a reasonable amount of time that you folks think would be necessary so that the neighborhood could have a thorough examination of any recommendations that were to come out before there would be a landmark hearing?

Anderson: So long as there was multiple substantial periods of interaction during the calendar month of may. If this all shows up on the 28th of may, and we have the hearing the next day, that doesn't work.

Adams: You're saying if over a period that -- for a period of six weeks you'd like whatever happens -- whatever conversations over the next six weeks you'd like to see them paced out so that -- and whatever is going to be said or whatever information might come from the outside you'd have ample notice of and there would be frequent meetings, opportunity to talk, and -- a couple of days before the end of the window.

Anderson: I think -- if the theory here is that there is some possibility for a negotiated solution, in fact there has to be a bona fide negotiation process concluded by a hearing. Not something that's dropped in at the end and you try and paint it with that brush, when in fact there was no substantive negotiation.

Hyams: I think part of our discomfort was we thought that if there were going to be dramatic objections to our findings, there would have been some conversation, give and take leading up to when they were delivered back to us. But in fact they came in a few days late and there were more changes than we expected. And there was no kind of, you know, warning or conversation.

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Adams: Kathryn, if I could just clarify, there's two issues here. One is the issue, the appellant's issue they didn't have an opportunity to comment on the findings. And your reply was that it's not part of the city's regular practice. The other issue is the request by the applicant that this be remanded back to the landmarks commission to see if some sort of -- to see through dialogue if some sort of compromise would be achieved or if the issues could be addressed. You said a willingness to talk, you said nothing is off the table. So I have two follow-up questions from that. Do we -- can we voluntarily get their comments without poisoning the process in any particular way, and if the other side has any comments on the findings that you would be exposed to those and you could decide whether or not you want to include them as part of this document before it might come back to us, if it comes back to us in this form? That's the first question.

Beaumont: Let me make sure I understood that. You're suggesting that perhaps the parties could comment to me on the findings that have been prepared to council?

Adams: You could decide whether you want, as our attorney, whether you want to incorporate any of those comments in a final -- a second version of this. I think both sides would be --

Beaumont: That's fine. That has value only if the council is not going to remand this to the landmarks commission. If you are, then if this comes back to council, I would expect the proposal might be in the slightly different form, and there would be different findings for the council to consider.

Adams: Ok. But we could accept those comments now as sort of a fail-safe, not today necessarily, but we could give them a period of time to comment to you as a fail-safe?

Beaumont: Yes.

Adams: Give each party a week?

Beaumont: Sure.

Adams: Same time a week from now? 2:30?

Potter: Not to come back here.

Adams: Only if it does come back here.

Potter: What I would prefer is if there -- are you then going to base it, whether a remand or not base on those?

Adams: That is the second issue, the remand.

Beaumont: One thing I do want to make the council aware of that affects your consideration -- continuing this hearing and any remand is state law imposes an ultimate time limit for making a final decision on this application. Which is essentially a year from the date that it was complete. This application was complete on July 5, 2006, so we -- the city has until July 5, 2007, to make a final decision on this application. So any remand has to allow sufficient time for an appeal period back to council and an appeal hearing back to council. If you delay the findings for a week or two weeks and then remand it back there may not be enough time.

Adams: Because of the statutory requirements for the landmarks process?

Beaumont: Simply because of our code requirements for notice and -- notice and appeal periods, and notice before appeal hearings.

Adams: So if we were to go a different route, is it legal for a different route if the conversations between these two parties occurred with a mediator? Is that allowed, or is it not allowed under the law?

Beaumont: think if you remand it -- if you remand to it the landmarks commission --

Adams: I'm saying let's say we continue the hearing --

Beaumont: The parties can choose to talk in whatever fashion works best for them. If it's direct face-to-face discussions, a mediator or some other method.

Adams: Landmarks is a tried and true process, so if we wanted to do the landmarks, how do we get -- how would we get an extension of the time line if we needed it by going -- asking the applicant or

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fulfilling the applicant's request for a remand? How do you get -- is there a way to get beyond the year imposed by state law on our --

Beaumont: State law sort of is unclear what we would want from the applicant is their commitment that should they have any rights to go to court or anything else after that one-year period, they would forebear from doing that.

Ramis: Tim ramis again. We would agree to that. My reading the statute is that the application after the time limit might be subject to a mandamus and we would be happy to waive that so there would be no risk to any of the parties of continuing to proceed. Also recognize what dan has said as being accurate, we'll need time to talk. I'm happy to commit to do that a couple times a week if that would serve everyone's interest. Leading up to this process some time ago we were meeting almost weekly and i'm sure we could double up on that. So we're happy to be committed to working on it.

Potter: And dan --

Adams: Dan just sort of said six weeks off the cuff. Is that six weeks --

Ramis: Seems like a reasonable time period to us.

Adams: Is that workable in terms of the landmarks process, though?

Beaumont: One alternative available to the council is simply to continue this, keep it at the council, continue it for six weeks, seven weeks, give the parties time to talk, and to bring back whatever they have worked out or not at the end of that time period. And that saves the -- eliminates the worry of having enough time to bounce back to the landmarks commission and then back up to the council.

Ramis: Also happy to address the pedestrian counts and study issue that was requested.

Potter: I think it's a matter of both folks entering into this good faith, that is, each willing to do their part to achieve some kind of solution that both parties can live with. I don't think both parties will get everything they want, but -- if you could do that, we would be very happy to extend it for a period of time. And then come back here. What I heard from the neighborhood is they wanted time for the neighborhood to participate in the process and discuss. So is six weeks sufficient for you folks? Ok.

Anderson: She's the leader.

Potter: Can you identify what date is six weeks from today?

Moore: That would be may 24 and mayor, you'll be out of the office.

*****: Is there --

Potter: Could we do it the first week in june? I'll be back june 2.

Beaumont: We still have a month within our one-year period.

Moore: thursday, june 7, at 2:00.

Adams: And then I think we can also, since we're going the informal route, allow both parties to comment on your findings and you can choose whether or not to incorporate any of that input and should we get both parties a week?

Beaumont: That's fine.

Adams: So you have a week as of a week from today at 2:30.

*****: Ok.

Potter: Could I also suggest, I don't know if you have used a third party, but I would definitely recommend that in order to achieve an outcome for both sides, you would have -- make use of a third party. The city of Portland has several folks likes that -- like that that are independent and provide excellent mediation. I would think that -- [technical difficulties] together choose them, but

Beaumont: I would recommend you folks have someone that you could -- a third party that could help process. I would point out that if this comes back in june with a modified proposal, the record would be reopened at that point to hear -- for the council to consider the modified proposal and to hear testimony pro and con.

Saltzman: What exactly coming back on june 2, then?

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Beaumont: Well, I think what will happen in early June is either the parties will come back with a modified proposal that they have agreed to, or you will be considering the proposal that you have before you now with the findings to grant the appeal and deny the parking garage.

Ramis: In the event that we agree on some parts and not others, would we be back here for some ultimate decision on that?

Adams: I can speak only for myself. You have to agree [inaudible] I'm just thinking there are a myriad of conditions you might impose, that others might ask for that we might not have complete agreement on.

Ramis: It's entirely possible we might not have 100% agreement.

Beaumont: I think the record would be reopened to consider either mutually agreeable modified proposal or for a report on whatever you had been able to agree to and what remains outstanding issues.

Adams: Coming to agreement with your application, your -- you're representing the applicant. For a project. And you just put a new spin on it with that last question. Now what I understood is that you're open to everything, but you would have to come to agreement on your application. I thought that's what you wanted at the beginning presentation here.

Ramis: We are --

Adams: Not to come back with you agree on staircases, you didn't agree on parking depth -- that's not what I -- maybe I was just misunderstood, that's not the way I took your opening --

Ramis: My point was I think a more limited one, that is that I wanted to understand that the council was not delegating to the parties their authority to make a decision. And our request was for a remand back to landmarks and try to work this problem. We're certainly not looking for a process that results in the parties dictating what the solution s we want to come here with a solution that you would consider.

Leonard: I don't want to be a bucket of cold water on this opportunity to find compromise, but where we have done this successfully in the past has always been when we have left a cloud of doubt over both parties how our vote was going to turn out. That motivated people to try to find a compromise. With all due respect, I think this is a playing field that is not level at this point. And i'm -- while i'm on the other side for the majority, i'm also not mindful of wasting people's time and just from some of what i'm observing here today, I don't see there to be quite any motivation at all to compromise or do anything that I think would warrant the further expense, time, and frustration of all involved. So I felt it necessary to -- to throw out that observation. We have done this successfully before, but always with the clear statement that neither side knows how this is going to turn out, and if one side comes back and convinces us that the other side didn't operate in good faith, that will influence our decision. I don't think you see three people saying that here today.

Adams: You're don't see three people saying what?

Leonard: I don't think you care if one side operates in good faith or not. They're going to cross their arms and say no and come back and say we didn't come up with a compromise, and we've wasted two months of money, time, and effort that might be better spent somewhere else.

Potter: Some will have wasted the time. I would hope that you folks could work something out. And I would hope that both parties understand that this is important to the city council. That if you can work it out, great. If not, then we will make the decision. So what's your sense, commissioner?

Saltzman: I tend to agree with commissioner Leonard's observations. I'm more than happy to give the parties six weeks, but i'm not sure what good it's going to do, personally.

Leonard: What's the motivation for the neighborhood to agree to any compromise? I'm asking that as a question. Given the position of the majority.

Sten: It's your side trying to delay the votes.

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Leonard: I'm not trying to delay anything. I'm not on sides, i'm trying to dot right thing. You said it's my side, what i'm doing is doing what i've consistently done, tried to do the right thing, and in making the observation i'm trying to do the right thing by all the parties and not give one side false hope. I'd much rather see the singer family donate money to homeless project than to employ ae attorneys and architects for the next six weeks on what clearly is the beginning of a failed process. It can't work. To be blunt.

Adams: Ing I heard both sides say they were interested. We face this with every time we've tried the informal route before we make a decision, final decision one way or another, you always give that speech and I think it's a good speech. And I agree with it.

Leonard: There is a majority sending a strong message that one side is ahead.

Adams: I have the mike. Let me finish.

Leonard: I have my own.

Adams: If you ask me to say the time, date, and the topic, I probably couldn't do it off the cuff, but i'm pretty sure is that when we have suggested this informal route that there was some sort of prevailing sentiment on the city council that would manifest itself if asked. So this is different, commissioner Leonard is right, in that we have taken an initial vote. And so if both parties want to try this, great. If you're going to parse and say we'll agree on some things but not others, and that's what you come back with, that's your right to do that. I'm interested in having you achieve an agreement on this project. Or not. And you've asked for it and you've agreed to it. So if you want to spend six weeks and probably \$2,000 of the city's mediation services that we've already paid for, i'm willing to support that.

Potter: As i.

Adams: I need to be more optimistic.

Potter: I think whatever happens, the northwest area will be living with the results for a long time. Perhaps six weeks isn't so long as compared to 40 or 60 years.

Beaumont: Karla, can you repeat again for the record the date and time this would come back if the council continues it?

Moore: That will be june 7, a thursday, at 2:00 p.m.

Potter: Do we have to have a motion to move this to that date?

Beaumont: I think you can do that by consensus.

Potter: Fine with me.

Sten: Let me just ask the neighborhood, you guys are open to a compromised garage?

Anderson: We're open to a compromised treatment at that site, yes.

Sten: That's not what I asked.

Anderson: I think there are some garage designs that could work there.

Sten: You're open to a redesigned garage? And you're open to a different garage --

Ramis: Oh, yes, definitely. We're ready to pull out pencil and paper and start working on it.

Sten: All right. See you in six weeks.

Ramis: Thank you.

Potter: We need to have someone -- who do we contact in terms of offering mediation? Do you prefer to do it yourself? We don't care which way you go.

Ramis: Could you have someone contact me, i'd be happy to start that conversation.

Hyams: You can have someone contact me.

Potter: We'll do that. It's been set over until june 7. 2:30.

Moore: June 7 at 2:00 p.m.

Ramis: Thank you very much. [gavel pounded]

Moore: We have one more item.

Potter: If anybody wants to have a conversation, please go outside. We still have a little bit more work to do. Please read item 387, second reading, vote-only.

April 12, 2007

Item 387.

Potter: Please call the vote.

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

Potter: Sten just voted for me. Aye. [gavel pounded] that certain did I didn't make everybody happy.

At 3:19 p.m., Council adjourned.