



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **24TH DAY OF OCTOBER, 2007** AT 9:30 A.M.

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

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

Item 1273 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

| COMMUNICATIONS | | Disposition: |
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| 1256 Request of Sharon Nasset to address Council regarding Columbia River Crossing project transportation issues (Communication) | | PLACED ON FILE |
| 1257 Request of David Morrison to address Council regarding aerosol operations over Portland (Communication) | | PLACED ON FILE |
| 1258 Request of Joe Johns to address Council regarding environment, pollution and storm drains (Communication) | | PLACED ON FILE |
| TIME CERTAINS | | |
| 1259 TIME CERTAIN: 9:30 AM – Declare City support for the United Nations Convention on the Rights of Persons with Disabilities (Resolution introduced by Mayor Potter) (Y-4) | | 36543 |
| 1260 TIME CERTAIN: 10:00 AM – Willamette River Combined Sewer Overflow program update (Report introduced by Commissioner Adams) Motion to accept the Report: Moved by Commissioner Saltzman and seconded by Commissioner Leonard. (Y-4) | | ACCEPTED |
| CONSENT AGENDA – NO DISCUSSION | | |

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Mayor Tom Potter

Office of Management and Finance – Business Operations

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| *1261 Pay claim of Stephanie Adams (Ordinance) (Y-4) | 181362 |
| *1262 Pay claim of C & E Properties (Ordinance) (Y-4) | 181363 |
| *1263 Pay claim of Wendi Colmone (Ordinance) (Y-4) | 181364 |
| *1264 Authorize payment of \$30,000 from the Parking Facilities Fund to Pioneer Courthouse Square, Inc. as a contribution to the holiday tree lighting ceremony at the Square (Ordinance) (Y-4) | 181365 |
| *1265 Extend contract with PAE Consulting Engineers, Inc. for mechanical engineering consultant services (Ordinance; amend Contract No. 34581) (Y-4) | 181366 |
| *1266 Extend contract with Epsilon Engineering, Inc. for electrical engineering consultant services (Ordinance; amend Contract No. 33498) (Y-4) | 181367 |
| Office of Management and Finance – Human Resources 1267 Create a new Non-Represented Classification of Police Evidence Control Supervisor and establish a compensation rate for this classification (Ordinance) | PASSED TO SECOND READING OCTOBER 31, 2007 AT 9:30 AM |
| Office of Management and Finance – Technology Services 1268 Amend Intergovernmental Agreement with Multnomah County Oregon for continued participation in the Integrated Regional Network Enterprise (Ordinance; amend Contract No. 51706) | PASSED TO SECOND READING OCTOBER 31, 2007 AT 9:30 AM |
| Portland Office of Emergency Management *1269 Accept an Oregon Military Department Office of Emergency Management State Homeland Security Program Grant FY 2005 for disaster event planning, staff and equipment for the federal TOPOFF 4 exercise (Ordinance) (Y-4) | 181368 |

Commissioner Sam Adams

Bureau of Environmental Services

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| <p>*1270 Authorize the Bureau of Environmental Services to acquire certain permanent tunnel easements for Tunnel Reach 2 necessary for construction of the East Side Combined Sewer Overflow Tunnel Project No. 7594 through the exercise of the City Eminent Domain Authority (Ordinance)</p> <p>(Y-4)</p> | <p align="center">181369</p> |
| <p align="center">Office of Transportation</p> <p>*1271 Amend contract with Henderson, Young & Company to develop a Transportation System Development Charge overlay for the North Macadam area (Ordinance; amend Contract No. 36811)</p> <p>(Y-4)</p> | <p align="center">181370</p> |
| <p>1272 Amend Intergovernmental Agreement with Oregon Department of Transportation for the NW 23rd Reconstruction Project (Ordinance; amend Contract No. 52249)</p> | <p align="center">PASSED TO SECOND READING OCTOBER 31, 2007 AT 9:30 AM</p> |
| <p align="center">Commissioner Erik Sten</p> <p align="center">Bureau of Housing and Community Development</p> <p>*1273 Authorize subrecipient contract with Black United Fund for \$152,480 to mentor small businesses and merchants and provide for payment (Ordinance)</p> | <p align="center">REFERRED TO COMMISSIONER OF PUBLIC WORKS</p> |
| <p align="center">REGULAR AGENDA</p> <p>1274 Authorize City Attorney to settle litigation brought by Portland General Electric (Resolution introduced by Commissioners Leonard and Sten) Continued to Thursday, October 25, 2007 at 2:00 PM</p> | <p align="center">36544</p> |
| <p align="center">Mayor Tom Potter</p> <p align="center">Office of Management and Finance – Purchases</p> <p>1275 Accept bid of Moore Excavation Inc. for the Conduit Trestle Vulnerability Reduction Project for \$5,195,750 (Purchasing Report - Bid No.107760)</p> <p>Motion to accept the Report: Moved by Commissioner Leonard and seconded by Commissioner Saltzman.</p> <p>(Y-3; Adams absent)</p> | <p align="center">ACCEPTED PREPARE CONTRACT</p> |
| <p align="center">Portland Office of Emergency Management</p> | |

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| <p>*1276 Amend contract with CDA Consulting Group, Inc. for continued and increased services to support the Urban Area Security Initiative Homeland Security Grant Program (Ordinance; amend Contract No. 35123)</p> <p>(Y-4)</p> | <p align="center">181372</p> |
| <p align="center">Commissioner Sam Adams</p> <p align="center">Bureau of Environmental Services</p> <p>1277 Authorize application to Oregon Watershed Enhancement Board restoration grant program in the amount of \$150,000 for Stephens Creek Confluence Habitat Enhancement Project (Second Reading Agenda 1249)</p> <p>(Y-3; Adams absent)</p> | <p align="center">181371</p> |
| <p>1278 Authorize the Director of the Bureau of Environmental Services to enter into Intergovernmental Agreements with the Portland Development Commission to provide professional, technical and construction services for environmental and stormwater improvements within designated urban renewal districts (Second Reading Agenda 1250)</p> <p>(Y-4)</p> | <p align="center">181373</p> |
| <p align="center">Office of Transportation</p> <p>*1279 Authorize contract with URS Corporation for the Portland Streetcar System Plan (Ordinance)</p> <p>(Y-4)</p> | <p align="center">181374</p> |
| <p>1280 Grant a revocable permit to Peace Memorial Park Foundation to landscape and maintain portions of public right-of-way located at NE Oregon Street and Lloyd Boulevard to establish a Peace Memorial (Ordinance)</p> | <p align="center">PASSED TO SECOND READING OCTOBER 31, 2007 AT 9:30 AM</p> |
| <p>1281 Amend contract with Friends of Burnside Couch, Inc. for additional work for the Burnside Transportation and Urban Design project (Previous Agenda 1251; amend Contract No. 35678)</p> | <p align="center">REFERRED TO COMMISSIONER OF PUBLIC UTILITIES</p> |
| <p align="center">Commissioner Dan Saltzman</p> <p align="center">Office of Sustainable Development</p> <p>*1282 Accept a \$200,000 grant from the United States Department of Energy to fund activities to further the market expansion of solar within the City (Ordinance)</p> <p>(Y-4)</p> | <p align="center">181375</p> |
| <p align="center">Parks and Recreation</p> <p>*1283 Accept donation of \$1,000,000 from TMT Development Co., Inc. for the development of South Park Block 5 (Ordinance)</p> <p>(Y-4)</p> | <p align="center">181376</p> |

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| *1284 Amend contract with Zimmer Gunsul Frasca Architects, LLP for design services for the 3 Downtown Parks Project (Ordinance; amend Contract No. 36640) (Y-4) | 181377 |
| 1285 Authorize an agreement with Police Activities League to provide payment for operational support to youth programs (Second Reading Agenda 1254) (Y-4) | 181378 |

At 11:25 a.m., Council recessed.

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WEDNESDAY, 2:00 PM, OCTOBER 24, 2007

**DUE TO THE LACK OF AN AGENDA
THERE WAS NO MEETING**

October 25, 2007

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,
OREGON WAS HELD THIS **25TH DAY OF OCTOBER, 2007** AT 2:00 P.M.

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

Mayor Potter left at 4:51 p.m.

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

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| 1286 TIME CERTAIN: 2:00 PM - Appeal of Eric Rystadt, applicant, against the Hearings Officer's decision to deny a 73-unit Planned Development with Modifications to landscaping, setbacks, height and loading spaces at 4027 SE 174 th Avenue (Hearing; LU 06-185546 PD M) Motion to uphold the appeal and thereby overturn the Hearings Officer's decision and adopt Revised Findings and conditions of approval on November 14, 2007 9:30 a.m.: Moved by Commissioner Leonard and seconded by Commissioner Sten. (Y-4) | Disposition: UPHOLD THE APPEAL AND OVERTURN THE HEARINGS OFFICER'S DECISION; PREPARE FINDINGS FOR NOVEMBER 14, 2007 AT 9:30 AM |
| 1274 Authorize City Attorney to settle litigation brought by Portland General Electric (Resolution introduced by Commissioners Leonard and Sten) Continued to Thursday, October 25, 2007 at 2:00 PM (Y-4) | 36544 |
| *1287 TIME CERTAIN: 2:45 PM – Amend contract with Alta Planning + Design for expansion, continued development, and implementation of the Safer Routes to School national model pilot program (Previous Agenda 1193; Ordinance introduced by Commissioner Adams; amend Contract No. 35788) (Y-4) | 181379 |
| *1288 Authorize 2007-2012 Intergovernmental Agreements with School Districts to participate in the Portland Safer Routes to School program (Previous Agenda 1177; Ordinance introduced by Commissioner Adams) (Y-4) | 181380 |
| *1289 Accept a \$100,000 non-infrastructure grant from the Oregon Department of Transportation for Portland Safer Routes to School program (Ordinance introduced by Commissioner Adams) (Y-4) | 181381 |
| REGULAR AGENDA | |
| 1290 Urge support for the passage of Measure 49 (Resolution introduced by Mayor Potter and Commissioners Adams, Saltzman, Leonard and Sten) (Y-4) | 36545 |
| 1291 Declare the City's intent to rename a major arterial street in honor of César E. Chávez and establish a process to complete the street selection by July 1, 2008 (Resolution introduced by Commissioners Adams and Leonard) | CONTINUED TO NOVEMBER 14, 2007 AT 10:30 AM TIME CERTAIN |

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Mayor Tom Potter

Bureau of Planning

- *1292** Extend the 10-year property tax exemption for the Fifth Avenue Commons Apartments for twenty years to match the required affordability period of the project's housing units (Ordinance)

Motion to add emergency clause. Moved by Commissioner Sten and seconded by Commissioner Adams. (Y-4)

(Y-4)

181382
AS AMENDED

At 4:56 p.m., Council adjourned.

GARY BLACKMER
Auditor of the City of Portland

By Karla Moore-Love
Clerk of the Council

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

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

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

OCTOBER 24, 2007 9:30 AM

Potter (continued): they have a much higher chance of succeeding and becoming successful in life. And so each week we invite folks in to talk to us, and this morning we have angel coyaso and cindy lopez. Both 10th graders at roosevelt high school. Please come forward. Thank you for being here. Either one can start.

Angel Collazo: I'm angel, a sophomore at roosevelt high school. I thank you forgiving me the opportunity to give my view on changing the name of interstate.

Cindy Lopez: I also would like to thank you for giving us the opportunity to give our view. Cindy lopez also. Thank you very much.

Collazo: So i'll give my speech first?

Potter: Please.

Collazo: Before cesar e. Chavez, farm workers were becoming sick because of pesticides being used on crops. When cesar chavez found the national workers association, he set up farmers' rights, leading boycotts to bring attention to health problems. Being able to change interstate avenue cesar e. Chavez boulevard would be a great idea. He won the peace on earth award given to him in 1992. I acknowledge that it will cost a lot of money to rename the street, \$100,000 about, but does wering not just a someone but an amazing activist who cared for people's rights have a price? He really isn't recognized here in the northwest. Naming a street after him will be a fantastic way to recognize his accomplishments here. Caring for education, fighting for rights, a better life for a next generation, so I say renaming interstate avenue to cesar chavez boulevard would be the least we could do to honor this man's great accomplishments.

Lopez: contributions by cesar, cesar chavez got involved with the workers leading to the great strike and also the great boycott. This helped build the foundation of the national farm workers' association. The reason why interstate avenue should be renamed to cesar chavez, to add tribute to his life. Chavez was a labor organizer, spent time working and teaching. And few sites are actually named after him here in the northwest. We should also honor him for his nonviolent activism and crib distributions. I understand that the expense will come onto small businesses on interstate, but isn't the money worth giving a statement about or for the latino community? I also understand that we could also name another street, but does any other street actually fall into the needs or -- how do you say? What we need, like, on this street, like different ethnic groups in many different racial communities. Cesar chavez worked hard in california and another in Oregon as well as this is why he should be tributed with the renaping of interstate avenue. Thank you.

Potter: Thank you, folks, for coming in. Let's give these young folks a hand for being civically engaged. Council will come to order. Please call the roll.

[roll call]

Potter: I would like to remind folks that prior to testifying, a lobbyist must declare which entity he or she is authorized to represent. Please read the communication.

Item 1256.

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Sharon Nasset: For the record, my name is sharon nasset. My address is 1113 north faulk land. I have given ms. Karla some packages today which I know you will not be able to look at while we are discussing this, but I will be back in a couple of weeks to ask for a formal letter from you. As you know, we're currently involved in the columbia river crossing nepa process, and the nepa process is the national environmental policy act. It's about how we go about deciding what we do. We take our projects. We turn them into apples so they all look the same, and then we study them. It is in accordance with the law that, when things are brought in, that they are accurately studied. It's a very high bar to get something accepted into and in consideration for a transportation project. The i-5 task force accepted the third bridge crossing near the railroad tracks. I know all of you gentlemen are aware of the railroad tracks west of i-5 and the fact that a new bridge in that corridor would take care of the truck traffic in and out of our ports, give direct access to our industrial areas and support them and take traffic out of our neighborhoods as well as developing it better for our economy. When this process started, the corridor was accepted into the current columbia river crossing because it met the high bar. It was removed from the crossing without being studied, without engineers, and without following the process that they said would be set forward. Your council here is one of the councils that will be signing off on this. What I am asking for today are two things. One is for you to stand up and go with the law, which is to study all viable options. And there is no harm in studying something. Whether you like it or not doesn't mean it's going to be accepted. It is the fair and honest way that the nepa process was set up. You're going to be signing off on this, and i'm sure you would like it to be fair and honest. The second thing I am going to be coming back for is the location of the study, which is inside the bridge influence area and inside the corridor. Right now, they have been refusing to follow through on setting it as it was said they would do when it was brought in. They also have not looked at the second part of the nepa pro he is which is constructability, cost, and the neighborhood economy. Those things must be looked at. I'm going to be asking you to declare where the boundaries are and that the process be open and follow as it should. Thank you.

Potter: Thank you. Please read the next.

Item 1257

David Morrison: David morrison, and i'm very happy that you asked how the children are, because none of us will be in very good shape if these programs continue. I'm here to address an issue of public safety and the survival of our ecosystems. There are 60 acknowledged weather modification programs currently in place. On most any day, we can look up in the sky and see persistant contrails and the airplanes that are applying various soft formulas to the air we breathe containing aluminum, barium, and other heavy metals. The weather mitigation research and development policy authorization act of 2007 are moving forwards in commits on commerce, science, and transportation. These bills were not referred to committees on agriculture, natural resources, the e.p.a., forestry, and there was no invitation to debate. I'll get to where this concerns this council, and it's not just a national issue. There will be no members of the public appointed to the board, no forestty representatives, and no public oversight of these programs. In other words, it's a stealth program that has been in operation. And they're now trying to legalize it with this bill. Since the late 90s, these programs have been stepped up, and nasa, in their october, 2005 news letter, acknowledged that increasingly persistent contrails forming man-made clouds trap warmth in the atmosphere and are exacerbating global warming. They note the long-term effects in the earth's climate as well as its natural resources as a result of these programs. As various health problems, including asthma, alzheimer's, and other immune diseases skyrocket, so does the growing worldwide outcry against this heinous assault on our bodies and the environment see a the air we breathe. Two cities, berkeley, california, and I believe it's agina, greece, have taken action to declare the space above all citizens a space-based weapon-free zone supported by a bill introduced biden is in kucinich in 2003 that would ban these programs. The citizens of agina have begun legal

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action to stop the spraying above their island. Donna spring expressed her gratitude to kucinich and said this resolution is recommended to be adopted by all municipalities in the united states and word wide. So that's what i'm proposing here, that you take it up as an issue and make our voice heard. At the end of the packet impassing out, there are hard copies of soil tests done on the Oregon coast that will startle even the most stoic observer. There are thousands and thousands of times the accepted level of aluminum in the soil. I'm calling on the city council to address this issue of public safety and be an example so he can stop this hideous practice and help heal the planet for ourselves and especially our children. And I just want to show people some pictures here that were taken all in Portland some, examples. So I hope you guys take this seriously. Thank you.

Potter: Read the next.

Item 1258.

Joe Johns: Before I address the council, I just want to say to sam Adams I was supposed to deliver a check to you for \$500, and this check is for me to the Portland department of transportation. We have agreed to put two stop signs by the sellwood community center at the school.

Potter: That's part of your time.

*******:** Huh?

*******:** What time is that? Ok.

Potter: Go ahead and introduce yourself by name, and you have three minutes.

Johns: My name is joe johns. I live in sellwood. I am here to address the following bureaus, the neighborhood involvement the, transportation, b.e.s., sustainable development, the water bureau, and the proposal that's in front of you will show you that to be adopted by the commissioners for those bureaus as working prototypes as soon as possible. We promised to b.e.z., lynn maine, that we would bring a proposal that would help solve some of the city's and metro area contamination pollution concerns. One of the biggest pollution concerns is charity, car wash fundraisers held at parking lots. This waste water from the source contains toxic hydro, carbon, and compounds which directly go into the storm drains and then into the willamette river. This wonderful contamination kills the fish and other fish and species in the 13th largest by volume river in the united states, listed as america's third most endangered river in the country. The cities, counties, and the state government know that the car wash of fundraisers is a favorite for sports, schools, and other nonprofit organizations, so the state has refused to consider this type of pollution as a pollution source. We know the city of Portland can supersede the state of Oregon in adopting a no more charity car washes held in streets and parking lots. One gallon of oil contaminates 1 million gallons of water. This proposal has been prepared with joint effort between the business community and b.e.s. The water pollution control laboratory, we have worked closely with kelly hendricks and brett holstrom from b.e.s. A special program has been set up to help fundraiser groups to raise money by washing without pollution. A group has been set up to help purchase tickets and all the participating car washes will participate and help without -- and you will be able to read that more in chapter 4. Also all the professional car washes, the waste goes into a reclaim process and is recycled. You can read that illustration on chapter number 5. This is a win/win solution. No pollution pouring into the storm drain. The salmon, steelhead, and willamette river will be very, very happy. The other program that will help stop the pollution is the formation of the economic business or the echo business by the b.e.s. The last is remember we did not inherit this land from our parents. We are borrowing is from our children. They would like it back in better shape than you received it. Any questions?

Potter: Thank you, joe.

Adams: And thanks to the contribution to help pay for the stop signs.

Johns: Thank you.

Moore-Love: That's all the communications.

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Potter: Move to the consent agenda. Do any of the commissioners wish to pull items from the consent agenda. Please call the vote.

Moore-Love: Item 1273, commissioner Sten's office wanted to refer that back to his office.

Potter: Item 1273?

Moore-Love: Yes.

Potter: Ok. Hearing no objection, so moved, go ahead. Please call the vote.

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

Potter: Aye. Please read the 9:30 time certain.

Item 1259.

Potter: Mr. Cantos, could you please come forward? Mr. Cantos will be the keynote speaker at an awards luncheon today, and later this week the disability chamber of commerce, the first in the nation which started here in Portland will celebrate their second year. Their men and women are creating their own businesses and excelling. Jan, I notice you don't look like mr. Cantos.

Jan Campbell: No. We're going to do first the resolution, and then mr. Cantos is going to come and speak about the employment, the area he'll be speaking on today. Good morning, mayor and council members. As chair of the Portland's citizen disability advisory committee, which we call p.c. Dac, we're bringing to you two very important issues regarding people with disabilities worldwide. The first thing I would like to do, it's u.n. Day, and over the last year there's been a lot of attention at a u.n. Convention that supports disability rights globally. We the city of Portland support thette for thes made to promote and secure universal rights and access for people with disabilities. Before I read the resolution, I would like to invite some of the executive committee up here with me and michael levine, who is vice chair of the committee.

*****: Good morning.

Campbell: Whereas historically persons of disabilities have been marginalized and deprived of opportunities and freedoms according to -- awarded to persons without disabilities and whereas the united nations general assembly adopted by consensus a landmark treaty the convention on the rights of persons with disabilities to promote and protect the rights of world people with disabilities and where as the convention is the first worldwide human rights treaty of the 21st century and whereas the convention recognizes that attitudes need to change if individuals with disabilities are to achieve equality and whereas the convention will require ratifying nations to promote, protect, and ensure the full and equal even joyment of all human rights by all persons with disabilities and to promote respect for their inherent dignity and promote awareness of the capabilities of those who are disabled and where as the convention also requires government to fight stereotypes of people without disabilities and whereas the convention also recognizes that perspectives need to change if persons with disabilities are to achieve equality and whereas in the 2000 census 68,757 city residents between the ages of five and 64 reported a disability, 13% of the city's total population, now therefore be it resolved by the city council of the city of Portland, Oregon, that it supports this convention, endorses equality opportunity, and will continue to be responsive to and inclusive of people with disabilities. Be it further resolved that the city would communicate the city's support of the convention on the rights of persons with disabilities to the united nations secretary general and acting personal representative and urge ratification of the convention by the united states. So that's one part of our agenda. Thank you, both of you. The other part is, as you know, this his disability employment awareness month, and we would like to bring awareness to this issue by introducing our special guest, ollie cantos, from the department of justice, to speak on this issue. Would you mind coming up and sitting next to me? He will also, as you said, mayor Potter, be our keynote speaker at the disability awards happening later today. And I would like to read a little about ollie. He's actually become quite a good friend of mine. We met several years ago. He's wonderful. Blind since birth, ole cantos is special council to the assistant attorney general for civil rights in the u.s. Department of justice originally commissionerred by attorney general alberto gonzalez in

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march, 2006. Mr. Cantos recently returned to this post after having served two consecutive terms of service as associate director for domestic policy at the white house. The agenda for advancing equality of opportunity for people with all types of disabilities and information in assistant technology, education, employment, and every aspect of community living. One of the highest persons with a disability in the federal government today, mr. Cantos is a member of the attorney general's commit for the employment of disabilities and individuals with disabilities headed by the u.s. Department of homeland security to name a few, and in these and other prominent roles, his responsibilities include fostering cultural ties between the justice department and obtaining greater compliance by businesses with application federal disability rights laws and establishing and strengthening new agency partnerships to promote full participation by people with disabilities in every facet of life. I'd like to introduce you to my friend, ole.

Olegario (Olly) Cantos: mr. Mayor and distinguished members of the city council, good morning. I am pleased to get to be here today and bring you greetings on behalf of rena j.komisac, acting attorney general for civil rights at the department of justice. I am particularly pleased to be here to serve in a speaking role with various efforts that are taking place here in Portland, regarding promotion of rights and responsibilities of individuals with all types of disabilities. And I am particularly honored today to be here in your presence. When we look at this country, the census figures also reveal that there are more than 54 million people with disabilities in this country, including individuals with visible disabilities such as mine and others who use wheelchairs, crutches, and other mobility devices and those with invisible disabilities such as psychiatric disabilities, learning disabilities, epilepsy, diabetes, and so forth. And when looking at the totality of the population of individuals with disabilities who are in this country, as varied as we are, we also see how there is no such thing as looking at an individual and determining whether or not that individual has a disability because 90% of all disabilities are not visible. For disabilities not visible, what ends in happening when a disability is revealed, it's to say the reality is that, as diverse as our community is in general, the same is true for people with disabilities. And our talents and abilities collectively as a disability community are just as wide and varied as everyone else. And to be direct, we are just as lazy or as ambitious as everybody else -- ambitious as anybody else, just as mean as anybody else, just as everything as anybody else. However, there is one air why in which we are not like anyone else, and that is our employment figures. According to the most recent data, the employment rate among individuals with disabilities is 38.1%, and that is a figure that is unacceptably low. We must continue to work to advance employment opportunities for people with disabilities at every job ranging from cleaning the office to running it. We need to continue to make sure to understand the reality of the physical problematic and attitudinal barriers that continue to exist in society that bar full participation of people with all types of disabilities. Where does Portland fall within all of this? The answer is actually relatively simple. We each have an obligation and a responsibility to do whatever we can to maximize inclusion of people with disabilities in every aspect of community life. And from what I understand, the city of Portland has 23 different individuals designated as a.d.a. coordinators within various departments and other components. We at the united states department of justice are supportive of the disability community here in the city in its efforts to push for a central a.d.a. Coordinator in order to coordinate these various individuals with their various rights and responsibilities and to help ensure compliance with title 2 of the americans with disabilities act and section 504 of the rehabilitation act of 1973 which providing that any entity receiving federal funding must not discriminate against people with disabilities. You are to be commended for the things you have did unto advance opportunities and access for people with all types of disabilities. And as all of you continue to exercise that leadership by bringing together individuals through a central a.d.a. coordinator while reaching out to people representing those with physical, psychiatric, developmental, and learning disabilities, then Portland may continue to strive to be a model for other cities to follow all across

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this country. And as this effort continuing, so will efforts take place within every aspect of the disability community as well as those who work alongside members of the disability community to advocate for equal rights and equal responsibilities. The resolution that has been proposed rightfully points out how 13% of those in the city are self-identified as individuals with disabilities.

That therefore means that more than 68,000 individuals have an opportunity to be touched by your leadership as you continue to serve as an example for others who follow and as you work meaningfully to put into place the appropriate policies, practices, programs, procedures, and activities that maximize full inclusion not only of children with disabilities but also of adults with disabilities. When thinking about our own respective roles, we also stop for a moment to recognize how, in light of the number of people with disabilities that are in this country today, it is a fact that each and every one of us either has a disability or knows someone who has a disability even though that disability may or may not be self identified considering that one in every six individuals in this country has a disability. And so when looking at this reality, we also see an amazing opportunity for continued partnership. I, sitting here on behalf of acting assistant attorney general rena j. Comisac, wish to reach out to this city and its leaders at all levels in partnership by urging you to continue to do whatever you can to serve the disability community and to comply with appropriate federal laws that pertain to the quality of opportunity and access for people with disabilities. And as you do that, I also would like to provide information to you regarding where you may go for further resources. You may go to www.eeoc.gov and www.dol.gov slash dot. You may also go to www.ada.gov. My contact information is ollie.cantos@usdoj.gov. 202-514-8191 is my number. So in looking ahead regarding what the next steps look, we at the department of justice look forward to working in partnership with you to help ensure that there is appropriate access for people with all types of disabilities. As the city works to continue to do the right thing, we at the department will be rebind this effort 100%. Thank you very much.

Potter: I'm very proud of our disability chamber of commerce. Are there other chambers like this in the united states.

Cantos: Matter of fact, as far as I know, there is not. The general philosophy of the disability community is to create entities that are actually more integral to general society. So, in other words, as part of the philosophy of integration within, let's say, a chamber context, it's important for people to integrate themselves into every aspect of the existing chamber of commerce at the same time they themselves, as they work hard the way they would in any organization, may rise in leadership as others without disabilities would rise in leadership. And then, as that continues to build, then there will be a broader focus on integration of people with disabilities within the business community. And the other interesting thing to note is that, according to the small business administration, that are more than 30,000 business owners with disabilities in this country at www.sba.gov. In light of what's happening here with the local disability chamber of commerce, I would look forward to the opportunity to work in collaboration with them to see how it is that we may promote areas of mutual interest.

Potter: Thank you, mr. Cantos. Thank you, jan.

Campbell: Thank you very much, and thank you for supporting the resolution as well as recognizing that this is the awareness month for employment for people with disabilities.

Potter: Thank you. And welcome to Portland, mr. Cantos.

Cantos: Thank you, sir. I'm pleased to be here.

Potter: Thank you. There are folks who are signed up to testify?

Moore-Love: We have one person signed up, theresa teeter.

Potter: Please state your name for the record and you have three minutes.

Teresa Teater: My name is teresa teeter, downtown Portland citizen activist. I want to sit down here and thank this council, because over the years i've testified on many venues of disability, homelessness issues in downtown Portland area, and commissioner Sten's not here this morning.

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I'm sorry. But I wanted to commend the council for having the public listening sessions with the disabled folks after the situation with James Chasse and that the police department and the mayor was kind enough to step up to ease and listen to folks concerning interaction with disabled persons in this town as well as the accommodations for certain set asides for apartments in, like, the Pearl District and condominium areas to merge folks with disabilities and other issues in life to fit in with other people that don't have disabilities. And so I just wanted to state that this morning that you guys have really taken quite an effort in the last couple of years to do these things, and it's very important that people know, because not everybody listens every week, and some people feel like they're left between the cracks, but the cracks are being sealed. So thank you very much.

Potter: Thank you, Theresa.

Moore-Love: That's all who signed up.

Potter: Please call the vote on the resolution.

Adams: I just want to welcome you to the city of Portland, and I want to thank our local advocacy community for all your ongoing excellent work. We're very lucky to be able to partner with such a wonderful group of hard-working, passionate advocates. Aye.

Leonard: And I echo those comments. Thank you very much. Aye.

Saltzman: I want to thank Mr. Cantos for being here in Portland. Great testimony. I want to thank Jan and Michael and all the leaders in our community for your steadfast work, and I think the resolution is very important, and I'm pleased to support it. Aye.

Potter: -- support it. Aye.

Potter: I'd like to echo the other members of the council and welcome you, Mr. Cantos, and hope that I'm able to get up to the Forestry Center for your speech today. In either case, we hope that our local community and the federal government and the city of Portland, work hand in hand to make life better for all of our community, including people with disabilities. Thank you, sir, and I vote aye. Thank you. Please read the 10:00 time certain.

Item 1260.

Potter: Commissioner Adams?

Adams: I am pleased today to introduce the leaders in the Bureau of Environmental Services, Dean Marriott and Paul Gribbon, who have been with me working hard to make sure that the combined sewer overflow program is on time and on budget, which it is. But we're going to give you some more details today and have an opportunity for you to ask questions.

Dean Marriott, Director, Bureau of Environmental Services: I'm Dean Marriott. With me is Paul Gribbon, engineer in charge of both the west side and east side tunnel projects. We have been before you basically every six months for the last several years. I was joking with Paul earlier that I'm sure you're looking forward to the day when we come in with a sign that says "the end is near."

*****: [laughter]

Adams: Light at the end of the tunnel.

Mariott: a quick update today. My purpose is to lead off, and then Paul will pick up with details about the east side project. This is a 20-year program that began in 1991, and we have made a lot of progress in the interim, including the completion of the work on the Columbia Slough in 2001, the completion of the west side big pipe project in 2006, and the beginning of the work on the Willamette River east side C.S.O. Controls. Our target date is -- for completion is December of 2011 - 2011. People ask all the time how we stack up against other major communities who also have combined sewer overflow problems. As you can see, we generally can be described as ahead of the curve. We will be finished long before many of the major cities in the country are finished, and our cost projections are shown for you there, about 1.4 billion. Other communities, like Atlanta, will top 2 billion. Washington, D.C., will probably come in about 2 billion. So there will be some advantage to us getting finished before they are finished. Just a few significant signals here. The cornerstone projects where we engage people and citizens and businesses to reduce the amount of storm water

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entering the sewer system, we're very successfully completing that project. The columbia slough projects are finished. The west side tunnel is finished. The east side big pipe project is under way. The famous ski slope diagram here, to show you how much progress we've made when we began in 1990, 1991, we estimated that we were discharging about 6 billion gallons of combined sewage and storm water annually to the willamette and to the columbia slough. If you follow that ski slope down to the right, you can see that we're now down in the 2 billion-gallon range, so we're two-thirds of the way to the finish line and the east side big pipe project will take us across that finish line. Countdown as far as the number of outfalls are concerned, the 13 outfalls into the columbia slough are now controlled. We had to finish seven willamette river outfalls by december of 2001. Those are also finished. We had 16 willamette river outfalls to control by december of 2006. We are on schedule. Those are controlled. The final 19 c.s.o. Outfalls are slated to be controlled as part of the east side project by december of 2011. A lot of our success has involved, as many of you have done, involving citizens in helping us solve this problem. Our biggest notable success is the downspout connection program. We have been engaged with citizens for almost a decade now and, in doing this, tins can do the work themselves, and we pay them \$53 a downspout. Or if they want a community group or a nonprofit to do that for them, then we pay the nonprofit or community group to do that work. The results have been nothing short of amazing. Probably the most cost effective method we have discovered yet for controlling storm water, as of july this year, over 50,000 downspouts have been disconnected from our sewer system at 25,000 homes. Has kept, we estimate, \$1.2 billion of c.s.o. Out of the willamette and the columbia slough, so it is by far the most cost effective approach that we have come upon. Paul will talk to you about how things are going with the east side big pipe.

Paul Gribbon, Bureau of Environmental Services: I oversee the tunnel program for b.e.s. Just very briefly, just to give you an idea of the magnitude of the project, it's a six mile long tunnel, 22 feet in diameter, about 120 feet underneath the ground along the east side of the river, and it extends all the way from southeast 17th and mcloughlin to swan island. Here's the current status. Right now, the tunnel boring machine itself is almost 2000 feet north of the opera shaft. It's almost half way to the first -- the second shaft north, which would be alder. Two months were lost initially on the breakout of the machine from the shaft. There was a leak in the wall of the opera shaft during the breakout, and once that leak got repaired, there were a number of glitches. It was a brand-new machine. There were a number of mechanical problems with the launch. We lost about two months off of the contractor's initial schedule. But recovery schedule was put together that added six- and seven-day work weeks to the schedule to make up most of the time by the time the machine got to all the shafts. Since that time, a different problem has arisen in the opposite direction -- has arisen in the opposite direction. We were figuring an average of 35 feet a day between opera and alder shaft. Actually its record now is 95 feet in one day. It looks like it's averaging about 55 feet or more. So we expect that, by the time the machine reaches alder, all that schedule will have been made up. So now it's a matter of keeping the tunnel segments produced fast enough to keep up with the machine, but it has exceeded all our expectations so far. This just gives you an idea if you look at the lower piece on the plan view. The opera shaft is on your left, just a little bit south of omsi, and you can see the machine's about half waive to the auld -- halfway to the elder shaft, right across the street from river city bikes. It's about 2000 feet. We go in seven days a week now and then will go back to a six-day week schedule. Once we reach the morrison bridge, we'll go seven days a week again. We don't want to stop the machine under the bridges. So far ground settlement has been insignificant, and the machine is going much faster than anyone anticipated. Just to give you an idea about how we manage risks and the review committee actually suggested that we include this, and I thought it was a really good idea. Before we did anything, we went over every risk of what we were taking, everything that could possibly go wrong, and we meet with a contractor quarterly and are designed to go and review all the project risks. As we pass one and it's now gone,

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we cross it off the list. If there are new risks we think are coming up, we add them, and we assign the original contingency dollars to the risk if they actually occurred such that the loss in time with the original breakout from the shaft -- upper shaft -- although we didn't plan it, we anticipated that it might happen, and so we had set aside contingency to cover it. As we go past the places where the risks occur, we hope to cross the risks off and adjust our contingency dollars down as we go. Risk management is a continual process, and it will continue through the life of the tract. This is where we are as far as costs are concerned. That dashed blue line atop is the original cash flow curve before any work was done. That's how we anticipated that we would spend money, and this is cumulative over time. The green line is how the money has actually been spent. The orange line is a projection of how we think we're going to spend it. Right now we're underspent because some of the initial work has been spread out a little longer than the contract had originally planned, but it just means costs are spread out a little more over time. But we're not anticipating at this point any excess expenditures right now. We're projecting to come in a little under the original contract amount. As far as emerging businesses, the first months of the contract, we have 159 local subcontracts that have been awarded, 132 of those with menardi women emerging small businesses. That's a contract value of about 19 million. And other local subcontracts have been at about 11 million. So the goal on this was 26 million. We anticipate a lull in the middle of the contract because that's where we're doing most of the mining but we anticipate a lot more local participation toward the end of the contract as a lot of the clean-up work, paving, landscaping, all that stuff comes back into lay. It looks like we're on track to exceed what our original goal was. Challenges coming up, we have to cross underneath the burnside bridge, make a turn, another turn, and get through sullivan's gulch and underneath the banfield interchange. It's been well planned. Right now we don't anticipate any problems, but it's one of the challenges we have facing us. The sullivan's gulch, the geology is sands and silt, so it's just a very careful procedure through there. And then the rest of the work in the central east side industrial area, there's a lot of pipeline work that's ongoing now, and it's always -- our goal is to keep all the businesses in operation, access to all the loading docks, get traffic through there and make sure all the businesses stay open. Our focus right now is on the central east side. Maintaining business operations is a major effort on our part right now. Traffic notifications and interpretive signs so everybody knows what's going on, where we're going to be.

Marriott: Let me just follow up on this. Commissioner Adams knows we meet with the business community on the central east side on a regular basis. Our staff is out almost every day meeting with people, making sure they have access to their loading dock. Periodic: We get them all in a room so we can share their experience. If there are any common themes, we can address those. We've established, I think, a very good working relationship with the impacted businesses, and I just want to take another moment to thank them. You all are familiar every day with the construction impact from the work on the transit mall, and you've experienced personally those inconveniences. These folks have experienced this plus more, having huge cranes and excavators parked in front of their businesses, and their customers find it difficult to find them from time to time, and we really do appreciate their efforts to help us clean up the willamette river. On the community benefit opportunity program, I know many of you are aware of this. We did this with the west side program, set aside some money. We put a citizen's committee together. We want to make sure that the neighborhoods are in better shape than when we arrived. We've done the same for the east side. That citizen's committee has finished their report and recommendation for how to invest in community improvements. We will be bringing those to you next month to report on some civic improvements that we will fund and that they will help implement again so that, by the time we finish and move on and again the business community or the neighborhoods are in better shape than when we arrived. You'll get that report next 340. Just a final word. I know some of you had the chance to go into the west side tunnel during construction. We're going to have another opportunity

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this time to go into the east side tunnel, and you'll be able to see just how much bigger this one is than the west side was. We're shooting for around the end of the calendar year, late december, early january. When we reach the alder shaft, there will be a time period when the contractor is doing some maintenance work. That would be a good opportunity to have an open house or an option necessarily, and we will of course invite all of you and hope you can make that visit. Before we get to your questions, I just want to tell you that following us briefly, we do have an east side c.s.o. Review committee, and bill martinak is here. He would like to address the council, say a few words on their behalf. Before bill comes up, if you want to ask either paul or I some questions, we'd be happy to respond to those.

Potter: How deep is the tunnel on the east side?

Gribbon: It averages about 250 feet.

Potter: I was thinking, when you got to the banfield -- going downhill, I assume the distance is using gravity. Right?

Gribbon: Correct.

Potter: But it does go completely. Under the banfield and exchange there?

Gribbon: Yes. But the spot that was picked was where we had the greatest amount of move. It's an s-curve to get under there. Straight shot would have been a lot easier, but we did a lot of investigation, and this is the best shot.

Potter: The second question dealt with the seismic engineering. What do you do to protect a tunnel that large if there's a significant earthquake?

Gribbon: The tunnel is designed for earthquake loads. At the time an earthquake hits, the pipeline will move. The only issue you worry about is whether it moves differentially, but in earthquakes typically it doesn't. It moves as a unit. But it's designed to be flexible, to be able to handle that.

Potter: Up to what grade earthquake?

Gribbon: This is zone 3, so it is designed for earthquakes that would be expected in the Portland area in that particular geology. Fortunately most of the tunnels in the troutdale formation, which is a very stiff cemented gravel, earthquake does not have as much of an impact on that. And/silt is a sandbar/silt is a little more of a problem.

Potter: Lick "faction?

Gribbon: Not so much. With the machine moving as fast as it is, it's not purely due to the machine. A lot of workers we have down there got experience on the west side and are actually doing a phenomenal job, and that's the learning curve that's been very quick, and that's really the main reason.

Adams: Is it true we found d.b. Cooper? I heard rumors.

Marriott: No. We haven't -- not that i'm aware of. Jimmy hoffa if is still missing. I don't think we have found any historical artifacts.

Adams: I've walked door to door to the businesses in the central east side that have been, I mean, heavily impacted by this project. There's just no way around it when you're having to sing the kinds of vertical shafts that we've had to sing on this project. I will say, having gone door to door, that time and time again I got compliments for the good work -- I got compliments for the work that's been done. A lot of effort has gone into it, the heart and soul on the front luge of b.e.s. Thank you.

Marriott: Bill martinak will come up for just a moment.

Bill Martinak: Good morning. I'm bill martinak, the co-chairman of the east side sewer tunnel project review committee. I guess the easiest thing for me to say this morning, after paul and dean were up, is just whatever they said. They've informed you of how the project is going. I would like to take a few minutes just to let you know how our committee is proceeding. Our committee was initially appointed by the council. Initially we had 17 members. Right now, we're down to between seven and 10 faithful members that show up, and we are currently holding meetings on a

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bimonthly schedule. We've held 14 different meetings to date. Our charge has been to at least meet quarterly, and we're exceeding that, and we have been monitoring the contractor's efforts to meet all the criteria set out by the contract. We are providing a forum to have a discussion for all of the issues that Paul mentioned today and just to bring some insight into the project as it proceeds.

Right now, again, as Paul mentioned, the activities are well under way. The engineers or the contractor did suffer a small setback and failure as the machine broke out of the opera shaft, and that did cause some delays, but as we discussed in our last meeting, the machine now is racing out of the shaft and is moving even much faster than had ever been anticipated, so it appears that that will put the contractor back on schedule and possibly even ahead of schedule after the first of the year at the rate of progress that they're making now. So it's moving very well. We do discuss safety issues now. We've gone over, in our last meeting, where the safety record is, and it's been impressive. The contractor is about at about 25% of what the normal incident rate would be for the number of man-hours that they've worked. So they have had just a phenomenal record there. They've addressed their safety issues quickly and have had -- in fact their last quarter, they had basically nothing happen that was recordable there. So that's a phenomenal record for the amount of man-hours that they're spending and the type of project they're working on with all the equipment and all the difficulties going on there. That's a phenomenal record for them to have, so they need to be commended for that. Quality control issues, we've discussed that, and they are constantly monitoring the quality control of the tunnel again, there's a little bit of a learning curve as crews start putting the tunnel together, and they are meeting and exceeding the expectations there. Subcontract work, again, with Paul's slide, the general contractor is doing an exceptional job of awarding subcontracts to the various minority and emerging women-owned businesses, and they're doing a great job there, and the contractors are performing well, and they are very happy with the progress that they're making. And they're also meeting their goals, our apprenticeship training goals, and they are doing well there also. The budget of the project, again about 128 million has been spent to date. The spending is lagging a little bit from what the projected expenditures were, and I think Paul gave you a little graph there that just shows that they are spending just a little bit less than has been anticipated, but it's early on in the project. But to date that sounds great. Basically the partnership seems to be working exceptionally well. I'm a general contractor, and I know from my standpoint, obviously not with jobs the size of this, but I'm extremely impressed by the organization and just how smoothly that project, as complicated as it is and in the area of town that it's located, to be going as smoothly as it is with -- we have not heard of any complaints -- you know -- from the local businesses down there, and we have an outreach open to receive complaints if there are any, and so for them to be operating in the area that they are doing the job that they're doing, it's tremendous, what they're accomplishing down there. Anyway, from our standpoint as the committee, we're enjoying working with both the city and the contractor and meeting and keeping track of what's going on and of course reporting back to you with what we see, and it's all positive.

Adams: Thank you, Bill, for your service and to the committee as well. This is a long-term commitment. It can be pretty grinding, part of the fun, and we really appreciate your willingness to stick with it.

Martinak: Thank you. Well, I think we're down to what we consider the hardcore group that are very interested in the project now, and so we have a very committed group now on the committee. So it's doing well.

Potter: Thank you, Bill. Anyone signed up to testify?

Moore-Love: He was the only person.

Potter: Is there anyone here who wishes to testify to this matter? This is a report. I need a motion to accept.

Saltzman: So moved.

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Leonard: Seconded.

Potter: Please call the vote.

Adams: Aye.

Leonard: Aye.

Saltzman: I want to say good work, commissioner Adams and bureau of environmental services and our contractors. This is really outstanding and impressive and on schedule, only budget and serving our ratepayers well. Good job.

Potter: I think commissioner Adams has done a superb job, you folks as well as the contractors. And I appreciate the committee's oversight. That's been very helpful to keep an eye on things for us. Thank you, both, and please convey that to your folks at b.e.s. Vote aye. Please read item 1274.

Item 1274.

Potter: Commissioner Sten has asked to have this set over until thursday afternoon when he will be in council. Do I hear any objections to holding this over to thursday? Hearing none, it's moved. Please read item 1275.

Item 1275.

Jeff Baer, Director, Bureau of Purchasing: i'm jeff baer with the bureau of purchasing. Before you is a recommendation to award a Portland water bureau contract to the conduit trestle vulnerability reduction projection to moore excavation incorporated, \$5,195,750,000. I do want to highlight one aspect of this. As you probably had seen in my report was that, at the time this was filed, we had no participation with minority women and emerging small business contractors as part of the project. Since that time, we have been working and have had ongoing dialogue with moore excavation to look at other opportunities because we know we've got approximately eight months before the project begins. At this point, they have awarded a subcontract to a women's business enterprise for trucking, so that is an ongoing dialogue that we're having to look for other opportunities to award subcontracts to women and minorities. We have representatives here if you have any questions.

Potter: Anyone signed up to testify on this matter?

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

Potter: Anyone here who wishes to testify to this matter?

Saltzman: One minority contractor for 220,000?

Baer: No, no, no. We actually have one sub contract awarded since the filing of this report, which indicated zero participation, to a trucking firm, a women-owned business trucking firm.

Saltzman: Totaling 220,000?

Baer: No. I believe it's around 15,000. The 220 --

Saltzman: I realize it's probably a pretty straightforward project in terms of opportunity. I mean, moore excavation sounds like they're probably able to do most of the work themselves, but.

Baer: What we found in our compliance work with them is they had indicated to some degree they were going to be doing a lot of self performance of the different types of work for subcontract opportunities. We went back and asked them to see if they could not self-perform but actually self-contract that work out, which is one of the trucking contracts. We also let out -- they had let out a subcontract request for landscape services as an example, too. So I think it's indicative of the other large --

Saltzman: So some other opportunities perhaps in the course of this contract?

Baer: Correct.

Potter: Other questions? Did we have a sign-up sheet?

Moore-Love: I did not.

Potter: Anyone here that wishes to testify in this matter? Ok. It's a report. I need a motion to accept.

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Leonard: So moved.

Saltzman: Seconded.

Potter: Please call the vote.

Leonard: Aye.

Saltzman: Aye.

Potter: Aye. Please read item 1276. Staff, could you come forward?

Item 1276.

Carmen Merlo, Director, Office of Emergency Management: Good morning. Carmen merlo, the director of office of emergency management. With me is clay morehead. Essentially this will extend the contract to complete the five-year period of performance with c.d.a.

Potter: Do the commissioners have any questions? I think we're going to have to -- is anyone signed up to testify on this matter?

Moore-Love: I did not have -- oh. I did have a sign-up sheet, and no one signed up.

Potter: Is there anyone here who wishes to testify to this matter? Since its an emergency vote, we'll have to wait till commissioner Adams returns.

Saltzman: Let me just take this opportunity to congratulate the poem office, Carmen merlo in particular, for a very successful toffoff exercise last week.

Merlo: Appreciate that.

Saltzman: Couldn't help but noting with everything going on fire-wise in southern california just how lucky we were that the toffoff was last week as opposed to this week.

Merlo: Absolutely.

Potter: And I want to convey my thanks to poem staff. You folks did a wonderful job of organizing it. Obviously the test is to sort of see what we do under pressure, and I think you folks excelled. I was so impressed with the first responders, first fire and police. They just did, I think, a masterful -- and I use that word exactly -- a masterful job at the scene. And I know they got a lot of accolades from the feds who were the observers in this. I am very pleased. There's a lot we're learned from it, and we're going to apply it into the future. And I think that certainly the disaster policy council played an importance role. I want to -- an important role. I want to thank those folks as well.

Merlo: Thank you very much. Appreciate it.

Moore-Love: He's on his way back.

Potter: Why don't we go to item 1277. It's a second reading. Please call the vote.

Item 1277.

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

Potter: Please read item 1278.

Moore-Love: Do you want to do the vote on 1276?

Item 1276 roll.

Potter: Yes. **Adams:** Aye. **Leonard:** Aye. **Saltzman:** Aye.

Potter: Aye. Please read item 1278.

Item 1278.

Potter: Second reading. Call the vote.

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

Potter: Aye. Please read item 1279.

Item 1279.

Potter: Commissioner Adams?

Adams: Patrick.

Patrick Sweeny, Bureau of Transportation: What I can do is provide a quick background and then what u.r.s. Proposes to do. My name is patrick sweeney, senior transit planner with the office of transportation. The background on the ordinance in front of you is in july of this year, pdot went

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under or submitted a formal r.f.p. Process for a streetcar system plan. Four bids were received. The proposals were reviewed. The review team for the proposals that I put together, I specifically wanted to have a broad representation of the agencies that we're going to be working with, so the five-member review panel, we had somebody from pdot, somebody from bureau of planning, from p.d.c., from tri-met, and from metro. Three consultant teams were interviewed in early september of this year and the u.r.s. Team was selected. U.r.s. Will work with the city and with a citizen-led advisory committee and a technical committee to develop a streetcar system plan. City staff will be reporting back to the planning commission and city council at interim times throughout the project to keep you updated on what the results of the project studies are. And actually the first time to check back with you is on november 13th when there -- 13th when there is a joint working session where bureau of planning is going to be presenting some information on the Portland plan of which the streetcar system plan will be feeding information into that. I'll be seeing you on november 13th. Then we have another scheduled feedback to the planning commission on december 11th and there will be other times scheduled. The project end date is proposed to be june, 2008, at which time we'll be back with a streetcar system plan for city adoption.

Saltzman: So the \$300,000 is general transportation revenue?

Sweeney: It is a combination of d.t.r. Funds and f.t.a. Grants.

Saltzman: What's the breakdown?

Sweeney: The breakdown is it's a 200,000 f.t.a. Grant, and it's 303,000 g.t.r. Funds.

Adams: The g.t.r. Funds in part were funded as part of the special appropriation I asked from council last budget and received.

Saltzman: It says here the total sum of the contract is \$300,000. Is that just the g.t.r. Portion?

Adams: It's just the u.-rs. Portion.

Saltzman: I see. Thanks.

Sweeney: Any other questions?

Adams: Thanks.

Potter: Is there anyone signed up to testify on this matter?

Moore-Love: No one signed up.

Adams: Thought about packing the chamber, but --

Potter: Anyone here who wishes to testify to this matter? Emergency vote. Please call the vote.

Adams: Well, this is in response to a number of policies, the citywide streetcar systems plan for which we currently do not have one. The old regional plan is now going on 25, 30 years old, so we're doing this in partnership with tri-met and the bureau of planning as part of the overall Portland planning project. And this is responsive to a number of important growing quality of life concerns. One, we need to provide more cheap alternatives for folks to get around. Americans are now spending more on transportation than they are on food on a monthly basis. This is responsive to peak oil where the price per barrel of petroleum oil is now over \$80, and it's responsive to the greenhouse gas goals that we set for ourselves and the fact that there's going to be a million people moving into our region, 300,000 here in the city of Portland, and it's my goal to try to find -- to filth that 300,000 within a quarter mile of existing transit to protect the existing single family homes. So we have a great oversight committee as part of this effort, and patrick's doing -- you're doing a great job. Really appreciate it. And happy to have u.r.s., which has been part of the city's consulting streetcar team, I think, since the inception of the modern streetcar back into the city of Portland. So i'm glad that they're part of it. Aye.

Leonard: Aye.

Saltzman: Aye.

Potter: Aye. Please read item 1280.

Item 1280.

Potter: Commissioner Adams?

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Adams: So commissioner Saltzman has the Portland parks bureau, and commissioner Leonard has the hydroparks and the Portland office of transportation, we are cokeepers with a lot of great people from the private sector and this provides a revocable permit to keep a good thing going.

Christine Leon, Bureau of Transportation: Good morning. My name is christine leon, and i'm with the Portland bureau of transportation. I think that's what we are now. And essentially, as commissioner Adams has said, that's what we are bringing forward is a landscape agreement for them to maintain the peace park, which they essentially established, and it just so happens to be located in the right-of-way. So a number of folks from the peace memorial park foundation are going to speak in addition to brad perkins, who is the person responsible for this effort. So i'm going to turn it over to them. I'll be here if you have any questions.

Adams: Brad, who else do you want to have come up?

Brad Perkins: Brad perkins, president of peace memorial park foundation. Thank you for allowing us to have this ordinance come before you and especially thank you, commissioner Adams and mayor Potter, for assisting us to this point. When the holocaust memorial was created in Portland's Washington park five years ago, I felt we needed to do more to avoid wars and violent conflicts which create an environment to inflict crimes against humanity and get away with it in today's wars, 90% of the casualties are innocent victims with the majority being children. In world war i, there was 4% civilian casualties. Memorials of today and yesterday do not address this fact. Blame is directed towards the germans of world war ii. Holocaust or the middle eastern terrorists are today. Yet our american government has had its share of violent acts against american indians, phillippinos, japanese, vietnamese, cambodians, panamanians, and now iraqis. As a community, we need to do our part to avoid acts of violence. To create this memorial to peace is a small step in shifting away from a history of a war-dominated society. In Oregon, we are fortunately moving towards a nonmilitary peace economy and prioritizing sustainability. Let us stop and think for a minute about sustainability -- sustainability. Parks and streets belong to us all, our public servants designed to maintain them. We feel delighted that we as citizens have the opportunity to design, develop, and maintain this once neglected piece of land. It's a beautiful site overlooking Portland situated between two bridges serving pedestrians, bicyclists, motorists, max, amtrak, and freight trains. Within a few short years for a permanent memorial to peace, this site will become a destination point spotting home for peace. The city of Portland could not ask for a more dedicated group as the veterans for peace of Portland to help maintain the peace memorial park. Veterans for peace adopted the landscape officially from the city over a year and a half ago. Since then, we have incorporated the subgroup, the peace memorial park foundation of Portland, Oregon, with the majority of its members affiliated with veterans for peace. The foundation's main responsibility, besides maintaining the park is is to raise funds and hold a design competition for the development of a permanent peace memorial with cooperation of the city of Portland. The peace memorial park of Portland, Oregon, was envisioned as a permanent place for educating people so they can reflect upon the countless lives that have been lost due to wars and violent conflicts. Once a park is dedicated and a peace -- is dedicated and a peace memorial developed, we hope it will minimize the violent conflicts in the world it affects. The more we as citizens and leaders strive for truth and deal with respect toward other people, it is greater our success to prevent war be a strong diplomatic priority. I want to end by a quote not from an innocent civilian casual of war but a soldier harmed for life due to bush's war and occupation. Darrell anderson, a soldier from the u.s. Army 1st armored division, who served in iraq, went awol for two years and then turned himself in last october. He states no matter what we're doing or what we're trying, it's inevitable that, if you participate in an occupation, you will commit war crimes. From my experience in iraq, I believe there is no way I could return to iraq and follow orders without killing innocent people, committing war crimes, and eventually reaching the point where I commit massacres, because enough of my

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friends have died. Thank you for this consideration for -- to us. It's a very important first step in this community towards making this a permanent memorial to peace. Thank you for your time.

Adams: Thanks, brad, and thank you for all your leadership and hard work on this. Would either one of you like to say anything?

Malcom Chaddock: My name is malcolm chaddock. I was fortunate to be one of the first people that mr. Perkins informed about this project, and from the moment I heard about it, I knew it was something that had to be done. This opportunity to keep this thing going is very greatly appreciated by me and others that i've spoken to. It's a focal point for us here in town to gather, to sit and reflect, and offers excellent -- it's a good space for people to cup and think about what's happening. And I just wanted to express my appreciation for allowing us to do this. Thank you.

Harvey Thorstad: I'm harvey thorstad, commander u.s. Navy, retired. President veterans for peace chapter 72, vietnam vet, member of the board of directors peace memorial park. Basically I wish to express thanks for the support you've given to peace memorial park over its existence from being part of the dedication ceremony to some of you, just earlier this month, being present at the peace walk to speak. You know the park well. Thank you for your support. I support this resolution. Thank you.

Adams: Thank you all. There is a sign-up sheet?

*****: Clerk: Yes. We have two more speakers, joe walsh and christie murray.

Potter: Please state your name for the record, and you have three minutes.

Cristy Murray: My name is christie murray, and I am also a board member of the peace memorial park foundation of Portland, Oregon. Mayor and commissioners, I just want to thank you very much for allowing us to have this space. It's really important, I think, for people to shift their focus away from thinking about war as a way of securing our country and start thinking about peaceful solutions to things. So that's -- I don't need my three minutes. I just wanted to come in and say "thank you."

Joe Walsh: My name is joe walsh, and I also just came to say "thanks." i've been here seven times. I've only gotten the opportunity to say "thanks" once, and that's today. The peace memorial, it seems that peace should be the norm and war should be the exception. At the memorial, you get that feeling that peace is the norm and war is the exception and not opposites and the political football is that we are just out of sync. Wouldn't it be great to use all of the money that we are now spending on the norm, the norm being peace, the exception being war? It's the opposite today. War is the norm. Peace is the exception. And that is so sad as a human race. We can do better. You have done better. And I just came to say "thank you" very much for what you're doing with the memorial park. It's a great step. Thank you.

Moore-Love: We have two more names, grant remington and robert goss.

Grant Remington: My name is grant lemming ton. I'm the president emeritus of veterans of peace chapter 77. Part of our statement of purpose for veterans for peace is to seek justice for victims of war. You may notice that I wear this orange kerchief around my neck. That's in solidarity for the agent orange victims, the vietnamese agent orange victims who have brought suit against the chemical companies. And I think that, by keeping the victims visible, we can then maybe bring some visibility to what war does, and that's the purpose of the peace memorial park is to remind people that war has victims and that they should be remembered and that we should think about how we can stop having those victims. And I would like to thank the council, mr. Mayor, especially for your dedication when we did the dedication ceremony. It was great. We have it on d.v.d., by the way. And I talked to commissioner Saltzman a few weeks ago at the peace walk promoted by the department of peace, and he was very supportive of the idea of having a peace park there, and hopefully we'll get a garbage can.

*****: [laughter]

Saltzman: I haven't forgotten that.

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Remington: Ok. At other thing is that you can see it from satellites. It's kind of nice that, when people zoom in down to the rose garden, there's a big peace symbol sitting there right in the middle of city of Portland. So I would like to thank you again, and i'd like to thank all of the volunteers and the work of the veterans' memorial foundation for their hard work. And i'd also like to thank an anonymous donor who granted veterans for peace the man which we then forwarded on to the peace park so they would have some starter funds so they could keep things going. It's a great place. It's been used by more than just veterans for peace as a space where they can talk, have their meetings, marches, whatever. It's a great deal. And also i'd like to thank bob, because bob has been one of our most staunch maintainers over there, and i'd like to thank all of the volunteers that helped plant the thousands of plants we've planted there. Thank you very much.

Bob Goss: My name is bob goss. I'm a member of veterans for peace chapter 72 here in Portland. I'd like to thank the city council for considering this resolution. I think it's important to our group as well as the city. I think it would benefit both parties. It would allow us to -- it would add some weight to our independent fundraising efforts as we try to develop the park as a memorial to peace and to all the victims of war. We also would like to see it as a place where teachers in the school district could bring children and just educate the concept -- educate the students toward the concept of peace. There is a lot of movies, there's a lot of media out there that revolves around how glorious war is, and we're just trying to add a little weight to the other side that peace could be glorious in its own right. The veterans for peace chapter 72 and the peace park memorial foundation is very dedicated to maintaining and developing this site. In the last two years, we've had three planning parties. Plants -- planting parties where we've planted about 6000 annuals. We took the site from a patch of weeds to a fairly nice garden. We would like to continue in that effort. We have some visions on what we would like to do in terms of memorials or teaching aids at the site. And so it would be very important to us to be vested into the site. I know myself personally, i've been down there may through october about two or three hours every week mowing the grass, raking it, picking up the trash after the homeless that sleep along the bank there above the railroad tracks. I've even gotten to know a few of those guys by name, so they tend to take care of things. We put a lot of time and a lot of effort and a couple thousand dollars into fertilizer and all organic, by the way, fertilizers, gypsum, lime, you maim it, corn glue 10. We've really enriched the soil quite a bit. I think it would benefit the city in that you could be assured that we would continue our efforts over there, and it would be a nice site for pova to bring tourists by. There are not many municipalities in the country that have an actual site dedicated to the furtherance of peace. So you would be assure the that veterans for peace 72 would be able to take care of it in the future. Thank you very much. *****: Thank you.

Potter: Is there anybody here who has not signed up who wishes to address this issue? It's a nonemergency and moves to a second reading. Would any of the commissioners wish to make any statements? This basically means we'll be hearing it next week.

Moore-Love: That will be on the 9:30 regular agenda on the 31st.

Saltzman: I would just like to voice my support for the peace memorial and for particularly the leadership of veterans for peace chapter 72 and for brad perkins and for getting this going. I did have the pleasure of being there a couple weeks ago for the peace march and had an opportunity conversation with grant not only about the trash can, which we will get there -- [laughter]

Saltzman: -- but I did ask them why they plant annuals and not perennials. It just seemed like the easiest way to go. But his answer was very interesting, because the annuals really provide the opportunity to get people together, to gather people together to tend to the garden. So it's a community-building exercise as well. So I thought that was very interesting, too. Appreciate all the work, and i'll definitely be pleased to support this next week. Thanks.

Leonard: And I as well. I really appreciated, brad, your remarks. They were clearly heartfelt. L as sam pointed out, we have Portland parks and water bureau hydroparks and this may be the

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smallest in terms of size of any of those, it certainly is one of the most significant places that we'll have in the city that symbolizes what most Portlanders stand for, and that's peace and community. This is a great project, and i'm looking forward to coming and visiting all of you and helping as well in the annual plantings.

Potter: I want to thank brad. I remember when you brought this project forward a few years ago, some people thought it was a pipe dream that you obviously stuck with. I want to thank the veterans for peace. You know, we can -- it's difficult to argue against a peace park, but what I think the peace park does is ask us the question "would you argue for peace, and would you work for peace?" because I don't think peace just happens on its own. I think we have to work towards that. So who better to carry that argument forward than veterans who understand the consequences of war clearer than perhaps anybody else? I really want to thank you folks and brad for what you folks have done. And also for commissioner Adams. I'm proud of pdot's peace park, and I think that i'd like to invite our citizens to go and visit it. It's very easy to find. It's right down by the rose garden, and a lot of traffic goes by every day, and perhaps many people don't understand what's there. But if you look at an aerial view of peace park with the peace symbol, it's a very moving park. So thank you all. We'll be taking a final vote next week. But don't lose any sleep over that part.

*****: [laughter]

Potter: Thank you. Please read item 1281.

Item 1281.

Potter: Commissioner Adams, did you wish to pull this back to your office?

Adams: Please.

Potter: Any objection from the commissioners?

Saltzman: No. I guess I just wanted to clarify that my understanding was this original contract was a sole-source contract and it looked to me from my reading of the contract rules that it didn't fit our criteria for sole-source contracts, which raised into question amending the sole source down the road. So your intent now is to make this a competitive contract? Ok. Thank you.

Potter: Please read item 1282. Commissioner Saltzman?

Item 1282.

Saltzman: Thank you, mr. Mayor. This grant from the u.s. Department of energy for the solar american initiative will allow us to expand the city's solar program, solar now, run by the office of sustainable development. The solar now campaign is part of sustainable industry's clean energy initiatives, and the goal is to increase the market demand for solar energy systems throughout Portland and to lower the barriers to solar adoption. In june, performed was selected by the u.s. Department of energy to be a solar city, one of only 13 in the u.s. And the only one in the pacific northwest. So here to give us more information is susan anderson, the director of the sustainable development office.

Susan Anderson, Director, Office of Sustainable Development: I was just thinking of connecting to our last speakers and how peace should be the norm, and I think, over the past few years through the work that you all have done and many of the offices and throughout the community, I think sustainability is beginning to be the norm and healthy environment, healthy people, healthy community, and that short-term thinking, pollution and wastefulness, is beginning to be the exception. So I think there's a lot of connections between those two things. About a year ago, you gave me the opportunity to go ahead and pursue trying to get more commercial than residential solar systems installed in Portland. We hired some staff, did some research, we began the project and called it solar now, and we set a goal of 100 p.v. Solar water heater systems throughout the city of Portland. We started our workshops in january, held the first one. We thought 50 or 60 people might show up. 140 people showed up to the first one. We then held 10 more and have had 1200 people coming to the workshops learning about the technologies, learning about tax credits and incentives and meeting contractors. So things are on the move. We held a

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kickoff -- too much tophoff or whatever that was. We held kind of a campaign party. We're running this a lot like a campaign, and with we invited many of the influential businesses and community leaders and challenged them also to go solar, and the challenge has worked. When I tend to set goals, I to end make them very much stretch goals. When we set the 100 goal, I didn't think we would really meet it. It's now october. We've got 109 systems already installed. We're very excited and have three more months to go to the end of the year. So that's a 70% increase over last year before we started the marketing and education. We have some great partners with the energy trust, Portland general electric and many others, and they're very overjoyed about all of this. We said we should expand this and be able to continue working on this. We applied to the u.s. Department of energy to get a grant to continue this work, and we had some pretty stiff competition from places that have a whole lot more than Portland, and we managed to have a winning proposal and acquired the \$200,000. So we know, if we're going to succeed, our partnerships are central. We have great partnerships with the state's nonprofits but most importantly with the trade groups and unions in terms of getting actual work done. We're working with other city bureaus, the bureau of development services, to streamline the permitting process. We're working with parks. We're helping them get \$260,000 in grants for solar at the east Portland community center. The water bureau is investigating solar tests for well fields, and we have 12 other great sites, group facility services, parks, pdot, fire, around environmental services that we're working on. To wrap up, just a year ago, things weren't quite moving, but we've seen an incredible increase, kind of attraction really in the whole issue of solar. I think it goes along with the bicycling. These things are taking off, and people are seeing them from an environmental and economic point of view. Since we started the project, more than 25 new solar contractors and installers have started working throughout the state, and 13 of those are located in Portland. Many of these are people who were plumbers and electricians who realized there was money to be made in this new kind of economy, and they've grown their businesses to include solar because of the opportunities in the market. So the energy trust, which is one of our partners, now has 70 trade allies in the solar program. As you know, we also have two solar manufacturers that are going to be in the Portland, region, solar world in hillsboro, which expects to hire 1000 people by 2009, and solaics, which plans to have 100 more people in Portland by the end of 2007. We are planning 100 more systems by the end of 2008. The way things are going, i'm pretty sure we'll meet that and probably be able to increase our goals. We're going to do an inventory of all city facilities. We're going expand our marketing efforts to more companies. We've found that working with some of the larger employers in our area that we can get to their employers by working through them. We've found, once people begin to share their stories about their photo la stayic system or their solar hot water system that it catches on and work gets done. There's nothing better than personal communication and one-on-one stories to get people to act. I mostly wanted to say "thank you" for giving me the initial bit of money to get this going. I think your investment will pay significant dividends as we move forward in the future. Thanks.

Potter: Is anyone signed up to testify on this?

Moore-Love: No one signed up.

Potter: Is there anyone here who wishes to address this issue? It's an emergency. Please call the vote.

Adams: Aye.

Leonard: Great work. Thanks. Aye.

Saltzman: Very good work. I hope my system will be one of the -- hopefully my system will be the .10 before the end of the year. My solar hot water system.

Adams: At your house?

Saltzman: That's my plan, yes.

Adams: Wow: You have hot water? That's great. I can't afford hot water.

Saltzman: Aye.

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Potter: Susan, actually i'm interested in that as well.

Anderson: All right. We'll sign you up.

Potter: I would challenge all of us sitting up here to think about that. But, you know, a lot of citizens listening to this would be interested. Who would they call or is there a web site they could go to for more information?

Anderson: They can go to our web site at sustainable Portland.org and from there be able to get a lot of great information on tax credits and incentives and who the contractors are that are out there.

Adams: How much does it cost? I'm sorry. You're votes, arrange -- you're voting, aren't you?

Potter: Go ahead.

Anderson: The amazing thing is, for a business, there's about 70 to 80% tax credits that are out there, a mix of federal and state, and local incentives from the energy trust. For a residential hot water system, the end cost is about \$2500 to \$3000. And depending on how many people. If you invite a lot of friends over to your house or if you have three kids like me, you can pay that off pretty quick.

Adams: I don't have any friends.

*******:** I'll come over, and we'll use up a lot of hot water.

Adams: Ok.

Potter: I vote aye.

Leonard: Kind of got lost in that. [laughter]

Adams: Sorry.

Potter: Just trying to visualize some of that, but --

Leonard: Yeah. Wow.

Adams: I was intrigued that commissioner Saltzman is getting solar hot water.

Potter: I think it's a great program, and certainly there are a lot of incentives. I would hope a lot of businesses and citizens apply for it. Please read 1283.

Item 1283.

Saltzman: This is pretty straightforward. Thanks to the generosity of tom moyer and t.m.t. Development, we have before us an ordinance accepting \$1 million to be used for the cost of south park block five. Just so people are clear, this is not the private donation that was discussed in this year's budget process. And it truly is testament that he was willing to forego naming rights so the parks system could pursue a private donor. A private donor has emerged. As you recall from last year's budget process, both p.d.c. And our general fund will be matching the private donor's donation. I urge support for this donation.

Allison Rouse, Portland Parks and Recreation: I'm allison rouse with the parks department and here to answer any questions you may have about the ordinance.

Potter: Didn't mr. Moyer also donate the land above the park?

Rouse: He did indeed, valued at somewhere between 6 million and \$7 million.

Potter: Is there anyone signed up to testify on this matter?

Moore-Love: Though 1 signed up.

Potter: It's an emergency. Please call the vote.

Adams: Thank you, mr. Moyer, and the entire team at the team t development company. Aye.

Leonard: Thank you. Tom is a true stand-out citizen of Portland, and this really is a testament to his work for Portlanders. Aye.

Saltzman: Aye.

Potter: I think Portland is Portland because of folks like tom moyer and his philanthropy. It's not the first time, and it probably won't be the last time. I'd like to thank him and the parks bureau and vote aye. Please call 1284.

Item 1284.

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Saltzman: The design of south park block five has evolved astin input as well as bureau input has been sought. One of the key design issues that has emerged from this input is the right-of-way around south park block five, o'brien square, and all the way to burnside. This amendment will allow zimmer to perform the important work of concept actual design, a feasibility study, and final design for the upgraded park. I urge support.

Potter: Questions? Anyone here to wishes to testify to this matter? Emergency. Please call the vote.

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

Potter: Aye. 1285.

Item 1285.

Potter: Actually it's a second reading. Call the vote.

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

Potter: Aye. Recessed until 2:00 p.m. Thursday.

At 11:25 a.m., Council recessed.

October 25, 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 is a rough-draft transcript only. The text is the byproduct of the captioning of this program. The text has not been proofread and should not be considered a final transcript.]

OCTOBER 25, 2007 2:00 PM

Come to order. Please call the roll. [roll taken] [gavel pounded]

Item 1286.

Potter: I'd like to remind the folks, prior to offering public testimony, the city council, the lobbyists must declare which lobbying entity he or she is authorized to represent. Please read the 2:00 p.m. Time certain. [item read]

Potter: The city attorney will describe the hearing process.

Tracy Reeve, Sr. Deputy City Attorney: This is an on the record hearing. This means you must limit your testimony to material and issues in the record. This hearing is designed only to decide if the hearings officer made the correct decision based on the evidence presented to him. If you start to talk about new issues or try to present new evidence today, you may be interrupted and reminded you must limit your testimony to the record. We will begin with a staff report by the bureau of development services staff for approximately 10 minutes. Following the staff report, the city council will hear from interested persons in the following order. The appellant will go first and have 10 minutes to present his or her case, following the appellant persons who support the appeal will go next. Each person will have three minutes to speak to the council. The principle opponent will have 15 minutes to address the city council and rebut the appellant's presentation. After the principal opponent, the council will hear from persons who oppose the appeal. Each person will have three minutes. Finally, the appellant will have five minutes to read back the [inaudible] of the appeal. The council may close the hearing and deliberate and take a vote on the appeal. If the vote is a tentative vote, the council will pick a future date for the adoption of findings and a final vote on the appeal. If the council takes a final vote today, that will conclude the matter before the council. I would like to announce several guidelines for those who will be addressing the city council today.

Again, this is an on the record hearing. This means that you must limit your remarks, arguments based on the record compiled by the hearings officer. You may refer to evidence that was previously submitted to the hearings officer. You may not submit new evidence today that was not submitted to the hearings officer. If your argument includes new evidence or issues, the council will not consider it, and it will be rejected in the city council's final decision. If you believe a person who addressed the city council today improperly presented new evidence or presented illegal arguments that relies on evidence that is not in the record, you may object to that argument. Finally, under state law, only issues that will raise before the hearings officer may be raised in this appeal to city council. If you believe another person has raised issues today that were not raised before the hearings officer, you may object to council's consideration of that issue.

Potter: Do any members of council wish to declare a conflict of interest? No council members have a conflict of interest to declare. Do any members of council have any ex parte contacts to declare or information gathered outside of the hearings to disclose? No council members have ex parte contacts to declare. Any member of council have questions or other primary matters that need

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to be addressed before we begin the hearing? I'm going to begin the hearing with, with a staff report from the bureau development services.

Kimberly Parsons, Bureau of Development Services: Good afternoon, i'm kimberly parsons of development services. This is a presentation for appeal 06-185546 PD M. The purpose of the hearing is to consider an appeal of the hearings officer decision to deny a plan development review for a 73-unit four and five-story mixed use building and modifications to the development standards. The applicant requested a review for a 73-unit residential and commercial building. The review was triggered because the applicant is transferring residential density from the cg to the r3 portion of the site. Several modifications to the development standards were requested. With the exception of the height modifications, the criteria were found to be met. Now, the focus of today's hearing is the modification to increase the height in the r3 zone by 10 feet, and to increase the height in the cg zone by 11.5 feet. These are the citations for the relevant approval criteria for the planned development review. And the modifications to the development standards. The hearings officer denied the proposal due to the following criteria not being met. 3365.310a and b to visually integrate the development into the surrounding area. 33665-320d, modification to increase the height in the r3 and cg zone and 33665340b tree preservation. The decision also listed the development standard that was not met for parking. The site is located at the corner of southeast powell and southeast 174th. The site is zoned r3, multi-dwelling residential, on the northern third, and cg, general commercial on the remaining portion. The r3 zone is characterized as generally one and two-story buildings with a relatively low building coverage. A major type of development in the zone is townhouses and small multi-dwelling residences. The cg zone is characterized as generally on or accommodating commercial development. The site is also located within the johnson creek basin plan district south subdistrict, which limits impervious surface area to a maximum of 50% of the site, and the project met the standard with the use of pervious pay [inaudible] for the parking areas. The surrounding area is, is best characterized as transitioning from low density, multi-dwelling development, to more intense multi-family and commercial uses. And the site here is outlined in red. South of the site is generally underdeveloped with one story commercial buildings set away from the streets and surrounded by parking. To the east and west of the site are two-story apartment buildings scattered around the properties with open lawn areas and separate parking areas. And then to the north the site, is generally one and two-story single family homes. This shows the location of the building on the site pushed toward the corner of the property with parking areas and landscaping. This plan also reflects the approximately 8,900 square feet of street dedication being required by, by the Oregon department of transportation, as well as Portland office of transportation. So the odot dedication requirements on southeast powell are approximately 23 feet, and the pdot requirements for dedication on southeast 174th range from 10 to 25 feet. This elevation of the building shows the five stories in the cg at the corner of the site, and then dropping down to the four stories within the r3 zone. And these are other views of the, of the proposed project showing the five and four-story elevations of the building along 174th. And then this shows the view of the building from southeast powell. This is the site facing southwest, so there are a couple buildings currently located there, and then this is facing north from the site, so you could see the single family development in the background. And then this is facing southeast powell, facing east at the, at the powell and 174th intersection, and you could see some of the commercial development that exists. And then this is the typical multi-dwelling development. This is a representative of the one-story development in the area and existing buildings are located across the street from the site and adjacent to the site. And then this is representative of, of the low intensity one-story commercial development in the area. The appellant listed the following points in their appeals statement. The appellant stated that the additional planting was proposed to mitigate for preserving 31% into those 35%, total tree diameter on the site, and the proposal meets the criteria, so if the project is approved by council, this will need to be clarified in the decision. The second

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issue is that there is a statement in the conclusion of the hearings officer decision about the, but the applicant hasn't met parking requirements, but with conditions of approval, they can be met, so this would also need to be clarified in the decision if approved. And the main focus of the appeal is the height modification, and the appellant states that the proposed project will visually integrate with the surrounding area and therefore, should be improved. For the modification, the criteria required at the proposal must better visually integrate the development into the surrounding area. And the hearings officer found that even under the current height standards of 35 feet in the r3 zone and 45 feet in the cg zone, the proposed building would be considerably taller than any building in the surrounding area. And as I pointed out, in the slide, it is generally one to two stories tall. The hearings officer went on to say that the proposed development would be only comparable in height to future developments that could be built on the surrounding property. The hearings officer found that further increasing the height does not promote a reasonable building scale and relationship of one residence to another. Increasing the building height by 10 feet and the r3 zone and 11.5 feet in the cg zone is not consistent with the purpose of the height standards of the base [inaudible]. The hearings officer found the applicant has failed to show how a taller building than the existing maximum height better visually integrates the project into the surrounding area, and not this, and this criterion was not met. So in summary, the applicant's true preservation plan does meet the criteria so the findings should be clarified if approved. The parking requirements can be met with conditions, so the conclusion statement should be clarified if approved, and however, the hearings officer found that increasing the height does not promote a reasonable building scale in relationship of one resident to another, and the hearings officer found that the applicant has failed to show how a taller building than the existing maximum height better visually integrates the project into the surrounding area. The alternatives before council today are to deny the appeal, which would uphold the officer decision for denial of the proposal or to uphold the appeal, overturning the hearings officer decision and adopt proposed findings and conditions of approval. That concludes my presentation.

Potter: Thank you. Could the appellant please come forward? When you speak, please state your name for the record, and you have up to 10 minutes.

Mark Dane, Blue Sky Planning: Good afternoon. I am mark dane, principal of blue sky planning. Beside me is Ralph tehran, the principle architect, and we're here today representing erik rystad. We're here before you because, because we believe that the hearings officer erred on all three of his opinions. To give you a brief history, we started the project in june of 2006 with a three-story project with 100 units apartment condominium. Given the fact that we found that we were in the johnson creek subarea, with 50% of the property was automatically removed for impervious area, we then also discovered that, that a substantial portion of the property would be taken for the odot highway and for 174. Essentially, we were left with, with one-third of the area that we started with to build. We could build a one-third of the gross site area, we [inaudible] in january, got a completion in may, and hoped to be on hearing in june. Unfortunately, staff was not able to receive the responses they needed, so the hearing went on to july. Unfortunately, staff couldn't receive the responses they needed again so we pushed back to august. And, and the day of the hearing, there was still responses that hadn't occurred. We got one response from odot. Essentially, what I am trying to say here is material was moving in right to the last day, and the hearings officer was put in a difficult position. He was put in a difficult position because the issue at stake, putting aside the parking and the trees, which were mistakes, without question, was that he was being asked to, to judge the height modification and asked to judge, essentially, an architectural standard. Being a land use attorney, he was put in a very difficult situation. As we move forward, there are flawed nod for the modification of height. The project is by a local builder trying to construct affordable housing. Hopefully, selling at 140,000 apiece. This area is, is not downtown. It's not hip and trendy, and not an urban renewal district. This is powell and 174th. This is an area

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that, that has not been invested in, but this is, this is the southeast gateway to your city. This, this is the entrance on a state highway with a right-of-way. 105-foot wide, and 174th. This is a massive intersection. This property right now is a vacant lot. It is surrounded by, by, by some interesting projects. This is we're the property is right now. Vacant. Essentially, used for christmas trees. Across the road, pumps, not even a gas station, essentially, a series of pumps. Behind it, some old apartments. 312 pitch, [inaudible] siding. Been around for a long time. Across the road, a massive sea of asphalt with some tilt tops and some blue awnings. One thing we are seeing here is plastic blue awnings which have precedence in this area a few other things on 124th, 500 feet south of 124th, there are some existing houses directly to the north of the property, and there is this house. This is being torn down for some townhomes. What we have, and what we're proposing is, is a property that will step down from the corner from five stories at the intersection to four stories on the north end, and with 50-foot of spacing to the adjacent property, which is being rezoned to r2, which will allow a three-story townhome, which, which, interestingly enough, with a peak roof, go up to 47 feet and higher than the roof that we're proposing, the flat roof that we're proposing, and after that, r7 to the north, two-story houses --

Leonard: What was the last statement?

Dane: What I was saying is we were required to do flat roof, flat roofs to work with the commercial area, and the, the property to the north is going to be rezoned r2

Leonard: Ok. Gotcha.

Dane: And we are proposing to do the flat roof zoning but the property to the north is developed with the townhouse, which, with the three-story, it's allowed to go at the r2 to 40 feet in height. 12-12 pitch, say, I don't know, on a, on a, on a 30-foot wide house, 15-foot height. 7.5, so 47.5 feet, is the development to the north would, actually, be 2.5 feet higher than our development

Leonard: Thank you.

Dane: So five, four, three, and then beyond that, the r7, two-story. We are stating here that we are transitioning with bricks, not tilt ups. With car slaps, not tilt tops, with color, not wage, with walls, not chain-link fences with contrast and not repetition. We believe that, that, as the hearings officer did state, that this building does not meet the asphalt. It does not have blue banners. It does not tilt up. This is a quality product and matches the intended uses, the intended height. We are trying to see we're this area will go in the future. We designed this project for the future, not for the past.

Mark Tehran: Thank you. I'm going to talk as fast as I can to meet the time limit of course I am the architect. As mark mentioned, we started out with a three-story project as we would in a suburban location, like this, however, with a 50% coverage requirement in johnson creek overlay, plus we got 16% of our property taken away by odot, and, and this is not just a dedication. We are required to build this intersection. We have no public financing. We have no public subsidies, nor are we asking for it. What we are doing is, is shifting from three-story development and saying, ok, it's also a transit street. When you saw the aerial photos, did you think that that was transit development? It's not. We do not integrate with that surrounding development. Nor could we get a project approved in the city of Portland if we did visually integrate with what is currently there. This is a hope for the future. This is an extremely bold move on the developer's part to, to say, ok, with all those constraints, what do you guys do? Well, we have had to push the envelope in every place that we possibly can. Our maximum density required is, is 105 units, and we started with 100 as mark said, but as our site became whittled and whittled, and doing a lot of things that I do on very urban projects, such as pervious pavers to meet the stormwater requirements, we've invented a new stormwater standard for odot, and odot/city of Portland standard, and along the way, and, and by the way, we had to design a building, so what we did was, was fall back on one of the accepted urban design standards in the city of Portland. We are, we are the, the gateway to the city of Portland from, from the east side, and, and we fell back on saying we need to, to, to build up the corner. Build a strong corner and bring our, our project up to the street and presume a building that,

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that is one that will provide hope for, for other buildings in this area. I think that this project will provide a, a strong vote of confidence for redevelopment in this area, and, and show that we need to finally start doing something to develop a transit street. We spent thousands and thousands of dollars and time, staff time and, and various agency time to try to figure out what do we do on this edge? And what we have ended up with in our proposal is, is a project we're we had to stretch the height to be able to get reasonable living units, and, and we are at 73 living units right now with this minor height adjustment that we're asking for. We're asking up at the corner, we have very generous setbacks for a project of this kind of density. We're 50 feet away from the property line to the north side. We're 14 feet away from the two-story 1970's apartment building to the west of us. We feel that we've been very responsible in our design, and we have taken and applied all kinds of urban design aspects that I normally would apply in a luxury type of development. We're doing it in a modest setting, providing very, very dignified though at an entry level cost. We've got all of the tried and true traditions of the city of Portland. Buildings with brick face, a body, a strong cornice line and a cap. It's all the things that we try to do as we're building our community. We have set the building back five feet up on the top. Actually, when we went into the hearings officer meeting, actually we had approval or, or a recommendation of approval from the city staff of our height. The height hasn't been an issue. The height has been send as something that is a reasonable thing to accept in this, in this corner. This is a very harsh corner. It has nothing around it. There is nothing to relate to. And what, what was in argument is, can we come out in areas, have an undulating top level? We never got a chance to discuss that. We never have gotten a chance to talk design, design, and, and I have a strong feeling if I would have been able to go to the design commission as I normally do on something like this, that a design advisory request would have encouraged this approach and probably applauded this approach in terms of it being a creative, innovative way of providing up to the maximum density that we can possibly have. I really, really encourage you to, to support our requests. This is the final piece of this project to do something good on this corner. There is so many positive attributes to this project, that it would be a shame for it to go away and have it start over. I sincerely ask your support for this project, and I would be happy to, to answer any questions in whatever detail that you would like to ask. Thank you very much.

Dane: Are there any questions, gentlemen?

Leonard: I want to start off by saying, I think i'm probably more familiar with this intersection than my colleagues. I live out this way. Drive this way often, and, um, will say that if anything, you underestimated the importance of a project that you are proposing for the conditions that currently exist. You haven't pointed out, and I will, that right across the street there was an albertson's store that was closed a long time ago that now sits boarded up, defaced, and what the prospects are for that, I do not know. I'm sure that i'm going to get some cards and letters for the following comment, but I have to say that from the, the ross island bridge out to this point, I don't know of another development that, in fact, has been completed or is proposed that is more attractive than what you are proposing. I think that to actually stand and look at the conditions under which this will be placed would have to concede that it is a huge benefit to the community. Having said that, I recognize that there are some issues that we need to resolve. For me, one of the important points is something you alluded to, and that is the cost of the housing.

Dane: Yes

Leonard: Can you describe again what that price range is for the housing that you intend to build here and how many units there will be?

Dane: Yeah. Essentially, we're trying to create housing that, that is suitable for this neighborhood, but is appropriate for this neighborhood, entry level housing, and ralph will speak to that in a second. We're not just doing the housing, the housing with the amenities, including the child play area. We try to create entry level housing for, for, basically, maybe single mothers with young

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children, security parking for them, and try to incorporate a lot of the centennial neighborhood's own livability index that they had. We hit all those notes. We didn't have to, but we did. Part of that livability is to do with the height and the, and the size and the space and the light of those, so to answer that, we realize that we are in a modest area, and however that, doesn't mean that we can't design something nice. The mix of units that were, that we're providing, as our, our footprint continued to shrink, the mix of units changed from, from approximately 3/4, two bedroom, two bath units, and, and 25%, one bedrooms, to closer to, to almost 50-50 mix of one bedroom and two-bedroom apartments. And, and so --

Leonard: I'm sorry, apartments and not condominiums?

Tehran: They are condominiums

Leonard: So my question is, what is the price range?

Tehran: The -- at this point, what we're talking about is 140,000 on up to, to, I would guess, the range on the upper end is going to be 2 -- 200 to 220

Leonard: All an affordable range?

Tehran: We feel that is what would typically be called in terms of the head requirements or something, 80% of the, of the -- 80% of the mean income area

Leonard: Do you have any tax abatements or other financial assistance from any governmental entity on this project?

Tehran: No, we don't. It's entirely market finance. We would love to have this be an enhancement area.

Dane: We have significant outside improvements. We are increasing the width of the highway out there, and we have a heavy off-site burden. We're here because we want this to work. We want to find a way to make this project work. It's essential for the builder for this to work, and I think a good thing for the city. We want to find a resolution here today. We know we can't make everybody happy but this is a good project. This provides jobs, this provides affordable housing, and this could act as a catalyst for this community in this area, and, and because of the constraints, no other project has been able to work or develop because of the overlay, because of the 50% restriction. This is a difficult area to work in.

Tehran: We think it's a very good example as to, as to how, how do you develop in johnson creek overlay? And, and there aren't too many more sites like this, so in terms of us setting a precedent of all stories, I don't think so. We want to build a strong corner, so the fact that we are on the corner, I think, helps our case in terms of it being a little taller and then steps -- it, it -- if people did four or five story next us to, we would be really happy.

*****: Thank you.

Tehran: We're pioneering.

Dane: Are there any other questions, gentlemen?

Leonard: No.

*****: Thank you.

Potter: Are there persons who support the appeal?

Moore-Love: We have one more person signed up. Thomas cutler.

Potter: Ok. Then persons who oppose the appeal.

Potter: No one signed up. Are there any opposers to the bill? Would you come forward?

Sten: I think he was waving at somebody else, Karla. Yeah. Do we need -- do we need to have -- I guess we don't need a rebuttal.

Potter: No. It is about time for council deliberation

Leonard: I would move to uphold the appeal and adopt the proposed findings and conclusions. Is that the way you stated it? I'm sorry. Conditions. I'm sorry. Adopt the proposed findings and conditions of what, again?

Parsons: Conditions of approval.

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Leonard: Uphold the appeal and adopt the proposed findings and conclusions, which would allow the project to move forward with the conditions that staff had suggested.

Sten: I would second that motion.

Potter: What are the suggestions from the staff?

Parsons: The conditions -- if you are upholding the appeal, the conditions of approval, that would need to be adopted or outlined in the staff report and recommended use.

Potter: What are those? Can you just give us high points without getting too detailed?

Leonard: Replanting is one of them.

Parsons: Street dedication requirements, right-of-way improvement, the decommissioning of existing septic systems. Finalizing demo permits. Tree preservation. And then, and then conditions on parking based on the type of use. That will be in the tenant space.

Leonard: Thank you.

Potter: Ready to call the roll?

Adams: I think this is a fantastic design, and a gutsy investment that, that I fully applaud. Thank you. Aye

Leonard: You know, I want to repeat what I said earlier. This is really a, an important project that, that i, too, appreciate very much, and in fact, I am so intrigued by it, had you come to me and asked for some assistance, I would have tried to see what I could do to, to make it happen because this is a part of the city that desperately needs this kind of development. I would remind those listening that this is the part of the city that, that now, um, is experiencing the same kind of crime and, and the same kind of issues that the inner east side experienced in the 1960's and 1970's and 1980's, and this is exactly the part of Portland that a lot of that has, has moved to. So, investing in owner-occupied residences that will allow first-time home buyers to live there and on a busline, and hopefully, this would do something to interest another supermarket to open across the street, would really do wonders in changing the conditions around in this area so I appreciate the, the, the effort that's gone into this, and the investment and, and the risk involved, and I am happy to support it. Aye.

Sten: Aye.

Potter: Aye. [gavel pounded]

Potter: When will the findings come back for a vote? [laughter]

Parsons: Those will be heard on november 14 in the morning session.

Potter: Ok. The motion to deny the appeal passed. It was tentatively denied -- excuse me. The motion to uphold the --

Leonard: The motion to uphold.

Potter: Yes, to grant it passed, and the hearings officer decision is overturned. The matter will return to council on that date mentioned for the adoption of findings and a final vote. Thank you very much, folks.

*****: Thank you very much.

Potter: We still have five minutes before the 2:45 time certain. Why don't we proceed with 1288.

Moore-Love: I'm sorry, which one did you want to go to, mayor?

Potter: 1288.

Moore-Love: That's part of the 2:45 p.m.

Potter: Ok.

Moore-Love: And 1289, also. Did you want to do the p.g.e. One, commissioner or hold off on that?

Sten: We could. I don't think we have testimony on that. It might delay us a little bit.

Potter: Ok. Please read item 1274.

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Sten: Thanks, mayor tom Potter, sorry for the scheduling yesterday, it was meant to be today. This is a proposed settlement to our lawsuit with Portland general electric, which I am glad to have in front of us. I thought that p.g.e. would have complied with [inaudible] that we sent to them but that did not happen. About two years ago this council began an investigation into what actually happened with the taxes that enron collected through p.g.e., and from p.g.e. rate payers and did not [inaudible] the mistake. This is a longer story and people have a lot of detail but the state has since passed the law trying to fix that problem, and we have continued to, to want to see the documents, and our argument has never been that, that the city could fix all these things, but we thought that the city, through using its powers that we have over utilities, would have a chance to look at the tax documents, to understand what happened, and hopefully, I think propose some fixes in the future that may, may make sure a situation like this doesn't happen again. I think that everybody's point of view is straightforward, if you collect local taxes, state taxes or federal taxes from the rate payers, they ought to be paid to the government or refunded to the taxpayers, and that's what we are after. Obviously, the documents were not provided via the subpoena, and we spent, well, the last six or eight months in the mediation trying to come to a solution, and I am quite happy to say that, that after we pass this today, I believe Portland general electric will support this settlement and will be able to move forward, and essentially, it's a two-part settlement. There's two types of documents. The first are all of the documents that Portland general electric provided to the federal energy regulatory commission, and while many of those are public records, they are very hard to find, and almost impossible to get to, and either in broad terms, these are all the documents that have to do with what happened between the trading between enron and p.g.e. During the california energy crisis. And those documents will all be provided to us on, on, on a user friendly forum, and my expectation will be that we will probably post them to a city website and allow the public to take a look at them. And I think that that is sort of a basic service that I would like to provide, and for those people still who remember what happened with the california energy crisis, this will be a chance for the public to take a look and get at the bottom of things. The second is the more controversial piece, which is the actual tax documents from the years in question. And p.g.e. Has, has remained reluctant to provide those, reluctant, if that's right, unwilling to provide those. I believe our subpoena power allows us to look at the tax documents and, and I certainly understand why they don't want to provide them to us, and I don't see this getting resolved soon. I think it will go to one of the courts so we did what I think is the right thing to do and tried to find a middle ground, so what this settlement proposes is the council is amenable, is that p.g.e. Will provide all of the tax documents, and essentially, a safe place, to be removed by a consultant that we will choose. It gets a little bit -- a classic settlement off the list that we both agreed to, but at our choice. There will be three or four consultants there, all qualified, that we would be able to use, and that consultant at our cost, at our sole discretion will review the tax documents, and, and essentially, prepare a report for the public to read so we would actually never take the documents into the city's possession and we will not be able to provide them publicly but we will have full access to them through an agent of ours and we'll be able to, able to share what we found, and so while I think this is a reasonable settlement, i'm not personally and I don't think the council is after holding and controlling p.g.e.'s tax documents. What we want to know is what they did. And the full report of the consultant with the details of what happened and recommendations become a public document. We will have sole discretion as to what is in that report and p.g.e. Will have a chance to review the report but not a chance to edit it in any way, shape, or form. There is also a clause, when I first started thinking about this, I thought well, but, you know, what if, since we don't know all the documents, what if we didn't ask for all the right documents? And p.g.e. agreed to it, and basically, says if the consultant finds that there are documents that weren't covered in the original list that need to be looked at as part of the, of the logical extension of what we're looking at, those would be provided, as well, so you know, in the range of settlements, when you settle a lawsuit, either side

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gets everything they wanted, I would prefer to have those documents, and actually could go on and on why I think it doesn't make sense a publicly regulated company should keep its, its documents confidential. That's another debate. I do think that its -- it's my estimation that while i'm not a lawyer but I spent a lot of time with utilities lawyers on this very case, I do believe that the subpoena will hold up. I think it could be many, many years because I think it will be litigated until it goes to the supreme court, and, and at this point, I think that memories are getting foggy, and if we can get to the bottom line of what actually happened, again, we're not -- i'm not, and I don't think that we are, of any mindset the city will be able to get any money back for rate payers. The point is to fry and figure out what, what were the omissions and the public policy that allowed this tax ripoff to happen. And then, and then to go back and try and, and advocate both for the city and state and federal level that we closed those doors, and I think we'll be able to get the information that we need to do that. We'll get the documents. We'll be able to put those in a public forum, which I think is a huge service to people, and you may recall some of the people working for us believe that there are things that the public should see in those documents but could not get them out of the ferc proceeding, and the tax documents, we'll not be able to look at but we'll have, have experts who work for us, an expert who works for us look at those and get the information out to the public, so, is given the cost, the uncertainty, of litigating there for several more years and given that I think this meets the bulk of our policy objectives, I would recommend this settlement to the council and, and if the attorney, tracey, would like to say anything? Did you want to -- ben walters and tracey reeves have gone through a very difficult case and done a very able and masterful job representing us, and I want to thank both of them for their work, and I think this is a good settlement. Tell them what I got wrong.

Ben Walters, Sr. Deputy City Attorney: That was a good summary. Ben walters with the city attorney's office. The next steps from here are the mediator will be providing names to, to the city attorney's office of, of consultant candidates, and, and we'll be working with the commissioners offices in terms of identifying a scope of work so that we can contact the, the consultants and identify for them what, what the council's general expectations are, and then, and then we'll work up a proposal that will then be submitted to council. Council will have the ultimate decision in terms of the scope of work and, and who the ultimate selection of the consultant will be, and then the process will get started from there. Once the city has identified who the consultant will be, then p.g.e. Will deliver the confidential tax documents to that consultant and the, the review of those records will begin and a report will, will, will be, be written up and submitted to the council sometime in the next six months after that. So, that's the time line that we're looking at. Again, mayor tom Potter, I think before you had concerns, or I understood that you had concerns about how, how the process was going to work in terms of when, when the consultant would be selected and, and what the ultimate cost would be, and those are the decisions that will come back before the council, and the council will be making that decision in a separate public vote.

Potter: Thank you.

Walters: And I am here to answer any other questions you might have.

Potter: Thank you. Is there a testimony sheet?

Moore-Love: I did not have one set out.

Potter: Is there anyone here who wishes to testify to this matter? Please call the vote.

Adams: Thank you for your work on this commissioner Sten and staff. It seems like there are very prudent and reasonable things, aye

Leonard: I, too, appreciate all of the hard work that's gone into this. I arrived on the council just about five year ago, and from that time until now, this has been an ongoing issue in one format or another. In my view, the, the utilities to provide Portlanders with electricity or, or natural gas are not traditional businesses in the sense that they are subject to, to the, the standard supply and demand forces of an open economy. They are regulated monopolies. They compete with no one.

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They raise their rates when they can convince the p.u.c. To raise their rates. And oftentimes, some of the evidence used to justify a rate increase, in my view, is then approved, is unfair to the consumers. That gets to the heart of why I think it's important for us to, to, um, to keep pursuing the path that we are, and that is to make sure in that, that in the case of at least this one utility, Portland general electric, are playing fairly with consumers, that when you get a bill, you reasonably expect that bill reflects what you should be paying and doesn't have built into it charges and profits that are unfair. So, to that end, I greatly appreciate the work of commissioner Sten and, and heading these negotiations, and particularly, the work of ben walters and tracey reeves, as well, because this truly is, is the kind of work that, that the government is expected to do on behalf of the citizens, and I think you have all done an outstanding job, and I am pleased to support this. Aye.

Sten: Well, I appreciate this. We really don't know what will come of the documents but I think that in the long run, it will serve everyone's interest, and although they would not agree with me, I certainly think that a locally owned Portland general electric, which what we have again, and I think is a good step forward from beyond enron is, I think, in the long run, better served if, if they cannot be bought for the sole purpose of, of making money off taxes, which is, actually, has been part of the strategy that multi-nationals have used in acquiring local utilities, to say if we go in there and buy it, we can actually combine this company with another company that we have that's losing money and keep the taxes built into the rates so I don't think it's any surprise. I think a publicly owned utility would make more sense, and as you pay the bills, remember there is another option but as long as we've got a private utility here with, with -- we want to make sure that it has the best chance that it can to be the next best thing, which I think it is right now, which is locally owned, locally run, and what you pay for is what you get, and obviously, that's not what happened at enron.

We'll take the documents and see if we can't come up with, bring more light on what happened with, with, I think, at this point, the secrete and sole purpose of making sure it doesn't happen again. Aye.

Potter: Thank you for your leadership on this, commissioner Sten, and all the folks in the city attorney's office that worked on this. I think that this information will provide us and shed some light on a dark period of history for, for the united states and certainly for Portland. The whole enron mess. I would hope that, that from, from this we can learn some lessons and bring to light if there are issues to be resolved, legally or otherwise, so thank you, commissioner Sten. I vote aye. [gavel pounded]

Potter: Please read the 2:45 item certain. [1287 read]

Potter: Would you read 1288 and 1289, as well. [items read]

Items 1287, 1288, 1289.

Potter: Mr. Adams.

Adams: The nation looks to us to continue to innovate in getting more bikes and teachers and parents to walk and bike to school more often, and we are very lucky to have partners in the school district, former leaders of the, of the city staff making efforts to now head up the consulting firm. Our own staff leadership and others that, that keep us on the cutting edge of what it takes to truly offer safer routes to schools so we're going to hear about that today, and i'm pleased to introduce the panel before us.

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

Lore Wintergreen, Office of Transportation: I'm lore wintergreen with the safer routes to school project manager with the city of Portland office of transportation. To my right is mia Burke, the principal with alta planning and design, and to my left is rob burchfield, the city traffic engineer with pdot. We appreciate this opportunity to update you on the, the council and the mayor on the safer routes to schools program, and it is a 5-e program. When we say that, that's inclusive of education, encouragement, and enforcement, engineering, and evaluation. We wanted to do a quick start with you, an overview of the national problem. Why you've been investing in safer routes to

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schools. There's a vicious cycle. Parents feel that streets are too dangerous. The leading cause of death for people between the ages of four and 34 years is traffic crashes. So, there is some legitimacy to that, and parents then drive their children to school. 50% of children who are hit by cars near schools are hit by cars driven by other -- the parents of other students. Traffic increases 20 to 30% of morning traffic is parents driving their children to schools. Parents feel that streets are too dangerous, and 75% of children between the ages of five and nine are killed in collisions, and when they were actually driving and riding in cars. And then fewer children walking bicycles to school. In 1969, 42% of students walked to school. In 2001, 16% of students walked to school. Portland has its replication of the national problem. Earlier this more three high school students were injured while using a cross walk on north williams. But, on the other hand, you could see from the chart that the city's investment in engineering infrastructure, education, and encouragement programs has Portland seeing a positive trend as opposed to the national trend. The solution, um, Portland's safer routes to school solution is a coalition-led program managed by the city of Portland office of transportation, and with services provided by, um, including the, the Portland office of transportation. We do have transportation options. [inaudible] is here representing them, and, and the Portland police bureau, also planning and design represented by mia burke, the bicycle transportation alliance, and willamette pedestrian coalition represented by angela, behind us, and the alliance for, for traffic safety in Oregon, the community cycling center, the northwest service academy americorp, Multnomah county health department, healthy eating active living, represented by [inaudible] behind me, and then legacy emanuel trauma nurses talk tough. A total of 6600 students participated in the safer routes to schools education program in 2006-2007. The education focuses on pedestrian safety, bicycle safety, and child passenger safety. This, further evaluation information, is in the 8.5 by 11 annual report you should have received with your packet if you wanted to look at more, what we have found is, is that in terms of parents attitude, evaluation has shown that 94% of parents agree that walking and bicycling to school are healthy for students. When we look at what the parents identified as issues affecting the travel decisions, we find that the number one concern is distance from the school. We know this may be impacted by the number of students no longer attending their neighborhood schools due to the school option choices and no child left behind and by the school's consolidation issues. On numbers two and four, the next highest are issues that the safer routes to school program is actively addressing. And, and the fifth number is an issue that generally the safer routes to school budget cannot address, and it is sidewalks and pathways as they, as a city infrastructure issue, and there is potential through the safe sounding green streets initiative that commissioner Adams is promoting. To go on, I want to quickly share with you some of our highlights and successes. In north Portland, chief joseph elementary school, we saw a 35% increase in walking to school since the safer route school program joined them, and in southeast Portland, sunny side environmental, which is a magnet school, and northern doubled the number of students riding the bicycles to school, and outer northeast sacramento elementary school saw 62% of the students walking and biking to school on earth day, and, and then gilbert heights in outer southeast had a 53% increase in walking to school. Overall, between spring 2006 and spring 2007 schools involved with the safer routes to school program averaged a 24% increase in walking to school. We serve 25 schools, and if you want to find the list of the schools as opposed to the map, that will be in the brochure you have at the top of the packet. Engineering. One of the five e's. School coordinators form school-based safer routes to school teams. These teams along with the school and neighborhood community identified concerns and prioritized safety projects and solutions. In your packets, you each have a set of the family-friendly maps that we have from the different safer routes to schools facilities. Mark designed the maps with the help of the school teams. The maps are available in six languages, and the large maps are posted in the school so students and parents can identify their preferred routes. As you could see, in the picture, scott, a city traffic engineer extraordinaire, and works with each school

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team. He attends the walk-about, produces an engineering report, and, and a draft improvement plan, and finally, the school of safer routes to school strategy. In your packet, you will see a spreadsheet that shows the project that we have provided for the first year of school, the 2005-2006 schools. And enforcement is another e, and we have partnered with the Portland police bureau. They monitored the school speed zone and crossing enforcement for all schools during back to school week. They really do a [inaudible] to make sure that everybody understands that school started and in keeping students safe. In addition, this year, they are picking a school every day whereby they go back and reinforce those issues. They also reinforce, when we put in improvements, to train and educate the community that they reason, they reinforce that by be there, they respond to school safety requests, they train safety patrols, and they support us during school events. Next, mia burke will talk with you about the other e's.

Mia Burke: Thank you, mayor tom Potter, commissioners. Our team is -- has been -- it has been such a pleasure to work in these schools the last 2.5 years. Our partners with the bicycle transportation alliance and ax Oregon, community cycling center, trauma nurses talk tough and Multnomah county heals have been working in these schools on four components of our education program, focused around child passenger safety, bicycle safety, and pedestrian safety, and after-school pedal power squad. Staff have also been working at the school level to help make this process as smooth as possible and to engage the community within the school and around the school to embrace bicycle walking as a part of the way that our schools do their business on a daily basis in Portland and to integrate this into the way that, that parents and students see transportation choices.

The staff of our program assists pdot in developing the solutions and the family-friendly bike maps, and, and develop a series of encouragement activities, some of which you have participated in, as you know. This year, we had close to 3,000 children participating in national, international bike and walk to school day, and we thank you for your participation in that. And we have other events such as walking school buses and daily bike and walk events and other activities in the schools helping to encourage children and their parents to embrace bicycling and walking. We have continued to innovate in this program, as well so that we can provide more for less to keep expanding the services city-wide, and we have been adding more schools, specifically, in the last year, adding is seven schools that were coordinated with the, the school family housing initiative that commissioner Sten and, and this council had brought forth, and we have been teaming with transportation options on developing a smart trips component to gauge whether focusing on the individualized marking program for parents coupled with the focus on children in the school has a better result and we're doing that with americorp through the service program at rieke elementary school in southeast Portland, and we're teaming up with Multnomah county's heal program focused on the health aspects of bicycling and walking at clarendon and ports of Portlandsmith and develop a curriculum that can be, incorporated into the classrooms as well as looking for how schools can sustain this once we have done a focused effort to get this up and running in the individual schools. Now we'll talk about the future of the program.

Rob Burchfield, Office of Transportation: A little bit of the history. As you know, we, we've grown the program from, from eight schools in 2005 and we're now serving, able to serve 25 schools. With that, we, of course, needed to, to increase the funding available for the program. The program has been funded primarily through traffic revenue, traffic citation revenue, and which we have dedicated to the traffic safety programs, and we have also had one-time general fund dollars available that we've been able to dedicate to this program, as well, and we appreciate council's support for that. When we started in 2005, 2006, our, our cost per school was \$42,000. Since then we've been able to decrease that cost per school by about half, and we now think that we are able to provide services to schools on an ongoing basis at a rate of \$20,000 per school per year. So, we have done that by streamlining the services we provided and really focusing on what we think is most effective. The contract structure that we're asking you to approve today, it's a little bit unusual

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in that it has a number of service providers within the contract. The total allocation of dollars is, is \$540,000 for 2007-2008, school year, or calendar year, and, and, or excuse me, fiscal year, and 63% of that will go to the bicycle transportation alliance. They provide the inschool services, the, the coordination, and the education services within the school. Also planning and design. It gets about a fourth of the contract amount. They provide, really, the project management and, and administrative services. And we also provide services through, through alliance for community traffic safety and the community cycling center, smaller amount. As the program goes on, and we're working hard to develop a sustainable model to allow us to continue to grow the program and reach more children in the city, we're looking for new funding sources, and, and today, we'll be able to celebrate one of those successes in that we have received a \$100,000 grant for the structure services that, that really, is a federal program, which is administered through the state. And we have applied for approximately half a million dollars that we can use for infrastructure improvements, and, and we're optimistic that that will be approved in the near future. And another success for us is we received what we're calling the primary certification from the Oregon department of energy business and energy tax program, that can bring us 100,000 in revenue to support the program, and finally, say routes to school is one of the services included in commissioner Adams safe sound and green street initiative that we're planning for in the future. In summary, what we're asking you to act on today and, and provide your support for is to amend the service contract and increase our budget authority so that we can, we can complete our services as planned this, this year, and, and to authorize the governmental agreements with the school districts with which we negotiated, and finally to authorize acceptance of the, of the \$100,000 grant from odot. And I know that we have some community members here who would like to, to provide testimony, and we're happy to, to answer any questions that you may have.

Wintergreen: We also, you also have in your packet some letters that, that when at the last minute, some of the schools knew we would be coming before you, some students and principals super some letters of support.

*****: Thank you very much.

Moore-Love: We have two people signed up.

*****: Good afternoon.

*****: Good afternoon.

*****: Will you pull the mikes down closer to you?

Potter: Kind of hard, yeah. Welcome.

Bella Forest: And we had a fantastic opportunity. At the end of september, for a week, the bike safety program taught bike safety and others how to ride a two-wheel bike. Every day I received [inaudible] from parents, including my mom on how to ride a bike. I learned how to bike safely while on the road. On friday, we took a bike ride with our class throughout southeast Portland. I was really excited about learning how to ride a bike. The bike safety program helped me to be inspired with the joy of doing it safely.

Potter: What was your name?

Forest: Bella.

Potter: We're glad you are here. What's your name?

Skyler Birk-Stalhon: I am skyler birk-stalhon, and I had, and I am very pleased to meet you, and I love biking and I think the bike safety program is a great program, and I think that biking is great for your body. Great for us and I hope more schools in Portland get a chance to do it. And, and that's about all that I have to say.

Potter: Thank you for being here. They both did a great job, didn't they? Thank you very much.

Moore-Love: One more person. Scott Bricker.

Adams: What grade are you in, young man?

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Scott Bricker: I think 18th grade. [laughter] mayor tom Potter, and members of the council, my name is scott bricker with the bicycle transportation alliance, and a registered lobbyist for the record. The executive director of the bicycle transportation alliance, and excited the b.t.a. Is one of the organizations that provides the service. I'm really excited. Just for your memory, you may remember walking to school uphill both ways in the snow with no shoes. And, and back, even 30 years ago, over 50% of children biked and walked to school. And in fact, most of the people, most of the children within a mile bike and had walked to school. About 90%. Today, the numbers are significantly different. About 10 to 12, maybe 15% in some communities of children bike and walk to school. The children are less healthy today than they have been with over 28% of eighth graders being overweight or obese, and in Oregon, we spend over \$300 million a year busing kids to school.

Which is a pretty significant number from the transportation standpoint, if you think about it, as a transportation service. The safe route to school program has been around in Oregon for, for some time, but really, it's still a test pilot program. And it's a program of monumental importance. It really is trying to shift the behaviors and attitudes of a generation of children and families. You may have heard of the 612 million federal dollar, federal programs that was created in the last transportation bill, and that means about 4.4 million for Oregon when you heard about one award that just came to the city of Portland as part of that program. This effort is recognized at the national level, at the state level, and the local level as a program of, of extreme importance, and the city of Portland has stepped up to the plate to make its effort. The city of Portland program really is one of the nation's foremost programs trying to figure out ways to increase bicycling and walking to school, and I think that the effort that we have now is getting there. We are teaching kids safe walking and bicycling behaviors, trying to work with families and children, and we hope to continue to provide the services of the city and the b.t.a. Hopes to be a partner as part of that process. It's competitive, and hopefully a competitive process in providing those services because it really is something that we need to continue to work on. To continue to work on having families connect to their communities and, and increase children's safety. The five-year approach that's being run through the city of Portland program really is the way to do it, look at all the comprehensive elements, and hopefully, we can save lives and, and increase the health and the learning and the safety of children today, and so I would be more than happy to take questions, but thank you for your time.

Adams: Thank you and the b.t.a. and your partnership on this project from the very beginning.

Potter: Is that all the testimony?

Moore-Love: That is.

Potter: Ok. This requires an emergency vote, requires four votes so we have to wait for -- please call the vote on 1287.

Adams: It's just an absolute pleasure and honor to work with all of you on this important project. Thanks for being here today and your ongoing work. Aye

Leonard: Thank you. I'm pleased to support this, aye.

Sten: It's really great work. I do appreciate it, as well, and it really, is I think, integral. Not an add-on, what the school family housing initiative is about is trying to build neighbors we're people are comfortable and buying and renting a home and staying in school and getting the safety is a huge part of it. I appreciate the team and commissioner Adams went back and looked at the school family housing criteria and added more. This really is -- you are a huge part of a council strategy, and it's a little disappointing, although it's a good thing, I was at the, I was at the school board on monday evening, talked about the family housing initiative, and afterward a bunch of administrators, who are experts, gosh, there is nowhere in the country we're the cities are working closely on the infrastructure strategies with the schools, as disappointing, it's too bad because it seems like it's an obvious and important thing to do and you are doing it so well. It shouldn't be

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pioneering but given those statistics you showed at the start, unfortunately, it is, and I think we can show a better way, so terrific. Aye.

Potter: I want to thank commissioner Adams for his leadership on this. All of the folks who participated in this, particularly the schools and our parents and children. As more people bicycle in Portland, safety is a key issue. By working with our children now and providing a safe space for them to get to school, safely, I think that's, that's a good step forward, and obviously, the health benefits will be tremendous for our community in the long run. So, thank you all, and I vote aye.

[gavel pounded]

Potter: Please read 1288. [item read]

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

Potter: Aye. [gavel pounded]

Potter: 1289. [item read]

Potter: Call the vote.

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

Potter: Aye. [gavel pounded]

Potter: Please read 1290 [item read]

Item 1290.

Potter: Commissioner Sten.

Sten: I think this is -- I actually drafted this, but it's a resolution that was co-sponsored by all of the council, and, and I think that everyone knows the council can and should win the positions on ballot measures. Ballot measure 49 is, essentially, the rethinking, the rewrite, more Oregon, I believe, strategy to replace measure 37, and I believe will give property owners a reasonable way to develop their property when they have an argument that something was taken away, but at the same time, give all the rest of the property owners in the state some certainty that, that the state will keep the character and, and things that should not happen with, with be stopped just because of, because of an ownership pattern that, that proceeds some of the current laws, and I would say that property values, which matter a lot to a jurisdiction run by property taxes are dependent upon predictable sets of requirements upon good environmental and economic strategy, and I think that, that the -- I don't always say this but I think the legislature has found a good balance in the measure 49 that they referred to the voters and urge all Portlanders and anybody who might be listening to this to, to work hard at the arguments, and if you find them compelling, as I do and our council will, to vote yes on measure 49.

Potter: Do we have signed up to testify on this matter?

Moore-Love: No one signed up.

Potter: Is there anyone here who wishes to testify to this matter? Please call the vote.

Adams: Thanks for doing the legwork on this, commissioner Sten. This, indeed, will shape our, or not shape that kind of future that we want. And, and I think it's really important that we, as a city council, take a position on the issue, so I'm pleased to vote in favor of this resolution and urge support for the state ballot measure, as well. Aye.

Leonard: Aye.

Sten: Aye.

Potter: I appreciate commissioner Sten bringing this forward. You know, I think measure 37 was, was designed to accommodate small landowners and has turned into something else. Just in the city of Portland alone, we had 92 claims totaling \$250 million. And so I think that measure 37 has, has, has not been the answer that many people have, have thought it would be, and this council feels that measure 49 will provide better protection for small landowners while insuring that larger owners are treated fair, but not given a blank check. So, I vote aye. [gavel pounded]

Sten: Mayor, anticipating 1291 will take us a while. 1292 is straightforward, extension of property tax abatement following all of our existing policies for affordable housing, so if they would agree

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not to testify, so as not to delay 1291, I wonder if you will consider calling the roll on 1292 and letting this good housing staff go develop housing.

Item 1292.

Potter: Ok.

Sten: Of course not close it to public testimony.

Potter: Is there anyone signed up to testify?

Moore-Love: Yes.

Potter: How many?

Moore-Love: One person.

Potter: Please call him.

Moore-Love: We should read the title, 1292. [item read]

Sten: Does it need to be an emergency? Ok. Ok. I would -- we need to keep this property tax abatement in place, so I would move to add an emergency clause.

Adams: Second.

Potter: Do we need four votes on that?

*******:** Yes.

Potter: Ok.

Sten: Commissioner Leonard is --

*******:** Indisposed.

Sten: Messing up my plan.

Moore-Love: The testimony was brian mccarville. Did you want to testify?

Potter: This is a motion to change it to an emergency vote. Please call the vote.

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

Potter: Aye. [gavel pounded]

Potter: Now vote on the measure. Please call the vote.

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

Potter: Aye. [gavel pounded]

Potter: Please read item 1291. [item read]

Item 1291.

Potter: Commissioner Leonard and Adams.

Adams: Thank you mr mayor. Make just brief introductory comment followed by commissioner Leonard we do not have any invited testimony today. Cesar chavez was an american hero whose life work yielded important gains for all americans. And symbols such as street names send important signals about the community's values. And there is no question in my mind that Portland would be a better community when cesar chavez is duly honored with a major street renaming. I support the renaming of a major arterial street for cesar chavez in Portland. But, I cannot support renaming interstate avenue under the current circumstances. I find the intentions of the committee seeking the name change to be entirely honorable. I do not fault the advocates for the process that has been used. They have proceeded based, in part on the advice they have gotten from us here at city hall, when they asked for my support, I initially told them that I would offer it, but that support was based on the presumption of neighborhood support, which has turned out to be incorrect. Tragically, the lack of good Portland process in considering this matter has created a community conversation that has too often devolved into a screaming match. Often, punctuated with comments, wholly irrelevant to the purpose of street naming. The conversation has also occasionally yielded racist epithets that are absolutely inexcusable. As I said earlier, symbols do matter, and very recently, renamed north Portland's, Portland boulevard to honor rosa parks, I believe it is unfair to ask north Portland to endure two significant street name changes in less than a year with this kind of streamlined process. City leaders need to be sensitive to how much name, how much change any one neighborhood can absorb at once. I want to reiterate my unequivocal

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support for renaming a street of community significance, a major arterial after cesar e. Chavez. My fellow city commissioner, randy Leonard and I have proposed with this resolution a street renaming process that would do just that, that would look city-wide for the street most appropriate to rename cesar e. Chavez, and with a better process, I have every confidence that the Portlanders will rise to the occasion and unite in support of this important opportunity. Thank you

Leonard: Thank you, commissioner Adams. It would be disingenuous of me to find fault with anyone involved, in what would presently be called a disfunctional process of renaming interstate avenue to cesar e. Chavez boulevard without also accepting my own responsibility for the unfortunate place we find each of ourselves. I should have asked more questions about the proposed process when the mayor's office originally proposed changing the interstate to cesar e. Chavez boulevard. Although I was aware of the existence of the current city code, outlining the process, required to change the name of the street, I admit to not ever having read it until well after this current process began to break down some time back. I deeply regret not having done a better job of asking the questions I now realize I should have asked that may have led the community early on to insure, excuse me, that may have led the council early on to insure a fair and inclusive process that would have, at a minimum, assured all Portlanders that their voices do matter. Portlanders expect more from each of us up here, and I did not do what the citizens of Portland should expect of me, and for that, I apologize to all Portlanders, but my deepest regret is due to how I have let down the committee who has worked to remain interstate avenue the cesar e. Chavez boulevard. I met with them early on before there was any controversy. I should have realized then that given the history of street name changes in north Portland, that I was allowing them despite their best intentions and good will to enter in an inevitable buzz saw of controversy, and that is exactly what has happened. And as a result, each of them has been subjected to, at worst, racist remarks, letters, and attitudes and at best, a hostile atmosphere of otherwise progressive and thoughtful Portlanders who were offended by the lack of an open and true process where all felt heard and respected. I have been in politics for a long time. I have the experience and the ability to have been able to see that one coming. I expect more of myself and you deserve better from me, and I let you, the members of the committee down, and I hope you will accept my apology for that. Most fair minded observers who have no stake in the current process, agree that as a council, we have gravely mismanaged this current process. For an example, the current issue of the Portland mercury observes, and I quote "at best, the city commissioners were fooled into thinking neighborhood support for the change was more widespread than it really was. At worst, the city council hung the chavez committee out to dry to face the increasingly angry neighbors on their own, that the vote, either the Leonard Adams package or the mayors will end in a divided council, shouldn't be a surprise. It's the logical resolution to a process that's been politically bungled from day one," unquote. And local city council candidate and blogger, amanda fritz, wrote on her blog yesterday, quote "i wonder why the councilmen aren't saying tomorrow, we messed up. There is a process in the code for how city streets are to be renamed. We realize we should abide by the law. We are going to," unquote. I agree with amanda's criticism but I also think it is unfair at this point for the council to ask the committee to begin anew the current process as outlined in the code. Although they should have been advised, although they should have been advised what the current code requires when they first approached the mayor's office, they were not, and no member of the council in subsequent conversations with the committee, including me, raise that as an issue with them. To be sure, the committee has met some of the criteria required in the current city ordinance for street renaming. Code 17.93.010 says any individual or organization may apply to the city to rename a city street. City streets may only be renamed after a prominent person. Such prominent person must be one, a person who has achieved prominence as a result of his or her significant positive contribution to the united states of america and/or the local community. Two, a real person, and three, a person who has been deceased for at least five years. No one can disagree that

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cesar e. Chavez meets that criteria. However, after that criteria is met, the current code also requires interested parties to one, obtain a minimum of 2,500 signatures in support of a proposed street name change from the legal residents of Portland at large, or to get 75% of the abutting property owners along the street proposed for renaming on a petition. The code also requires that any street name be reviewed by a panel of a, of historians, and finally a hearing and recommendation to the city council in the proposed street change be heard before the Portland planning commission. None of those criteria have been met. As I said earlier, however, to tell now the committee to go back and follow each step of the current code requirement strikes me as unnecessary and unduly punitive. And why do I think that? Because a unanimous city council and most fair-minded people agree on the importance of recognizing one of the most important people in this debate who, unfortunately, doesn't get talked about a lot any more, Cesar Chavez. A figure who seems to have taken a back seat amidst the current controversy created by the current process. To begin the process anew would ignore the one piece of common ground that the council is united on. To many of my generations that came of age during the 60's, cesar chavez is a hero. He gave a voice to those who had been voiceless and a face to those who had been faceless. In many ways he is the American version of mother Theresa. Giving life and hope to those that are society had ignored those that mother Theresa called the invisible ones. If you went to grant high school in the 60's and ate grapes, you were thought of as a traitor. An uncaring antisocial that was not part of the broader 60's epoch of freedom, equality, and love for your fellow man no matter what the color of your skin. And as a man who began his political career as a union leader, the organizer and labor leader that cesar chavez was holds a special place -- holds a special place for me. I understand more than most the struggle to get an employer to recognize, respect and honor the workers that are collectively represented by a union. For all those reasons, the current debate and my position in it has caused me more personal unrest than any other single issue I have ever been involved in. However, I am doing my level best to right the wrong that this council committed and restart the process in a way that both honors the work of the naming committee and simultaneously honors what Portland is known for worldwide, true citizen involvement in the decisions its government makes. And finally and most importantly, adoption of this resolution will honor a true american hero, cesar chavez, in a way the current process does not. All of that brings me to the case in point, the resolution commissioner Adams and I are introducing in fact does not follow the current city code in renaming city streets. It does, however, create a framework for a community discussion that will help the council decide which major street in Portland we will name for cesar chavez. And lest that last comment be overlooked, let me emphasize what I consider to be a key point that has been lost by many in the current debate. This council has unanimously agreed to name a major street in Portland after cesar chavez. The committee created by this resolution will not debate that point. The only role of the committee is to develop the list of proposed streets and to make a recommendation to the council as to which street they believe is the most appropriate to name after cesar chavez. Some have been quoted as saying that adopting this resolution will only further the controversy in the community. I believe that is a cynical view of Portlanders that underestimates the creativity, intelligence, and acceptance of the vast majority of Portlanders as long as they are treated as creative, intelligent, and accepting people. No one can credibly argue that the current process does that. However, this is the best take at what commissioner Adams and I believe is the best way forward from the awful place we each find ourselves in. If the council wants to propose an alternative during the process today, neither commissioner Adams nor I have any proud of authorship. We will happily support any process that treats all parties involved respectfully. Thank you for your consideration.

Potter: How many people have signed up?

Moore: Clerk: We have 15 people signed up.

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Potter: Please call the first three. Thank you for being here. When you speak, please state your name for the record, and you each have three minutes.

Marta Guembes: Good afternoon. Buenas tardes. My name is marta guembes, and I serve as the co-chair of the cesar e chavez boulevard committee. I wish to express my appreciation to the council for your work on this effort to publicly commemorate cesar e chavez, a true american hero. I also wish to thank each of you as individuals for taking the time to meet with our committee in recent months. Furthermore, we appreciate it and affirm the council unanimously decision to open the six weeks of public comment regarding the name change period which is now coming to close. Our committee entered into the project in good faith as an effort to enrich our city of all Portlanders. The committee continues to be our goal. We have followed all the instructions that have come from the city hall and have totally participated in all aspects of the process that it was laid out to us. And now, today, we have before you proposal from two commissioners that it will extend this process. Moving to new neighborhoods and create a new city appointed committee to take this out of our hands of those who originally initiate the latino community . We are here today in behalf of our community and the committee that we represent to oppose this proposal and to encourage you to vote no. We understand that the council needs to create an equal process, but a process was created for this initiative, and the process was communicated to our committee, and we have followed the process to the full extent. And so we stand firm in our proposal that interstate avenue be renamed cesar e. Chavez boulevard, and we do so not only on behalf of our committee but also on behalf of the latino community and all those who have been and continue to be silent, mistreated, and underrepresented in our society and this city. Gracias.

José Romero: Good afternoon. My name is josé romero, and I serve as co-chair of the cesar e. Chavez boulevard committee here in Portland. Our committee stands in opposition to the proposal that is before you today. What we do not oppose, however, is this city. In fact, we love this city, and it was the deep love for this city for its neighborhoods or its people that originally inspired us to initiate this public recognition for one of america's greatest heroes, cesar estrada chavez. Mr. Chavez is a symbol of unity, the ability of diverse people to come together and work for a better future. But cesar chavez is also a symbol of leadership, the ability to act on principals, to be visionary and to guide a community towards its highest potential. While defends the voice of its least represented members. And so it is leadership that we look from you today, our city council. Will you vote to delay and displace this effort or will you choose to stand up for diversity, inclusion, and equality in our city? We agree, as you do, that cesar chavez is a highly deserving candidate and that a main arterial should be named in his honor, but our committee sees this resolution as a futile attempt to reinitiate the process all over again. Any arterial that would be chosen to be renamed after cesar chavez would meet the same resistance by the businesses and other neighborhood naysayers demanding "not in my backyard." for many months, our committee has engaged with the north Portland community and with the entire city for that matter. We have repeatedly answered heartfelt questions to our neighbors, why cesar chavez? Why north Portland? Why interstate avenue? Why now? We have answered all these questions to the best of our ability, honestly, directly, and in good faith. It is no longer a time for answering such questions. Our position is clear, and our commitment is strong. Thank you for your time.

Serena Cruz-Walsh: Good afternoon, mayor Potter, commissioners. For the record, i'm serena cruz-walsh, and I want to be clear that i'm representing myself today. I am in full support of martha and josé and the work of the committee, but i've been sidelined these past few months, raising a brand-new baby, so I haven't had the chance to work with them, and I would have worked with them, by their sides, and again fully support them. But i'm here today on behalf of my daughter, because I want her to grow up in a Portland that embraces her. And i'm asking you to table the resolution that you have before you today. Why should you change the name of interstate to cesar chavez? After reviewing your resolution, i'm confident that you understand one set of the reasons to

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do so. He was a major labor leader and farm worker leader worthy of national and international recognition. I support recognizing cesar chavez with a local street, interstate, for very personal reasons as well. My parents raised me to revere him for his courage and as one of the very first civil rights leader in the united states. In 1965, my grandmother on my mother's side, maria Theresa weisar marched with cesar to the california state capitol. My fairly apolitical mother would always tell me the story with incredible pride, and she really wasn't political, but it meant to her that there were times to stand and be counted, and she was very proud of her mother standing with cesar chavez in support of rights for farm workers. I know that I called on this very value when my colleagues and I stood with the gay and lesbian community in support of marriage equality. Cesar chavez also meant a great deal to my father. He was born into a migrant worker family, though my grandfather went on to run his own plant nursery. My father never forgot what it was like to move every six months and to have a farm for a playground. Before he passed away, my father made a sport of listing the names of every professional football player and actor who had any mexican blood in them, but more important than his popular icons, was the pride he shared with me in cesar chavez. On more than one occasion, he expressed to me his desire that a street in Portland be named and recognized for cesar. I very much regret that I constantly said to him, not now, papa. Not now. It always seemed like there were other latino community priorities for me to work on. I have a much better understanding just a few months after his passing about why recognizing cesar was of such importance to my father. It would reflect this community's understanding of the historical role cesar played as a civil rights leader along with two other great civil rights leaders, rosa parks and martin luther king jr. It would reflect the acceptance of the latino community. Finally it would reflect an inclusionary tone, not exclusionary tone in Portland. I've heard lots of reasons why interstate might not be the right choice. Some vocal costs don't want it there, it would cost a lot to make the change, and it's not a meaningful street for latinos. As a former elected official, I understand that it's not much fun to stake political stands in the midst of conflict. Sometimes there are glorious political solutions. The grand compromise that makes all parties happy. The solution to a problem that no one could foresee at the outset but the approach that works really better. Other times, sadly, there really is no better solution, and as those times it's important that elected officials do what's right, and i'm very grateful that the 1989 Portland council stood firm about the renaming of martin luther king, junior boulevard. Today, nearly 20 years later we cannot imagine that street with any other name. I'm also grateful to all of you for renaming Portland boulevard rosa parks boulevard. There was opposition to this name change as well. The only difference was we heard about it after your decision rather than before it. And you've heard about how the latino community has followed the process you've laid out for them, and I guess what strikes me is the only difference is that you're saying at the outset that you'd be willing to accept the opposition. If you're willing to accept the opposition of the community in pursuing a name change, i'd urge you to pursue the name change of interstate and honor the community that came to you, honor the community that came to you and followed the process that you laid out for them. There may be some other better process. It may be in city code, some other process that you all should rename--

Potter: Serena.

Cruz-Walsh: I know. I have to shut up. I'm no good at shutting up, mayor. I'm used to having more time than this little buzzer has. So bottom line.

Sten: I have a question. Do you have any more thought?

Cruz-Walsh: I do. Thank you, commissioner Sten. I urge you to table this resolution rather than to vote for the exclusionary tone of the opponents. The Portland I know and love 'embraces tradition, and at the same time changes every day to become a better city. Change isn't easy, but change has made us the city that we are. That's true whether the change is in north Portland, downtown or in the rest of the city. The Portland way is to be inclusive of our residents, to

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recognize the value of their citizenship in our city, and to try to leave a legacy for our children that would make them very proud. Thank you.

Sten: Mayor, I had some questions for the committee. Would you prefer I pose them now or after?

Potter: Go ahead and do it.

Sten: Since you're the co-chair, I guess I want to thank you for your hard work. We've made it a long way. You've made it along way, and I recognize how difficult this has been. And we've had some very good conversations. It's -- conversations and some difficult ones. You know who you can work with when you can have a difficult conversation. I want more of a sense of the committee as you've looked at this. I think I want to draw a distinction between the notion of having a community process which, rightly or wrongly -- and that's not my point. I think the process probably would have ended up with a lot of division no matter what we did. I'm not one to go back and say it. But what I see in my mind here and I want to be clear i'm actually not particularly supportive of the proposal that's written today in the sense that I think delaying this to july 1st is far too long and completely unnecessary to make that argument. As i've told you privately, I need to tell you publicly, because otherwise I don't think i'm being fair to the sides. I do believe we should take a little more time. What i'm wrestling with today is that I don't believe taking more time is particularly -- and i'm going to push on the mayor as well -- is particularly useful if the committee and the mayor are not willing to participate. I think it become a situation where we're just prolonging the thing. I'm going to ask you and the mayor publicly before I make a vote today to reconsider your position that more time is not a good thing. I see what happened as a community process, and I think what is needed now is a council process, and I want to understand a little more why you would object to the council taking a couple of months. Again, we don't have a proposal in front of us, but i'm willing to work this some more. I do not believe that would be despair treatment. In fact, if we were to vote on this november 15th, in my 17 years of working in the building, it would be the first time we didn't slow something down when a train wrecked, and I don't think any of us believed, when we met in august -- and we did -- that we would have the kind of arguments that we're having now. We knew there was going to be opposition, but if i'm going to make the argument to you that I think this council needs to work together and get to a 5-0 vote on this thing, because we're honoring cesar chavez who deserves a 5-0 vote, then I guess I want to understand publicly why you would object to us taking a little more time. Again, not through july. And will do some more process ourselves. That's why I object to what I think is a well-meaning process. The two things i'm not sold on in Commissioner Leonard and adams' resolution is taking it through july and so much pushing it out to a committee. I think this is time for this council to own the process, because I think it's the only place, and that's what i'd like to work with this council on. Apologize for the long-winded question, but I really need to ask you publicly why you would object to a little more work on this if we could find a way. And if we did do a little more work, would you take part?

Romero: May we defer to the mayor first? You asked us both the question. Is that correct?

Sten: I'm not allowed to ask the mayor a question. That was a rhetorical question to the mayor and a direct question to you.

Potter: I'll be glad to respond rhetorically. Please go ahead folks.

Romero: We represent a much larger group, plus the community, and we're here to honor that mandate, and this is where our focus has been for almost eight months, beginning last march. And we see what goes on in those neighborhoods and what might go on should we be relegated to some other neighborhood in the future, and it's not a pretty sight. Moreover, we deal with things from one day to the next. We're volunteers. We're not full-time employees of anybody's lobby or anything, and we deal with issues as they come up. For example, the one before you today. These kinds of things -- that's why we're opposed -- go contrary to what we're about. Speaking for myself

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and not the committee, if there were some possibility -- but right now we don't see any. Right now we just see that we have a resolution currently and a resolution in two weeks, and that's where we're at.

Guembes: And I would like to add that we don't believe that, by voting on the 15th, it will change about we're having the vote of commissioner sam Adams and commissioner randy Leonard saying yes to interstate in january, it doesn't seem like they will change their mind by january. When we met with them at the beginning of august, we had their fully support that it was a good idea, and we asked them for feedback, and we did what we'd been told. We understand that the process has not been how it is right, which is the same way it went for naito, neither for rosa parks, but we did. We asked for feedback, what are the things that we needed to do. We wanted to make it support for the resolution for the 15th. We're focusing on that. It's been very hard for all of us. For me I can say that when and I'm going to add we've been trying to get our signatures. I believe we will have enough signatures, the 2500, for the 15th, but one time when I was at the harbor lodge and I mentioned that to you that I asked these older men for his signature, he goes, no. I oppose entirely. And I say, ok, that will be fine. If you change your mind, can you come back? And he told me, yes, I will come back, but I will come back with a pistol. Do you think I wanted it to wait longer and go through all of these things that we're going through? I don't. I really don't. We really believed that we were going to have all your support.

Sten: I guess, I mean, that really gets right at the problem that we're facing here, and I just think we have to be able to talk about this. If in fact what the committee believed was it had the support in august, then the process was meaningless, and that's the problem that's been set up here. I was very clear i'm very supportive of it, but we needed to have the process, and I think that's where -- I think what happens in politics is when things happen that are beyond something, you have to adjust, and i'm not necessarily arguing for adjusting the idea of interstate. I'm saying let's get the council to own this and quit pushing it back. Now, part of my premise here, and again I can't ask my colleagues question, but you don't have to give commissioner Leonard too much of an opening to use his mic. I've spoken to everybody on the council at great length and have a certain, to my satisfaction that it's entirely possible -- and I want people to hear that -- that there may be five votes for interstate. I don't think people have made up their mind. But two of my colleagues are saying I can't -- I need to work this more with the community and look at some other options, and what i'm struggling with is that I really think it makes sense for the council to try and do some more work on this, but I also need to do it in a way that people are going to work together. And so what i'm proposing is to try and pull that burden off of you. In some ways, I think too much has been placed on this committee. I think you've done a terrific job, but when you told me the stories, it's unreasonable, and we've got a situation where I think you've been subjected to what are clearly very unreasonable racist situations. We also have opposition that is not of that nature, and trying to sort all that out has gotten to be a mess. I'm going to stop there, but I believe we can get to something that the council can all stand behind or stand in front of is a better way to say it rather than having you stand in front of us. I won't keep going on and on, but I just wanted to start having some conversation that we've been having privately so we can maybe work toward some other ideas. Because I think we have an on off switch here that is not - -I'm looking for a third way.

Romero: We would sure love to have as much support as possible.

Leonard: So as not to let commissioner sten down, I will use my microphone and say that, as I wrote it in my remarks -- and I was very careful to make sure I had it in my remarks that I don't want to commit exactly the problem that we have up to now and suggest a certain way it has to be followed to get to the place where we're all going to vote for a street. And we all are going to do that. Everyone of us here are going to vote to name a street after cesar chavez. But I do think a process such as commissioner Sten is proposing makes sense, and i'm sure there are a number of iterations of that kind of a process. It just needs to be that -- and I think frankly none of us are

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bought into a certain street. I think we have to divorce ourselves from that. That's created the angst. You'll see on the channel 2 news tonight I was asked by the reporter what's my personal favorite, and I haven't said that yet, but my personal favorite, which isn't to say it should be the street, would be southwest Broadway from the union train station to Portland State. That symbolizes so much, to me, of Cesar Chavez, a college, a university, a diverse community, a major thoroughfare.

But I also realize there are lots of other great ideas. All I would like to see happen, that I think you're hearing from up here, is that we have exactly the kind of discussion we are now and have a community discussion where we're allowed and it's ok to bring up ideas like that and have it be open and on the table and have everybody feel honored. And I have to say that I really -- I understand why you're reacting the way you are because of the community feedback you got, but I honestly think -- I agree with Commissioner Sten that we should not have put you in that place in the first place. That was wrong. I actually think, if we start anew with this process the way I'm describing, that won't be there. We'll get some of that from some people, but I think the other criticisms we've been hearing from really progressive-minded Portlanders will not be there as it is now. So I guess that's a long way of saying I appreciate your thoughtfulness in trying to find another way, and I'm entirely supportive of that.

Potter: And I would like to respond to your question. Because it's a question that everybody up here at this table has been struggling with in that I don't think anybody up here has any ill will towards any particular group, whether it be people in north Portland or people in the Latino community. I firmly believe that every person up here wants to name a major arterial after Cesar Chavez. It's really what we're talking about is a process. And we've been told that the process is flawed, that we need to have another process and that -- that's what I struggled with this weekend, and I had to ask myself why am I doing this? Why is it important for our community, not just our Latino community but for our community, to name Interstate after this great man. And I have to say that there are points on both sides, but I can tell you from the little research I've done and my staff that this is not an uncommon problem throughout the United States, that when there is a street to be named particularly after Cesar Chavez people all of a sudden try to figure out why it shouldn't occur.

All you've got to do is go to your web site and look up Lubbock, Texas. Right now, Lubbock is struggling with this very same issue. And once -- and I think that the street is called Canyon Lakes Drive that was selected. There were large numbers of people coming to the city council to say why? Canyon Lakes Boulevard is not the appropriate place, because Canyon Lake Boulevard is a canyon with a bunch of lakes in it. Now, those people, I have no doubt, are sincere. And even the editorial in the local Lubbock newspaper sounded a lot like the editorial here in Portland. Maybe we should step back and take another look at this. Maybe we need a different process. And I'll tell you, on September the 6th, the city council and all five members signed onto this, set the process in place. We said, we want you to go out and in fact even had the department -- Portland Department of Transportation helping sponsor this to set up at least two meetings in the community and no sooner than the next five weeks, so we wanted them spread out. We told them exactly what we wanted them to do and even acknowledged that there was going to be a row bust conversation about all of this and that they were going to come back and that we were going to then take a vote. That was what we committed to as a council. And what the committee has done since last spring when they started off on this journey has been to try to talk to as many people as possible. And they did go out and talk to neighborhoods. Sometimes initial reaction was positive, and sometimes it wasn't. They are working to get those 2500 signatures. They are doing what we asked them to do. And now we're saying, let's do another process because the first process wasn't by the code, and I don't see this resolution complying with the code either. The fact is that we have named streets and not necessarily followed the code to the letter. And, you know, I listened to the other side and I did hear a few folks who I thought were bigoted. One man told me in a restaurant as I was having dinner prior to going to Ockley Green grade school, that if they wanted to honor a street named after

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caesar chav-vez, as he said, they should do it in mexico city. And I thought what a bigoted comment that is. Cesar chavez is an american. He's not a mexican. He's an american. He served in our armed forces. He was a labor leader. He was a man who believed in peace and nonviolence. He was a man who ranks up there with many of our other great american leaders of the '50s, '60s, '70s, and '80s. This man paid his dues, and I think its time that we pay homage to him. As I thought about it this weekend, it really boiled down to one simple thing for me is what is the right thing to do? And I think that's the question that folks up here at the table have been thinking about. What is the right thing to do? And I concluded, for myself, the right thing to do was to honor this committee's work, honor cesar chavez, and to name interstate avenue after him. It's as simple as that for me. And I don't have any political ax to grind. I'm not running for any office. And I think that the intentions of everybody at this table are honorable. So it's really a decision that each of us have to make at this table, and I want to thank all of the people, whether you live out in the neighborhoods or you serve on this committee, for voicing your concerns. There has been a lot of issues and a lot of strong feelings on both sides of this, and I think it's time that we make a decision on that. And i, for one, know that my decision will be in favor of renaming interstate avenue. It's as simple as that. And yet I know that there will be other people on this council and in the community that feel differently. That's their prerogative, but mine is I must follow my conscience. So I thank you for your question, commissioner Sten, and I thank you folks for what you've done.

Sten: I guess one more question, and I guess i've been public in saying, when this vote comes up, as we sit here today, my leaning is towards making the change on interstate, as i've said with people and I've said that in the press, and for many of the reasons that the mayor articulated, I guess, mayor, my question for both you and the committee is, given that i'm the swing vote on whether we're going to do more process or not, and that's why you're going to hear a lot from me today, I guess I don't see the perceived harm in taking a little more time, and I need that articulated. I get that it's the right thing to do and the other things people are saying, and I get that the committee is tired and I would like to relieve the committee of having to lead this, but I guess I don't see -- when you're asked to make a tough decision in governmental work, i've always taken the position that you have to look at both the harm of each side, and I guess I find many of all of your arguments persuasive, and that's what i've said, and i've been very reluctant to force particularly you, mayor, into a process you don't want to be part of, but i'm struggling to see what the harm is that's going to be done if council, the majority of which have said they erred in setting up this process -- the majority of council has said publicly that the process was set up in error. Not that you erred, we erred. It would seem more harm to our credibility to not adjust our process than to slow things down. I guess mayor that's what I need the counter argument to. Who is harmed by taking a little more time when the council, at least the majority, believe it has erred?

Potter: I think there's several harms from it. And i'll start with this group of people here that have worked over the last six to eight months and have done everything they could reasonably do to try to comply with a process and that they've met their charge given by the city council. And to say that's not good enough, even if we're accepting the blame for it, I think harms the community, because in effect -- and this is the part that disturbs me is that, for many, many different groups in our society, they've been told to wait. We'll come up with a better plan. Serena, you told your father that. I think that, if we were -- the second harm to me is what will come that this will bring with it if we look at other streets in Portland. This will become a stepchild that people will not want. Because, if it wasn't good enough for interstate, why should it be good enough for hawthorne or 82nd or SW broadway any other street in Portland? I'm afraid that we will be back here in january or in july with the very same issues confronting us and the very same concerns expressed by a group of people who wish to honor cesar chavez but do it somewhere else. I think, for us, it's about -- excuse me. For me, it's about making a decision now. Folks, do you have any more? We have some more folks to testify. Are there anymore questions for these folks?

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Sten: Thank you, again.

Potter: Please call the next three. Thank you for being here. Anyone can start, but please state your name for the record when you speak, and you have three minutes.

Eric Gale: My name is Eric Gale. I am currently the chair for the Overlook Neighborhood Association. At our September 18th meeting, the Cesar Chavez Boulevard Committee presented their proposal to us, and I wanted to read you the result of the three motions passed at our association that night. I believe they give a strong basis for support for this resolution. The motion to support the proposal to rename Interstate Avenue as Cesar E. Chavez Boulevard was defeated 86-6.

The motion to oppose the proposal to rename Interstate Avenue passed 92-12. A third motion to support an alternative method of honoring Cesar Chavez in the community was passed unanimously.

Though I've obviously not talked to everyone who voted, a large majority of this opposition to the renaming of Interstate Avenue did not come out of ignorance or intolerance but out of concerns for history, economics, and largely the lack of process. Though they have felt the brunt of it, the main source of frustration that people expressed is not with the renaming committee but the city. Something that will have this large of an impact on people and businesses deserves a more thoughtful process. Commissioners Leonard and Adams' resolution goes a long way in addressing this. Honoring Cesar Chavez should be a positive thing. I believe that by backing up the proper process with the proper process, a better, less divisive and more community building outcome is possible. If the resolution is passed, Interstate will obviously be a leading candidate and, if it is renamed, I don't want it to be under the dark cloud that currently hangs over it. Thank you.

Dawn Barry-Griffin: My name is Dawn Barry Griffin. I live in the Overlook Neighborhood. I did not know this proposal was coming up, but I fully support it. Thank you very much for taking the time to listen to the community. As a young child, I grew up in an agricultural community in California. I remember shopping with my parents being specifically asking them not to buy grapes in order to support the boycott led by Cesar Chavez. I have great respect for the man, his legacy, of both civil and worker rights he's left us. I welcome a chance to honor him in an appropriate and responsible manner. In my opinion, renaming Interstate Avenue is not the best or most responsible way to do this. As a community and city, we've spent much time and energy on the Interstate Plan, the MAX line. The neighborhood is finally taking shape, and there's a renewal of energy and vitality in the area, and both new and old residents alike share a sense of renewed pride and spirit in the area. History of Interstate Avenue is something that means a lot to us, and history makes us a unique area. Driving down Interstate Avenue, you really do feel the history. You see the amazing neon signs, the vintage diners, the bowling alley, all the businesses that are named Interstate, and these remain a touchstone to the past. There have been many alternatives proposed that would honor the feelings on all sides, renaming a park, a school, an alternative street. The members of the Chavez Committee have not been really willing to listen to our other alternatives. Those of us who own businesses and pay taxes in the area have made our desires clear save Interstate Avenue. As an aside, I, too, have been incredibly disappointed in the process that's taken place. What would have ideally been a dialogue between two communities and groups, feels a little bit more like a lecture series. We feel like we haven't gotten equal time in the process. I don't know if a vote's an alternative. That would be something to think about. Like Erik and all the rest of the residents in Overlook, we really do honor a way, we want to find a way to honor Cesar Chavez. I respect him, but please save Interstate Avenue. Thank you.

Per Fagereng: My name is Per Fagereng, and I live in the Brooklyn neighborhood of Southeast Portland, which is a neighborhood somewhat removed from all this uproar. I think the city should honor Cesar Chavez. I would recommend that the city rename Southwest 4th Avenue. That way the city could proudly proclaim that city hall, its own front yard -- front yard for all of Portland -- is located at 1221 Southwest Cesar Chavez Boulevard. Thank you.

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Potter: Thanks, folks. Thanks for being here, when you speak, please state your name for the record and you each have three minutes.

Molly Paris: I'm molly paris. I am president of north Portland. I spoke with mayor Potter at one of the meetings and sam Adams and commissioner Leonard I saw at one of the meetings also. I am not really prepared to speak here and am a little bit nervous. If I don't sound well spoken, please excuse that. I just came here to the meeting. I thought there would be other people speaking in our behalf, and there weren't that many down there so I put my name down. A couple things, I was a teacher. I taught many children about cesar chavez. And the power that he gave to the everyday man in a democracy that, yes, what he says does matter, and it does have an impact. North Portland seems to be earmarked by city council for some reason lately. Obviously the max hit the businesses quite hard in north Portland, and then rosa parks was kind of done in a way that the neighborhoods felt like they had no say in it and, after the fact, they learned about it. And now north Portland is also going through rezoning, which i'm sure all of you know. I have been on some of the rezoning committees. The initial study that the zoning committee did, they had a section of it that said interstate had a unique history. They advised -- the rezoning committee advised that all the neon signs be kept, that the flavor of interstate should be kept, and then we come along and rename it. It doesn't quite make much sense. Also the committee that wants to rename the street wants a major north/south street. I think that was one of their arguments, and that makes sense. But there are so many that are just numbers and have absolutely no meaning behind them, and we're just trying to understand why those aren't options. I also spoke with the mayor one evening after a meeting and he said it was an honor to rename a street cesar chavez because it shows the diversity of our city. I agree. But does all the diversity need to be in north Portland? There is a bigger city out there, southeast, northeast. There's all kinds of areas that could show a little bit of diversity. It's just having a great impact on our area of town of all the things that we have to go through. Is that time?

Potter: You have 30 seconds.

Paris: Ok. Anyway, I just want to voice my opposition to the process, to the whole idea of just haphazardly, it seems like, renaming a street after a person that should have recognition. The process is flawed. It needs to be more addressed to the people that live in the areas you're renaming and the businesses that it affects. Also -- this is for the mayor. Oh. Is it over?

Potter: Make your last comments.

Paris: I am a mother of four and also was a teacher. I did make things -- say things to my children and my students that they came back to me and said, hey, you know what? This just isn't right. Blah, blah, blah. And I had to realize I made a mistake and change it. Realizing you make a mistake is one thing. To change it, to be honest enough to say, ok, I do now have to readdress this and change what I did because it isn't right, it would be greatly appreciated. I know it's a big step. But thank you.

Lili Mandel: Hi. I'm lili mandel. I'm here to support this resolution. It belongs here at city hall. It allows citizens here openly to discuss it. It's here that commissioners listen to all the citizens to make up their minds. We still have a commission form of government here in Portland and the council will decide. Portland does not have a decider. This has absolutely nothing to do with racism but finding the right spot. Those who want to divide us are spewing hate. Let's follow the Portland process and here together, not behind closed doors, unite and, with this resolution, correct this mistake and resolve this conflict. I want to thank commissioners Leonard and Adams for restoring the Portland process here at city hall. And now I hope, erik, you will join them. Thank you.

Ann Alea Rogers: My name is ann alea rogers, and I wish you thank the commissioner Leonard and adams for attending the Ockley green meeting and listening with an open mind to the community. The proposal to name interstate avenue has drawn interest from the whole region, not

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just north Portland. In mayor Potter's press releases, he says compromise is necessary to solve differing opinions. He also has stated his wish to involve the community to a greater measure than in the past. Yet it seems to say to me, do as I say, not as I do. He has refused any compromise and chooses to ignore the opinions of the many people who do not approve of the renaming project. Interest has encouraged the hispanic community, and he has encouraged the hispanic committee on this project. No compromise of any kind has been offered by the hispanic committee, but they have labeled us racist because we do not agree with them. They are just as racist as anyone else. This resolution would allow time to reach an acceptable solution arrived at by following the proper procedure on record. Please approve this resolution. And thank you for your time.

Potter: When you speak, please state your name, and you each have three minutes.

Julie Rogers: I feel like i'm on "jeopardy." thank you for your time. Oh. My name. Julianne rogers, north Portland resident. Thank you for your time. I'll use octivisors like my mom someday.

In our cities, in our neighborhoods and in our schools, public sentiments is everything. It can be the catalyst that forms new bonds between seemingly separate and diverse groups. In the words of abraham lincoln, with public sentiment, nothing can fail. Without it, nothing can succeed. If the citizens of our city feel cheated because of the flawed process used so far, we have accomplished little to honor the greatness of the cesar chavez legacy, and we all lose. I believe the resolution before you provides the groundwork for a process which can enlighten public sentment and bring about a clear understanding of the work of cesar chavez and honor all of our latino neighbors by establishing a method for positive public involvement. We move our government closer to one in which citizens can engage on a level ground, growing in understands of our city's inclusive culture.

I respectfully ask you to vote in favor of this resolution and move forward with the sentiment and thoughts -- and I quote mr. Chavez in his words-- the preservation of one's own culture does not require contempt or disrespect for other cultures. That's cesar chavez. Thank you.

Kathleen Chellis: My name is kathleen chellis an interstate business owner. I am for stopping the current process at hand. I prefer the city ordinance. I prefer to use the streets in honorarium like chicago does, putting honorary signs over every interstate name that would also show due process. However, it's become apparently clear that that will not be acceptable here. The present process is at least an option that shows some respect to the vast majority of affected citizens who have already passionately addressed their views against the renaming of interstate. It sets a more reasonable page and offers more inclusion of our communities as a whole. This has been a negative experience for all, and i'll repeat this. Our children need to see us come together in a positive venue working towards a solution that has equity and respect for all. As a lifetime resident, I have a cherished and unique history to interstate. My mother also ran from the floods of vanport, and that's just one of many. As a business owner, I have an emotional, fiscal, and community involvement that I feel is worthy of some time and respect. This proposal at least is closer to meeting halfway, because we didn't have six to eight months. And, erik, I do urge you to either vote for this proposal or to vote no on november 15th.

Pam Brook-Haines: My name is pam brooks-haines, and kathy and I share a business on interstate avenue, and i'm also a north Portland resident, and i'm going to keep this really short. I really appreciate the full explanation for this resolution, and I support it totally. I think a bit more time is a reasonable request, and I don't think we should be afraid of more dialogue, because in a democracy that is what we do. Thank you very much.

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

Chris Duffy: Thank you. My name is chris duffy, and i'm chair of the arbor lodge neighborhood association in north Portland. Gentlemen, thank you for the opportunity to be heard here this afternoon, and thank you particularly to commissioners Leonard and Adams for bringing about the proposed resolution. As you already know, the arbor lodge neighborhood voted overwhelmingly

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against changing the name of interstate avenue to cesar e. Chavez boulevard. Although most residents support honoring mr. Chavez and his accomplishments, they did not feel that interstate avenue was the best choice. Too many people feel that so much has already been imposed on north Portland with zoning changes, impending high density development, the bringing in of the max line to name a few, and a name change just last year on rosa parks boulevard, that another was just one too many in that particular area. To a large extent also, they opposed this because they did not believe that there was an adequate process. Ideally a street renaming should bring people together on the issue and build community, give an opportunity to learn more about one another, and conclude with a celebration of unity. Instead, we have a community that is now divided, sadly so, with lines clearly drawn and no options for negotiation or compromise. This is not the way we do things in north Portland. This is not the way we do things in Portland itself. I'm here today representing the arbor lodge neighborhood board in support of this new resolution. People need a process. They need one that clearly defines the steps that have to be followed for renaming a street and to gain support for that proposal in the areas immediately surrounding that street. The current code is cumbersome, true, but so is democracy. The new resolution will go a long way towards setting things straight, allowing all voices to be heard and respected. For years, the north Portland community has lived in harmony every day, honoring diversity. The people of north Portland have clearly said no to the choice of interstate avenue, and their voices need to be respected. The process that has taken place so far is flawed. It's not been in the spirit of openness, transparency, and inclusiveness that has become the pride of Portland. Indeed it goes against the spirit of democracy itself that this country was founded on. Let's slow it down and have the conversations we all should have had at the beginning of this issue.

Sten: Can I ask a question mayor? Chris, nice to see you. I know you were right in the middle of the rosa parks discussion, and i'm curious if you might be willing to reflect on if the difference between those two situations for me.

Duffy: There have been a number of big differences between the two renaming processes that I see. First of all, Portland boulevard was only 2.2 miles long. It was a small street. There were only five businesses with Portland boulevard addresses in that stretch that would have to have their names changed. And we heard very little opposition to a name change in that instance. Another thing reflecting on it I see now is that there was not so much awareness that there was even a proposal at that time. The rosa parks issue did not seem to get the press coverage and the media attention that interstate avenue has. It's been constantly under scrutiny, whereas the Portland boulevard rosa parks proposal was not. I think if that had been, people might have protested more. They might not have, but I think the media coverage has definitely fueled the fire on it. Also I see something of a backlash because of the Portland boulevard name change. I am still hearing from people over a year later that they never knew. It snuck up on them. I don't know how that's possible. We went through seven months of process with that. But they claim that they didn't know until they saw the signs on the street. And now they resent another name change proposed in the very same area. They think it's one too many. If they had had more awareness, the vote on it might have been different last year honestly. Also people did not know that there was a code that prescribed a process last year when we went through all of that.

Sten: Thank you.

Bill Mildenberger: Good afternoon. Bill mildenberger, I'm the general manager of the nite hawk café lounge. My parents have owned it since 1980. It's been located on the corner of Interstate avenue and now rosa parks way for over 75 years. When we first found out about the proposed name change, the process had been under way for several months. We found out about it through a reporter with "the Portland tribune". We were quite shocked that after just experiencing a name change with rosa parks way that the city had plans on changing another major thoroughfare in north Portland to cesar e. Chavez. We took the opportunity at that point to form a grassroots organization

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to get out word to our community to find out what their feelings were and quite shockingly found that support within the business community is almost zero. We've spoken to over 80 businesses that unequivocally do not support the name change but also support honoring mr. Chavez in an appropriate way. That's probably the first thing that a business owner would tell you is we don't want to change the name of interstate avenue. It has historical significance. We've just spent \$400 million on a light rail train that goes down the avenue. We're experiencing rebirth, and to rename interstate avenue at this time is poor timing at best. But what they'll say next -- and i'm quite proud to tell you this -- is that it's appropriate to honor mr. Chavez and let's find a solution that satisfies the chavez community, and satisfies mayor Potter, and that satisfies a process so that he's honored appropriately but we're allowed to keep interstate avenue. The current proposal suggests that we need to lose interstate avenue in order to honor mr. Chavez. We think there's a creative way forward and have called on the mayor's office, the renaming cesar chavez committee on several occasions to please form a committee that seeks to galvanize our community through the process. I'd ask you once again that you do that, mr. Mayor, and allow us to sit down and speak at a table where we can come up with a common agreement that's unique to Portland and makes us proud to be Portlanders. North Portland is experiencing right now rebirth. To lose interstate avenue has fiscal consequences to small businesses, has to spend taxpayers' money, which we think is inappropriate at this time, and it has a historical significant that gets lost, and we lose in a what is our brand name, and that brand name is reemerging as we speak. I ask for you to respectfully adopt the proposal commissioner Adams and commissioner Leonard have put on the table. And, erik, we're looking for your support on this, please, and thank you for the opportunity to speak on this today. Good day.

Promise King: My name is promise king. The new executive director of Oregon league of minority voters. First of all, let me just apologize to our latino leaders who feel denigrated by this resolution. I had a lot of talk with them. I know the two commissioners, commissioner Leonard and commissioner Adams, who brought this forward. I am not going to question the intentions, because today is a sad day for me. Never will I ever imagine that I will sit opposite a randy Leonard views. Never. Because I sit here today because of his mentorship in salem when I first began this process. You know, I was part of the rosa park. I knew what happened. I knew that the courage of mayor Potter and the courageous effort of all would make that happen. Like one of my panelists said, we went through eight months of process. This is not about process. You know, the latino leaders came to you and said, we want something. We want interstate. How dare am I to say you want something I'm going to tell you what you want. You can not tell me no or yes. This is as simple as that. So we ought to honor their support. We ought to honor their request for this process. They have done what you asked them to do. We should not be guided by the reaction of people, because I don't want to go back into history. I don't want to go back into history. Because, if I go back into history, it will be a little messy. Please, please honor the request of our latino brothers who are calm, kindly, humbly before you and saying, we want interstate. I am an immigrant from africa. I don't know killingsworth, but I respect those who want killingsworth. I don't know general fremont, but I respect those who want general fremont. If anybody come and said, I want a street name after my grandfather, how dare will I say no? I want this street named after somebody else. You know? I want to thank you to look at this issue and vote no on this resolution, because that's the right thing to do. Again, I'm not doubting the intention of commissioner Adams or commissioner Leonard. I respect them greatly. Greatly. Because, without those two commissioners, I wouldn't now be sitting here this afternoon. But I am asking you to consider the request and the respect of our latino neighbors. They want this. Any future resolution should come from them. We talk about north Portland and as if they are not part of north Portland. We talk about -- we use all this cliché as if they are not part of our community. We are not helping the matter. This resolution is no resolution to this issue. Because like folks have said, we'll be back

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here again. There are creative solutions to it. I wish I had time to tell you what I think the solution is. I don't.

Potter: Thank you, folks.

Melanie Davis: Good afternoon. Melanie Davis. Today I'm coming to you as a citizen business owner in north-northeast Portland. I wanted to dispel a few myths that are out there. There are a few myths that the community didn't engage in public process, that they didn't -- there hasn't been an open process. However, this community has empowered themselves, as many of you have run your campaigns on the fact that you want to see more communities empowering themselves and coming together to create significant social change and strengthen communities in Portland where Portland is so beautiful. This community has done so. The reason why I reject and am disappointed in this resolution is because it wants to go retroactive on exactly what this community has come together to do. And if you do have significant reasons you move it forward, then look to the future to pass a resolution as you're suggesting. I think to probably answer your question, commissioner Sten, the harm in waiting, I think, if we look at the demographics today, the current trends -- I just came from a training today with Oregon partnership. We did a deep, in-depth study of a lot of the demographics, and right now the education system over the latino population grew within Multnomah county over 181% whereas the nonhispanic population, the white population, has actually decreased. Now, there's direct links to that and the taxable future incomes of Oregon, and that relates directly to social security, city jobs, state jobs, our federal spending. If we don't continue to embrace the diversities of our communities, we're going to weaken them, thereby weakening our political leaders, our political engagement, our political power. I also wanted to mention, beyond about the economics and statics, because we could talk numbers all day, this community has gone out and done outreach with not only members of overlook and arbor lodge. But, they've also engaged communities from the asian-pacific islander, the black, and african-american, the native-american population, the lesbian, gay, bisexual, and transgender community, the latino population, the labor, gender, age, and many other members of the communities of Portland, and also members of the communities within these neighborhood associations. They already feel disenfranchised by their own associations that don't go to these meetings because of the type of outcomes that are created in these types of hostile environments when these types of topics are talked about. And they have all sent their letters of support. I notice that some people are suggesting to save interstate avenue. Well, specifically save it for what? In the spirit of Cesar Chavez, we would choose to uplift it, to create change, create change for all and embrace the change, moving forward into our future. Any questions, gentlemen? Since my time is up.

Potter: Thank you.

Moore: Clerk: That's all who signed up.

Potter: Further comments? Please call the vote.

Sten: I wanted to ask a question. I guess I want to kind of do a little bit of brainstorming with commissioner Leonard and commissioner Adams. I guess, at this point, I mean, there are things that I don't like about this process, the length. I don't like that we can't get people together, but I've tried. I think the length is too long. I want to be really blunt. I don't think you're going to come up with any street that isn't going to have the same kind of argument waging on it. I really believe that. I believe the mayor's right on that. And I think it's unrealistic to think that naming these streets is going to get us anything other than a tough council decision. So that's kind of my premise. So I think it's too long, because I think we're going to be having -- you're talking about naming five streets by January 31st and voting six months later, so I think, to me, that's going to be a real mess. I'm not really inclined to go for five streets. I think three would make sense, and one of them I think is already picked, if we're going to do it. It's interstate. And I think somehow the council needs to take this on if we're going to do more than name a committee. As it stands now, I'm going

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to vote against your resolution, but i'm offering some ideas that I might be able to work towards something that I think would work.

Leonard: Second.

Sten: I don't have it yet.

Leonard: That's my way of saying i'm very open to your suggestions.

Sten: I'm really torn on this. I think that we could use some more process, but I think a process, if the mayor does not join in willingly, and I say that with the utmost respect and if the chavez committee does not join in willingly, and I say that with utmost respect, I think it's going to be very unlikely to succeed and we might just as well take a vote on november 15th as opposed to doing six, eight months of process that isn't really serious. On the other hand, my 11 years on the council and 17 years in the building, I do not ever recall two members of the body asking for more time and not at least some extent accommodating it, so i'm inclined to try and accommodate your request, just as almost a matter of how to make the building work. I just think, if I was in a position of saying I need a little bit more time -- I think the arguments about the harm are good, but I don't think they hold to a couple of months. I just don't think a couple of months is going to change things. On the other hand, i'm not sure we're going to find something. I would be much more inclined if we had some process where we fast track a couple of other proposals and see if they have anymore support out there, streets that are of the same significance. If not, i'd be just prepared to take a vote on interstate. And I think it's better to discuss these things in public. I'm really going back and forth between whether it's better to just have a tough vote, as the mayor is calling for -- I wanted to throw that out to you two and see what your response is.

Leonard: I appreciate your thoughtful approach and the discussion that you're creating with your observations. It's very helpful. The issue that the mayor has spoken to and you have spoken to with respect to -- and frankly commissioner Saltzman has raised as well has been, well, if we delay the process, have other street names, we're going to have the same level of controversy as we do now. I actually don't think that that's accurate. And the reason I don't think that that's accurate is because -- which isn't to say there won't be any opposition. Of course there will. What has concerned me in this debate is not frankly the opposition from the people who have raised reasons that I think can reasonably be attributed to some animus towards cesar chavez. I am willing to vote against that right now and vote to name interstate if that's the level of opposition. The opposition that has concerned me has been from the thoughtful Portlanders who don't just live along interstate but all throughout Portland have said this appears to have been a done deal before started. This appears to have been less a process, a community discussion, and more of a pronouncement. I have to agree that and as I said in my opening remarks, I have to agree that I own some of the responsibility for that, and that was a mistake. I think at this point, if we -- just to take your suggestion, commissioner Sten, we threw interstate on the list. We threw what i've already said is one that I favor, southwest broadway from union station to p.s.u. on the list, and threw another one that I heard that's intriguing, airport way, on the list and the reason for airport way is it's really truly an international street. Every person that comes to Portland has to go on airport way any directions that go downtown from the airport. Would include, if we renamed airport way, cesar chavez, that on the map. So, I mean, just to throw those three names out. But on the condition that this not be a pretend process, that it truly be a process where each of those three are considered publicly. Each of those three are debated publicly. And frankly, if at the end of the day, the committee that has done all the work on this makes the persuasive case where they have chosen interstate, which i've yet to hear frankly, i'll vote for it. I am not opposed in january or february or whenever sitting here and voting for interstate to be cesar chavez. Notwithstanding some of the opposition that we've heard. I like your idea of the council taking it on, I hadn't thought of that frankly. And I think putting five more people or how many more we decide in front of this controversy anymore is a mistake. We should probably figure out - -

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Sten: I just can't figure any way to come up with a committee that's going to make sense.

Leonard: I have to agree with you. So i'm open to changing the date. I'm open to creating a committee that commits to council. But I think that we have to each of us commit at the outset that we intend to have testimony from people like chet orloff from the historical society who i've engaged in some conversations with who is a historian, people who could help us kind of wade through what would be the most appropriate. I've named two others. It doesn't have to be those. It could be others besides that. But could help us decide what would make more sense and then hold hearings out in that neighborhood.

Sten: This whole thing started, I think the mayor said, september 15th, September 5th that this came to council? September 6th, so we had our first council hearing, which reasonably, even though I think the committee has done a lot of good outreach, if we're the council, we name the street. It's the council that names the street, not anybody else. And so, if we're willing, mayor, to take the position that six weeks after we have a council hearing we've ready to move, then we should be able to, in the same type of time period, have a look at whatever the other pieces are. I don't know if we can get there, but i'm just saying to you two, if we could come to a position where the council said explicitly there were maybe five -- i'd prefer less, but there are three streets that the five of us or four of us or whatever it is all consider really good streets and then we held a hearing -- several hearings on those streets, let the community weigh in, and we were going to take a vote and name one of those streets after it was done, that would be appealing to me.

Leonard: That's my intent.

Sten: Appointing another committee to say -- you know -- I think we have to use our judgment and own this. I think another committee process is not going to work.

Leonard: I agree, and I guess I would throw out I think we're very close in where we all want to be. I would throw out possibly the idea of setting this over, this particular resolution, over for a week. Hopefully all of us can sit down and discuss what the appropriate language would be to substitute and come back and vote on it as opposed to doing it on the fly here.

Sten: Commissioner Adams, you're awfully quiet today.

Adams: I know your intentions are good and commissioner Leonard's as well during this conversation piece, but I wonder out loud if we're not about to repeat the mistake that we made before. I'm interested in a process that is meaningful and is serious, and we, the council, are very busy with a lot of responsibilities, and I don't know how we can take something like this on unless we're willing to put some staff effort into it and ask -- and have a thoughtful process. So I also am mindful that we're three white guys, and one of the --

Potter: Aren't I white, too?

Adams: Sorry.

Potter: Thank you.

Adams: We're four white guys.

Potter: I guess you forgot me.

Adams: Five white guys. One's not here.

Potter: He's learning.

Adams: And that one of the hopes I had for having a citizen committee is that we could select folks that had citywide esteem among all Portlanders but also would be able to provide some diversity and points of view about this issue. So i'm not -- I guess i'd like to hear more about what you're thinking in terms of the process, because the process up to this point has been that we will rename a street, if there's not significant organized opposition to it, and that has been the de facto process of the city. When I worked for vera katz, I helped her rename naito parkway. I obviously voted in favor of rosa parks way, and I was ready to vote in favor of cesar chavez name change to interstate on the assumption that there was, because of the initial work from the proponents of the name change -- that there was adequate support in the community. The fact that that hasn't borne out to

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be true -- and I think they thought it was true at the time -- I guess I welcome the best idea and want to go for the best idea, and I guess I would welcome sort of a little more meat on the bones of what you're talking about. If you want to delay it a week to sort of spend more time thinking about it, I would support that.

Sten: That makes me want to delay it less. That answer lost me. You had me at randy.

Leonard: I guess I want to actually, given commissioner Adams' comments, look to come up with some language right now. And I think we can do all -- I think we can address commissioner Adams' concerns, and I was just looking at the current code that talks about a historian panel. I think we can do some of what commissioner Adams talks about by us informally appointing a diverse group of people on an advisory panel to us on the names that we suggested that doesn't necessarily require public hearings by them but have them give us some of their feedback. So I guess i'd like to propose that we come up with five names, which i'd like all of us to decide on here and - -

Potter: Excuse me commissioner Leonard. I don't really feel like i'm relevant to this conversation. I'm turning the gavel over - -

Leonard: But you're the mayor of the city, you are rel--

Potter: I am no longer a voting member of this council. You folks have decided

Leonard: That's absolutely not true. I think it's inappropriate for you to leave at this point.

Potter: Well, I think this is inappropriate, so i'm turning the gavel over to the president of the council. I don't see any purpose for my attendance.

Sten: Mayor, I just want to tell you it makes it hard to support you.

Potter: I haven't heard the support.

Sten: I'm trying to find a way to work with you. I've told you that, and you're walking out on me trying to discuss it with you?

Potter: I've not heard discussions with me. I've heard discussions between you and randy and sam.

Sten: Mayor, i've asked you many questions. Ok.

Leonard: I'm sorry for that. However, I would like to continue the discussion if that's ok. I do think it might be helpful at this point to discuss and deliberate on five names, us come up with the names, to agree on language that reflects your interest of having the council be the primary body that holds hearings, which I don't think, as I was alluding to, precludes commissioner Adams' idea of making sure we get good advice, and I would recommend that we look at the existing code and appoint a panel like the historical commission that it references -- and that we set a date by which we take a vote, which i'm very open to.

Adams: Your thoughts, commissioner Sten?

Sten: Well, I will a little stunned at the mayor walking out on a meeting in which I was actually leaning towards voting for his position. But it makes it hard to support a position if he's not here and is not arguing it himself.

Leonard: No. I think we continue.

Sten: I certainly don't think - -

Adams: May I interject?

Sten: I was going to say, I don't think, given the emotion on all sides of this, that the importance that this is taking -- and I think it's grown to a level of -- you know -- I don't think we should, given what's just happened, wordsmith a resolution on the fly. I think we need to -- if i'm going to support a resolution, I do like the direction you're going in, but I also want to talk with people about it.

Leonard: Ok.

Sten: Anything we do at this point is I would not say radically but substantially different than what you had on the table to begin with.

Leonard: Correct.

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Sten: And I think it actually deserves to be written in full, published, and circulated before it's voted on. And if that means we delay things for a couple more weeks, I think that's the right answer.

Leonard: That's fine. I agree with you. I'm a little taken aback and just didn't want to send the message that that's going to govern our decision.

Sten: What's interesting and unfortunate about this -- and I mean this with all friendliness, in a friendly conversation, is that the fact that it was so difficult to find something where you and commissioner Adams -- you guys have found something that has two votes and, as I tried to say, I'm not going to vote for this, but I might get there, we split you two off just a little bit. Actually was beginning to push me in the direction maybe we should just move forward and have the vote because we're not going to get to a process. I think, given -- I don't know how I can sort of jam through a process the champion of which isn't even here. So I think we need to maybe take -- I suppose I would see if you want to withdraw this and bring it back next week.

Leonard: I'm fine to do that. I just think that the citizens elect five people to the city council, that each of us, in our own ways, are leaders, and there are three of us here prepared to work something out, and again I apologize that this has transpired into what it has at this point to all the citizens of Portland. But I do want to respect my colleagues here. Go ahead.

Adams: There are not three votes to do anything today. That's the bottom line. So we will continue this until at least -- or are we withdrawing?

Leonard: Well, I'd like to at this point send it back to my office for further review.

Adams: Without objection, it moves back to commissioner Leonard's office.

Sten: If I could, Mr. President, I might procedurally just recommend a continuance to next week with a spot on the docket.

Moore: We don't have a full council next week. We won't have one until the 14th.

Leonard: I'd like to continue it till the 14th of November.

Moore: November 14th. We could do the 2:00 p.m. time certain.

Adams: Without objection, this resolution continues to December 14th at 2:00 p.m.

Moore: November 14th.

Adams: November 14th at 2:00 p.m. Any other business of the council?

Moore: I'm sorry. Commissioner Saltzman is out on the afternoon. We could move it to the morning at 10:30.

Leonard: That would be fine.

Moore: Everybody's in in the morning.

Leonard: November 14th at 10:30 time certain.

Adams: It's moved to November 14th at 10:30 time certain. Given that there is nothing else on the council calendar, we stand adjourned.

At 4:56 p.m., Council adjourned.