



CITY OF  
**PORTLAND, OREGON**

OFFICIAL  
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **30TH DAY OF JANUARY, 2008** 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; Harry Auerbach, Chief Deputy City Attorney; and Ron Willis, Sergeant at Arms.

Item No. 150 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

<b>COMMUNICATIONS</b>	<b>Disposition:</b>
<p><b>144</b> Request of Glen Owen to address Council regarding an impeachment resolution (Communication)</p>	<b>PLACED ON FILE</b>
<p><b>145</b> Request of Rev. Nathan Knowles to address Council regarding the first YWCA and family shelter for Portland (Communication)</p>	<b>PLACED ON FILE</b>
<b>TIME CERTAINS</b>	
<p><b>146</b> <b>TIME CERTAIN: 9:30 AM</b> – Authorize an agreement between Portland Parks &amp; Recreation and the Oregon Department of Transportation to accept a grant of \$460,000 to develop a portion of the Columbia Slough Trail between Portland International Raceway and Martin Luther King, Jr. Blvd. (Ordinance introduced by Commissioner Saltzman)</p>	<p><b>PASSED TO          SECOND READING          FEBRUARY 6, 2008          AT 9:30 AM</b></p>
<p><b>147</b> <b>TIME CERTAIN: 9:45 AM</b> – Address pay and benefit inequity among janitors cleaning city facilities (Resolution introduced by Commissioner Adams)</p>	<p><b>REFERRED TO          COMMISSIONER OF          PUBLIC UTILITIES</b></p>
<p><b>CONSENT AGENDA – NO DISCUSSION</b></p> <p><b>Mayor Tom Potter</b></p> <p>City Attorney</p>	

**January 30, 2008**

<p><b>148</b> Authorize City Attorney to commence legal proceedings for recovery of costs incurred responding to release of hazardous substances (Resolution) (Y-4)</p>	<p align="center"><b>36572</b></p>
<p><b>*149</b> Approve settlement with Locating, Inc. (Ordinance) (Y-4)</p>	<p align="center"><b>181562</b></p>
<p align="center"><b>Office of Emergency Management</b></p>	
<p><b>*150</b> Accept an Oregon Military Department, Office of Emergency Management, Department of Homeland Security FY 2007 Urban Areas Security Initiative Grant to plan for terrorism events through planning, training and equipping First Responders (Ordinance)  <b>Motion to accept amendment of an additional \$16,729.00 to increase the award to \$6,806,353.00:</b> Moved by Commissioner Leonard and seconded by Commissioner Adams. (Y-4) (Y-4)</p>	<p align="center"><b>181577</b> AS AMENDED</p>
<p align="center"><b>Office of Management and Finance – Business Operations</b></p>	
<p><b>*151</b> Pay claims of Phyll and Laurel Zuberi (Ordinance) (Y-4)</p>	<p align="center"><b>181563</b></p>
<p align="center"><b>Office of Management and Finance – Financial Services</b></p>	
<p><b>152</b> Statement of cash and investments December 13, 2007 through January 09, 2008 (Report; Treasurer) (Y-4)</p>	<p align="center"><b>PLACED ON FILE</b></p>
<p align="center"><b>Office of Management and Finance – Human Resources</b></p>	
<p><b>153</b> Create two new Nonrepresented classifications, Parks Athletic Fields Maintenance Supervisor and Sports Management Supervisor, and establish compensation rates for these classifications (Second Reading Agenda 125) (Y-4)</p>	<p align="center"><b>181564</b></p>
<p><b>154</b> Change the salary range of the Nonrepresented classification of Fire and Police Disability and Retirement Operations Manager (Second Reading Agenda 126) (Y-4)</p>	<p align="center"><b>181565</b></p>
<p align="center"><b>Office of Management and Finance – Technology Services</b></p>	
<p><b>155</b> Authorize a five year Intergovernmental Agreement with Clark Regional Emergency Services Agency for City and CRESA public safety users to utilize their respective 800MHz radio systems for mutual aid radio communications (Second Reading Agenda 128) (Y-4)</p>	<p align="center"><b>181566</b></p>
<p align="center"><b>Police Bureau</b></p>	
<p><b>*156</b> Amend an Intergovernmental Agreement with TriMet Transit for Police Services (Ordinance; amend Contract No. 52486) (Y-4)</p>	<p align="center"><b>181567</b></p>

**January 30, 2008**

<p><b>*157</b> Amend an Intergovernmental Agreement with TriMet and the City of Milwaukie for Transit Police Services (Ordinance; amend Contract No. 52515)  (Y-4)</p>	<p><b>181568</b></p>
<p><b>Commissioner Sam Adams</b></p>	
<p><b>Bureau of Environmental Services</b></p>	
<p><b>*158</b> Authorize a contract with Moore Excavation, Inc. and provide for payment for the construction of SE 1st and Oak Emergency Sewer Replacement Project No. 8817 (Ordinance)  (Y-4)</p>	<p><b>181569</b></p>
<p><b>*159</b> Amend contract with CMTS, Inc. to provide construction management, inspection and project support personnel (Ordinance; amend Contract No. 35674)  (Y-4)</p>	<p><b>181570</b></p>
<p><b>160</b> Amend grant agreement with Friends of Tryon Creek State Park to coordinate and purchase land adjacent to Tryon Creek State Natural Area for reimbursement up to \$32,670 (Ordinance; amend Contract No. 37589)</p>	<p><b>PASSED TO SECOND READING FEBRUARY 6, 2008 AT 9:30 AM</b></p>
<p><b>161</b> Amend Intergovernmental Agreement with Portland State University to coordinate Community Watershed Stewardship Grants (Ordinance; amend Contract No. 37629)</p>	<p><b>PASSED TO SECOND READING FEBRUARY 6, 2008 AT 9:30 AM</b></p>
<p><b>162</b> Authorize the Director of the Bureau of Environmental Services to enter into individual agreements with eligible property owners to compensate owners for reasonable and appropriate costs to reconnect private plumbing to another public sanitary sewer system, Project No. 8373 (Ordinance)</p>	<p><b>PASSED TO SECOND READING FEBRUARY 6, 2008 AT 9:30 AM</b></p>
<p><b>163</b> Authorize application to FishAmerica Foundation grant program for \$50,000 for Stephens Creek Confluence Habitat Enhancement Project (Ordinance)</p>	<p><b>PASSED TO SECOND READING FEBRUARY 6, 2008 AT 9:30 AM</b></p>
<p><b>164</b> Authorize Grant Agreements and Intergovernmental Agreements with five non-profit and public entities related to the Watershed Investment Fund Program (Ordinance)</p>	<p><b>PASSED TO SECOND READING FEBRUARY 6, 2008 AT 9:30 AM</b></p>
<p><b>165</b> Amend contract with Brown and Caldwell for design, construction and startup phase services for the Columbia Boulevard Wastewater Treatment Plant Digester Expansion Project No. 8106 (Second Reading 134; amend Contract No. 37293)  (Y-4)</p>	<p><b>181571</b></p>
<p><b>Office of Transportation</b></p>	

**January 30, 2008**

<p><b>166</b> Set a hearing date 9:30 am, Wednesday, February 27, 2008, to vacate a portion of SE 41st Ave south of SE Lexington St (Report; VAC-10036) (Y-4)</p>	<p><b>ACCEPTED</b></p>
<p><b>*167</b> Amend Intergovernmental Agreement with the Oregon Department of Transportation to provide funding for the two-year plant and tree establishment and maintenance for the Sandy Boulevard Resurfacing and Streetscape project (Ordinance; amend Contract No. 52001) (Y-4)</p>	<p><b>181572</b></p>
<p><b>*168</b> Authorize contract with H.W. Lochner, Inc. to provide survey and mapping services for the West Burnside / Couch Project (Ordinance) (Y-4)</p>	<p><b>181573</b></p>
<p><b>Commissioner Randy Leonard</b></p> <p><b>Water Bureau</b></p>	
<p><b>169</b> Accept contract with Dunn Construction, Inc. for the construction of the Summerplace Water Mains Package as complete, release retainage and authorize final payment (Report; Contract No. 37127) (Y-4)</p>	<p><b>ACCEPTED</b></p>
<p><b>Commissioner Dan Saltzman</b></p> <p><b>Office of Sustainable Development</b></p>	
<p><b>*170</b> Authorize a \$40,000 Intergovernmental Agreement with the Oregon Department of Energy to provide them with technical and marketing services for the Business Energy Tax Credit for multifamily energy efficiency projects and commercial solar projects (Ordinance) (Y-4)</p>	<p><b>181574</b></p>
<p><b>171</b> Authorize Office of Sustainable Development to contract with East Portland Neighbors to perform Neighborhood Cleanup Events from FY 2007-08 through FY 2009-10 at a total cost of \$23,433 (Ordinance)</p>	<p><b>PASSED TO SECOND READING FEBRUARY 6, 2008 AT 9:30 AM</b></p>
<p><b>Parks and Recreation</b></p>	
<p><b>172</b> Authorize application to the Recreational Trails grant program of the Oregon Recreation and Parks Department for \$90,000 for the development of trails in Marquam Nature Park (Ordinance)</p>	<p><b>PASSED TO SECOND READING FEBRUARY 6, 2008 AT 9:30 AM</b></p>
<p><b>Commissioner Erik Sten</b></p> <p><b>Bureau of Housing and Community Development</b></p>	

**January 30, 2008**

<p><b>*173</b> Increase subrecipient contract with Neighborhood Pride Team by \$29,797 for support services to low-income artisans using recycled materials and provide for payment (Ordinance; amend Contract No. 36878)  (Y-4)</p>	<p><b>181575</b></p>
<p><b>*174</b> Increase a subrecipient contract with JOIN by \$104,871 for outreach and retention services for homeless people and provide for payment (Ordinance; amend Contract No. 37549)  (Y-4)</p>	<p><b>181576</b></p>
<p style="text-align: center;"><b>REGULAR AGENDA</b></p> <p style="text-align: center;"><b>Mayor Tom Potter</b></p>	
<p style="text-align: center;"><b>Office of Management and Finance – Technology Services</b></p>	
<p><b>*175</b> Amend contract with Cayenta Canada, Inc. for implementation of the Safe, Sound &amp; Green Streets Street Maintenance and Safety Fee into the Portland Utility billing system (Ordinance; amend Contract No. 37321)  (Y-4)</p>	<p><b>181579</b></p>
<p><b>*176</b> Amend contract with Michael Gunnare to develop and implement SAP interfaces for the Portland Police Bureau Employee Information System (Ordinance; amend Contract No. 37172)  (Y-4)</p>	<p><b>181580</b></p>
<p style="text-align: center;"><b>Commissioner Sam Adams</b></p>	
<p><b>177</b> Vacate a portion of NW Naito Parkway east of NW 9th Ave subject to certain conditions and reservations (Hearing; Ordinance; VAC-10045)</p>	<p style="text-align: center;"><b>PASSED TO SECOND READING FEBRUARY 6, 2008 AT 9:30 AM</b></p>
<p><b>178</b> Amend City Code to provide funding to address Portland street maintenance and transportation safety needs including at intersections and around schools, reduce traffic congestion, expand the bicycle network and improve freight mobility as companion to Multnomah County efforts to secure funding to replace the Sellwood Bridge (Second Reading 118; add Code Chapter 17.21)  (Y-4)</p>	<p style="text-align: center;"><b>181578</b> AS AMENDED <b>REPEALED FEBRUARY 6, 2008</b></p>
<p><b>179</b> Establish a Portland Safe, Sound and Green Streets Independent Oversight Committee to ensure the effective delivery of projects and services (Second Reading 119; add Code Section 3.128)  (Y-4)</p>	<p style="text-align: center;"><b>181581</b> AS AMENDED <b>REPEALED FEBRUARY 6, 2008</b></p>
<p style="text-align: center;"><b>Commissioner Dan Saltzman</b></p> <p style="text-align: center;"><b>Parks and Recreation</b></p>	

**January 30, 2008**

<p><b>*180</b> Authorize License Agreement between Lents Little League and Portland Parks and Recreation for the use of Lents Park by Lents Little League (Ordinance) (Y-4)</p>	<p><b>181582</b></p>
<p><b>*181</b> Approve agreement for acquisition of a parcel of real property in northwest Portland for park purposes from Raymond Hoy (Ordinance; Contract No. 52922) (Y-4)</p>	<p><b>181583</b></p>

At 10:51 a.m., Council recessed.

**January 30, 2008**

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,  
OREGON WAS HELD THIS **30TH DAY OF JANUARY, 2008** AT 2:00 P.M.

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

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

<p><b>182</b>    <b>TIME CERTAIN: 2:00 PM</b> – Appeal of South Portland Neighborhood Association against Design Commission’s decision to approve a new full-block, six-story mixed-use building on Block 49 of the South Waterfront District (Hearing; LU 07-153880 DZM AD)</p> <p><b>Motion to deny the appeal and uphold the decision by the Design Commission and amend page 11 the word "leed" with "Earth Advantage":</b> Moved by Commissioner Leonard and seconded by Commissioner Sten.</p> <p>(Y-5)</p>	<p><b>APPEAL DENIED</b></p>
---	---------------------------------

At 3:05 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.

January 31, 2008

**THURSDAY, 2:00 PM, JANUARY 31, 2008**

**NOTE: Item 183 was cancelled and rescheduled date to be determined.**

**183 TIME CERTAIN: 2:00 PM** – Accept the River Public Safety Coordination Task Force Final Report (Resolution introduced by Commissioner Adams)

**REFERRED TO  
COMMISSIONER OF  
PUBLIC UTILITIES**



January 30, 2008

## 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.]

**JANUARY 30, 2008**                      **9:30 AM**

**Potter:** Was a 17-year veteran of the bureau, much of that time in inner Portland. Mark was not only a great officer but a great friend to many of the communities he served with compassion and concern. His enthusiasm for his real connections between the bureau and people who appreciated his passion for making their neighborhoods better places to live for everyone. On Friday, Chief Sizer will award Officer Zelawi the Distinguished Serviceman posthumously. Distinguished Service is exactly what Mark gave to our community. The Chief is also planning to present an annual Mark Zelawi Distinguished Service Medal each year to a deserving officer. I know the thoughts of everyone on this Council are with Mark's wife, Patty, and his four children. In the coming day, we will look at what additional assistance we can provide to Mark's family. Before I begin the regular part of the Council proceeding, I start off with asking our community and the people watching this on TV how are the children? The reason I ask that question, how are the children, I know, when our children are cared for, when they're taken care of, the community is better for it. Each time I have folks coming in who wish to address the issue of how are our children, and today we have two groups. The first group are three students from Sabin Elementary School that are in the Access Alternative School. Sierra Adams, third grade. Could you come forward? Ryan Johnson, fourth grade, and Jack Freedman, fourth grade. They have some charts they would like us to see. Ok. Meth is dangerous. I can see that. Promoting fairness in sports. And that one is, oh, a downtown tram system. I know who's going to present that one. Ryan came out to Jefferson High School to see me when I was out there, he and his mom, and he did a special presentation. Ok. I understand that you have microphones on now. Who is going to start?

**Potter:** [laughter] are you Ryan or Jack?

**Jack Friedman:** I guess I will.

**Potter:** Could you introduce yourself when you speak?

**Friedman:** I'm Jack Friedman, and I'm a big sports fanatic, so I have chosen to research promoting fairness in sports. Today I'll be focusing on three main aspects, making the right calls, playing by the rules like not taking steroids, and buying tickets at a fair price. I think football is the fairest sport because they put forth the most effort to make the calls correct. A head coach may challenge a referee's call. The referees are required to review video recordings of the play, and then the referees issue their final decisions. I believe basketball is intermediate because they use the video replay at the referees' discretion. Baseball, I believe, is the least fair because they have no video review and the umpires' decisions are final. Next I want to talk about playing by the rules. Specifically the rule that athletes are not allowed to take performance-enhancing steroids. The disadvantages of steroids are high blood pressure, heart disease, osteoporosis, and liver tumors. The disadvantages here outweigh the advantages. Therefore steroids have been banned. Here are some of the recent athletes who have been associated with steroid use. In baseball, Barry Bonds and

**January 30, 2008**

roger clemons, in football, lyle alzedo, in track and field, marion jones and ben johnson. Barry bonds has not been proven to have taken steroids, but I think he has for this reason. On the left is a picture of barry bond as a rookie with the pittsburgh pirates. He stands fast and sleek, and he stole 52 bases in 1990. On the right is a more recent picture of barry bonds. He hits homers and is no longer fast. He no longer steals bases but hits homeruns. He does not prove he is taking steroids, but it is very suggestive. Finally I want to talk about buying tickets at fair prices. Scalping is reselling tickets for more than face value. It's illegal in some but not all states, although it currently is legal in Oregon. Scalping is unfair because it prevents average man from obtaining tickets at reasonable prices. It diverts profits from the team or league to unscrupulous scalpers. You can write to your state legislators in salem, demand that ticket scalping be made illegal. Why did for my service project is write a letter for each of my classmates to their own senator and representative asking that scalping be made illegal in Oregon. They could sign this letter if they wanted and return it to me. I will send them all to salem. My Cnn.com, newyorktimes.com, espn.com, and a site about adverse effects of anabolic steroids are my sources. Represented reading, "the game of shadows."

[applause]

**Potter:** Thank you, jack. Ryan? Is your microphone on? I can't hear you. Ok.

**Ryne Johnson:** Downtown tram for Portland.

**Potter:** I think you're going to have to pull it up a little higher.

**Johnson:** Downtown tram. I'm going to convince you that Portland can benefit from a new transit system. The tram i'm making is special. It converts northeast Portland and downtown and rural in very many places in those areas on a long network. Traffic conservation -- traffic congestion and energy conservation are two reasons why it can help 'cause it will reduce cars on the road, reducing traffic on the bridges --

**Potter:** Ryan, could you speak up just a little bit?

**Johnson:** And raw pollution. It will make it possible to convert some streets into parks which makes it possible to put more trees, reducing pollution even more. Also commuting time is wasted on the bridges. The long commutes can steal time from workers' families. Drivers can only drive while workers do other productive stuff during a trip. Fewer cars make shorter trips for everyone. Conclusion, i'm sending a letter asking government leaders to consider funding my idea, sending it to commissioner sam Adams, mayor tom Potter, congressman earl blumenauer, senator ron wyden, and senator gordon smith. It's very important to communicate with anybody about this idea.

[applause]

**Potter:** Thank you. Sierra?

**Ceara Adams:** My name's -- [loss of audio]

[sound and video difficulties from 9:50 a.m. – 10:09 a.m.]

**Potter:** Can you hear me now?

[laughter]

**Potter:** Ok. That's a commercial. I didn't mean to do a commercial. Is the lighting system still --

**Moore-Love:** It's still warming up.

**Potter:** The lighting system is still warming up.

**Leonard:** We want to get mckenzie on camera.

**Potter:** Yes.

**Leonard:** You can get a copy of the tape, and you'll always have it.

**Potter:** There we go. An ever-so-faint picture. Can we turn up the lights at all? We're almost back, folks. Thank you for your patience.

**Leonard:** There we go.

**Potter:** I'd like to reintroduce mckenzie Potter-mullen, age eight. This is the city council. Why don't you go ahead, mckenzie, I understand you have something you wish to tell the city council.

**January 30, 2008**

**Mackenzie Potter-Mowen:** I do. And --

**Potter:** Why don't you tell people who you are even though I said.

**Potter-Mowen:** My name's mckenzie Potter-mullen, and i'm here to talk today about discrimination and how it's wrong and more. The problem with america is that there's discrimination in this world. I don't understand why men can't marry men and women can't marry women. It's an insult. I'm trying to do what dr. Martin luther king jr. Was trying to do. I'm trying to change the law about gays and lesbians and make it about love. I really think my moms should get married. They love each other. They might look different to some people, but there's nothing that can stop love. Why should people be this way when we could all just love and care? I found out that, in many different ways, we aren't keeping up dr. King's dream alive as we should. Gays can't get married. People still think african-americans should be treated badly. And war is horrible. It's taking down houses and separating families. People are dying from it. There are broken hearts. Do you think we should all go on this horrible way or should we start keeping his dream alive? I think we should keep his dream alive because it's the right thing to do. If people really work on it, the world will change in time. I bet dr. Martin luther king jr. Would be up here saying his words about gays and the war. I bet he would be saying discrimination is wrong. I bet he would say that caring and loving is what we should do to make this world a better place. War is horrible. If we don't stop president bush, he might think he should be king. I think he is wrong. I'm not ok with george bush as president. We should do a redo. Think of what could happen. I want my moms-to-be together. I want the war to stop. Think about what I said for a couple of days. Think about what he's done to our world. This has been going on for too long. Oh. And I thank city council for letting me talk.

**Leonard:** Nice job, mckenzie.

**Potter:** Very nice.

**Adams:** Thank you very much, mckenzie.

**Potter:** And the mom in the purple sweater is kate Potter, and her other mom is pam mullen. Also want to announce that to fight at 5:30, there's going to be a vigil over at terry schrunk plaza to show support for Oregon's domestic partnership law, and I encourage all people to attend. Thank you for being here, and thank you for your words of wisdom. Right now i'm going to speak as a grandpa. My granddaughter wrote this great, great piece for martin luther king jr.'s birthday, and I would like to just share it with you as we've shared it with the council. This is from mckenzie, and it's "i have a dream." I think that gays should be married. And it's m.a.r.e.d. And my moms should stay married forever and more, and love, peace, care should be stuck to us like glue.

**Leonard:** Very nice.

**Potter:** Thank you, mckenzie. Finally city council will come to order. Karla, please call the roll.  
[roll call]

**Potter:** I'd like to remind folks that, prior to offering public testimony to city council, a lobbyist must declare which lobbying entity they are authorized to represent. Please read the first communication.

**Item 144.**

**Potter:** State your name when you speak, and you have three minutes.

**Glen Owen:** My name is glen owen, and i'm here to remind your honor, the mayor, what happened to you when you were under surveillance by homeland security, which was perfectly legal as things now stand. The only way that we will reverse the legality of that is by impeaching those who are delivering these behaviors, particularly torture, lies into war, executive orders, signing orders. I really -- i'm not going to take my whole time. I hope you will listen to your granddaughter particularly when she talks about the effect of the unitary executive of the united states as pertains to her generation and the world of her generation. I'm glad I did. Thank you.

**Potter:** Please read the next.

January 30, 2008

**Item 145.**

**Nathan Knowles:** i'm evangelist nathan knowles.

**Potter:** Please sit down. State your name for the record, and you have three minute.

**Knowles:** Evangelist nathan knowles. This city does not have a permanent family shelter on a permanent basis. It's temporary only during severe weather for only a few hours. Our country is a free country. That's supposed to mean that you don't pay for it. So to keep the american dream alive, I hope that this city would do like what hollywood did when they put out the film "evan almighty" about families that were saved in the ark when the flood came. I know this is a rainy town. That's what god did while the city continued to do what the god of this country does and take care of the family during flood or famine and so forth on a permanent basis. Again to represent our constitution, this is a free country e so I hope we can do that for free. I'd like to get the Washington high school condemned property. I don't think our country should have condemned properties. And use it for that purpose. Also start the first ever young women's and men's christian branchoff which I start with courtney childress, staff member of the ywca and i'd like to use that property for this purpose. I'd like to call the family shelter ruth's room or ruth's house based off of billy graham's late wife and the woman in the bible. Ruth both were family women. Both believed in the lord and so forth. And hopefully we can again keep this country free for families. I see them every day on the streets. They can't pay a toll. There's only places for single people at night usually. I grew up in a house such as you probably have with your family that are home every night. I'd like to continue that, see that as well. You guys supposedly know how to get a hold of me. My contact information is right there.

**Potter:** Thank you, sir.

**Knowles:** Thank you.

**Potter:** Is that it?

**Moore-Love:** That's all the communications.

**Potter:** On the consent agenda, requested that item 150 be pulled off to make an amendment to item 150, so we'll hear that. It's just a monetary amount difference. Are there any other consent agenda items commissioners wish to pull? Any audience members wish to pull any items? Please read the 9:30 time certain.

**Item 146.**

**Potter:** Mr. Saltzman?

**Saltzman:** Receiving this money from odot is a great step forward. The Oregon department of transportation has done an excellent job of both informing and receiving input from residents and city staff on how and where to widen i-5 near the columbia slough, a project very important to the city and our region. From a city of Portland parks perspective, our ball diamonds and soccer fields at east delta park as well as herrin lake's golf courses and the Portland international raceway will all benefit from improved access due to this project, and now our trail system through and adjacent to these properties will take strides due to this project. I want to offer a big thank you to the Oregon department of transportation for recognizing the impact of constructing this widening project and also thank you to the 40-mile loop land trust for submitting the project request and to the columbia slough watershed council and Multnomah county drainage district for supporting it. Without your advocacy, we would not be receiving these monies. So i'm going to turn it over now to greg everhart of our parks department. He'll give us the highlights.

**Gregg Everhart, Bureau of Parks and Recreation:** Actually, given the schedule so far today, i'm just going to make myself available for questions and introduce some of the advocates. This is pam arden with the 40-mile loop, january dike of the columbia slough council I and there will be two additional folks.

**Saltzman:** Want to just outline on that drawing?

**Everhart:** Bright pink is the section that this \$610,000 will help build.

January 30, 2008

**Saltzman:** Pam?

**Pam Arden:** Good morning. I'm pam arden. I'm a kenton resident and also part of the 40-mile loop land trust. This is quite an achievement to have \$600,000 be put on a -- be granted to us for this trail. We have -- this is one piece of the whole columbia slough trail network that will end up in the future being a big link to -- you know -- for families. Starting out at near kelly point park, you have the part that the parks built a couple years, then the part that goes by smith bybee lakes and where you had the columbia slough watershed -- not columbia slough watershed. The waste water treatment plant, you had a portion of the trail that was built between north Portland road and denver avenue. This section that we're talking about here would continue that trail from p.i.r. To m.l.k. And of course the first part that we're going to be able to do is going to be between i-5 and m.l.k. Simply because of the widening project that's going to be taking part between p.i.r. And i-5, so we're going to have to hold off on that section. This is part of the original 40-mile loop trail network. When we have the slough network finished, you're going to have a lot better access to the area for families, having a place for people to go and recreate off the regular city streets, really terrific for everybody's health and well-being. We have a 40-mile loop, having the idea of connecting communities through trails. And right now i've lived in kenton for about 30 years, and it's almost impossible to connect from kenton to delta park. You have to go down denver avenue, which is a very scary idea, try to figure out how to cross the slough and the schmere road. To try to get across to the west side of denver avenue is kind of a feat in making sure that you stay alive getting across the road. So this project, when we get to phase two, will be redoing that viaduct, redoing that whole connection. This is really going to be a terrific piece for the future of our community that we're actually going to be able to get there from here. I appreciate the opportunity to put this grant in and hope that we can get further money in the future to finish up the project. Thank you.

**Jane Van Dyke:** Jane van dyke, executive director of the columbia slough watershed council. I know you're familiar with councils, and we are, like many of the other 90 councils around the state a stakeholder group, citizens, businesses, governmental jurisdictions, and other organizations working to improve not only the slough but the watershed itself. About four years ago, we developed an action plan. A little summary here. It was over 180 items on it, including water quality, outreach and education, but particularly for today recreation. The columbia slough trail is one of those recreation gnat components. Our recreational vision includes not only a land-based trail, which this trail is that we're talking about today, but a water trail. And right now you can just about go all the way on the columbia slough with only a few crossings by water. To go by bike or by foot is very difficult. This money is a great addition to not only the recreational component but the ability of people to commute to their jobs east and west of i-5 so a great addition, and I hope for your approval of this grant. Thank you.

**Matt Freitag:** i'm matt freetang, a consultant project manager for odot. The delta park environmental assessments, there were five city bureaus who were involved in crafting, reviewing the e.a. We selected alternative number two, which was because it minimized business displacement and had the second lowest property acquisition. Through this process, odot and pdot will coordinate the construction management plan to ensure the least possible disruptions to business and to the local community. The i-5 delta park project is a very good example of the city, state, and community partnerships that were developed to look at improving safety, relieving congestion, and investing in community and livability. The community enforcement project, the e.a. recommended a \$1 million community fund as a mitigation measure for the selection of alternative two. This specific project, the columbia slough trail, is the final enhancement project that provides enhancements to the delta park project influenced area. At the end of phase one, this trail will provide access and the proposed design will offer flexibility to be extended out with very little modification to the trail. In the near future, phase one of this i-5 victory tuolomne bard street,

**January 30, 2008**

and that project will add an additional lane of southbound traffic on i-5 and will also widen shoulders in this section of i-5 and realign ramps to better meet design standards along this 1 point two-mile section of i-5. The involvement of the city bureaus was an integral part of the develop and approval of this project, and we appreciated the participation of all city staff. Current schedule for this project, a bid opening of tomorrow morning and anticipated notice of receipt of construction contracts in late march with a completion date of approximately october 31st, 2010. We invite the council to join us at the anticipated groundbreaking in late spring. For delta park phase two, that will be to improve denver and the local access streets in the vicinity. The project, according to the e.a., odot will continue to investigate design options for multimodal facilities on denver avenue to both improve traffic safety and operations. Funds have been identified to start the planning phase of this project, but funds still need to be identified for design, construction, and right-of-way purchases. Odot will be working with the city to identify sources of funds to complete this important upgrade to a local street network. Thank you.

**Arden:** As part of the new group called north Portland greenway, I want to give you the newest brochure.

**Adams:** Yay.

**Arden:** Another part of the 40-mile loop. Thanks.

**Potter:** Did any folks sign up to testify on this?

**Susan Barthel:** I'm susan barthell from the bureau of environmental services. I'd like to point out that this project will link with work we've already done and work that is connected to community benefits for the east side big pipe. This will be, in part, a water trail access point at denver avenue staged as part of phase two of this i-5 project. The reason it's important is perhaps that the Portland art museum has a collection of old photographs and pictures that date back to the late 1800s and early 1900s. Charles mckinney has one of my favorites, and it shows the quiet waters of the slough and the views of mount hood and the views of the lowlands as well as the columbia river. What we're building here is not only access to the river but also access to the mountain. Finally, I monitor some of the blogs that people log entries about the columbia slough, and over and over and over again I get things that are both raves -- there are great views, great experiences on the water -- and, oh, my god, it's terrifying to get there. We're delighted that b.e.s. Funds are going to enhance what's already a partnership and likely to be a continuing partnership. Thank you.

**Everhart:** I'm here for questions or we can just thank you and hear your response.

**Adams:** It's a nonemergency.

**Potter:** Yes.

**Adams:** I just wanted to thank odot. The resources for this project came out of our work, as was mention by the delta park widening, and on that committee with me was rex burkeholter, who's a strong advocate. Also want to acknowledge warren jimenez who is on the neighborhood mitigation committee that worked to provide the resources for this project and a lot of other community members. As a resident of kenton myself, this is really fantastic. Thanks to everyone for their work.

**Leonard:** Thank you.

**Saltzman:** This moves on to --

**Potter:** Did anybody sign up?

**Moore-Love:** That's all.

**Potter:** Thank you. Thank you, folks, very much. It's a nonemergency and moves to a second reading. Please read the 9:45 time certain.

**Item 147.**

**Potter:** Commissioner Adams, has this been rescheduled?

**Adams:** Yeah. We couldn't get our partners here, so we're going to reschedule it to an undetermined future date. Send it back to my office, please.

**January 30, 2008**

**Potter:** We'll move to the regular agenda. We'll hear item 150 since it's just a monetary correction. Item 150 was to accept a grant from the state and to the office of emergency management in the city. I'm sorry. Please read item number 150.

**Item 150.**

**Potter:** The only difference in the ordinance is that the state gave us an additional amount of money of 16,729, so it actually increases the award to 6,806,353. Do I hear a motion to accept?

**Leonard:** So moved.

**Adams:** Seconded.

**Potter:** Please call the vote.

**Adams:** Aye. **Leonard:** Aye. **Saltzman:** Aye. **Potter:** Aye. Please read item --

**Moore-Love:** We need to take a roll on the ordinance itself.

**Potter:** I guess we should.

**Moore-Love:** That was the amendment.

**Adams:** Aye. **Leonard:** Aye. **Saltzman:** Aye. **Potter:** Aye. We'll do the regular agenda, and I'd like to hear item 178 first and then 175. 178 is a second reading. Call the vote.

**Moore-Love:** I'll read the title.

**Potter:** Yes.

**Item 178.**

**Potter:** Call the vote.

**Adams:** Well, I want to thank the city council for their consideration of this issue and for their encouragement over the past eight months. I'd also like to thank the stakeholders, including folks from the neighborhoods, business freight, bike advocates. This has been quite a process. Specifically the team from pdot you see here, mark blair, john rist, and greg corbin and sue keel who couldn't be here today and jan v altz around many others. Way. To underscore my staff but underline thanks for shoshanna up pen haim for all you good work. I really appreciate it. In the coming months, among the implementation issues that council work on is the creation of the oversight committee move for monthly billing to deal with the impacts of the smith unaffordable housing prioritization of projects, further implementation of the green discounts, and all the work related to the workforce to build the construction projects and to partner with the state and local governments and federal governments to successfully raise the gas tax statewide. So thanks for your consideration. Aye.

**Leonard:** Well, I cast a vote on this measure in the context of my own context of having served in the legislature almost 10 years before I arrived here and listening to the same debates in salem from 1993 on about the need to maintain the road infrastructure we have and then even to expand it to somehow provide some certainty to commuters and safety. That issue, along with the number of others, for me was really the dark side of serving in the legislature, seeing these really important, significant capital improvement the needs ignored at the whim of lobbyists. Truckers' association, the gasoline dealers' association, petroleum companies, at times even the american automobile association. It was just a very frustrating experience to watch people that I served with and respected in so many ways succumb to the pressure of lobbyists and was one of the main reasons, when this position became available on the city council in 2002, I left the legislature and ran for the city council, because I just felt like I was spending a lot of time and effort beating my head against the wall, was were some of my colleagues, and getting nowhere. So in that context, I cannot tell you how refreshing it has been to watch commissioner Adams and the community take on an issue others have shied away from all over the state of Oregon in cities throughout the state of Oregon, mayors throughout the state of Oregon, council people, legislators. And a good friend of mine, the governor, are unwilling to take on this tough issue because of the moneyed interest that would fight it and put it on the ballot. And so it isn't just because i'm nerdy. It's because I was fascinated by while sam was doing this that I watched a lot of his town hall meetings on channel 30. I was

**January 30, 2008**

intrigued by the details, that sam was willing to step up to the plate and do something countless leaders in Oregon have refused to do since 1993, the last year the gas tax increased. And so I don't think sam has gotten enough credit for taking head on something that was caused others that shy away from. Whether I agree with the details of the report or not really are secondary to supporting this bigger effort that he has undertaken, which I think is not only going to serve Portland well in terms of keeping up our roads, but it will, I predict, save lives. There will be people that will, because of these improvements, not find themselves at odds with a two- or three-ton vehicle that they are not going to survive. So I appreciate very much the work that went into this, the effort, the patience that I saw as I watched some of these town halls on t v that frankly I could not have risen to if it was my responsibility. I saw some of what the people said to sam and how he reacted to him, and I really did admire it, and I feel compelled to certainly make that clear to everybody listening that it requires all of those various skills and efforts and collaborations and -- you know -- frustrations to get to the point that we are today to do something that is really significant and important for our community. And so i'm really, in many ways, flattered and honored to be able to support this today given my history with this issue. Aye.

**Saltzman:** Well, I want to thank commissioner Adams for showing extraordinary leadership in crafting this package that will improve street -- will provide money for critical street maintenance, also improve safety for pedestrians, bicyclists, all critical to a city that's growing rapidly, and infrastructure is deteriorating. We need to do -- there's just too much conflicts now pedestrians, bicyclists, and automobiles, and we need to address those head on, and a good part of that package will do that. I particularly like about the package that it is very specific. It does contain a 10% administrative cap on expenses and, as I said, anybody who cares to delve into this can find out where the money will be going over the next 10 or so years, and I think that's what our public expects of us, when we're going to assess a new fee on them, that we be very specific about where it's going to be spent and how administrative expenses are going to be limited. I want to thank commissioner Adams. It's truly an extraordinary -- I didn't see the town hall meetings. I'll wait for the d.v.d. Collection to come out. [laughter] But having an 89-person oversight committee -- not oversight committee. 89-person steering committee and steering that committee to a place where they are supporting this is truly a magnificent feat and deserves to be lauded, so i'm pleased to vote aye.

**Potter:** Last week I was in Washington, d.c., and I stopped to visit our congressional delegation, and I was talking to senator wyden about the economic stimulus package that is being bantered around in the congress at this point, and he wanted to use the money, the \$150 billion, on transportation throughout the united states because he recognized that the transportation infrastructure in the united states needs a lot of help and a lot of resources. I'm not too sure if that's going to happen, but I certainly support that he is trying, and I also support commissioner Adams' leadership on this at a local level. If the feds aren't going to move, then we need to take care of our streets, and I think that this package does that. I think it's a work in progress, so I think there will be changes as we move along but, for the overall part, this is something that is sorely needed, and I would like to remind people that we also have other elements of our infrastructure that need attendance as well, including our water system, parks, and sewer system. So this is an excellent piece of work. Thank you very much, commissioner Adams. And I vote aye. [gavel pounded] Now please go back to 175.

**Item 175.**

**Potter:** The legislation that just passed, this is to be able to actually put it into the utility billing system. Did you want to have any say on that?

**Mark Greinke, Bureau of Technology Services:** My names mark kranke for the bureau of technology services. I'm here to seek your approval to authorize b.t.s. To amend a contract with cayenta canada, incorporated. The city implemented customer information system in april of 2006.



**January 30, 2008**

The system provides billing for water and sewer services for the bureau of environmental services and the bureau of water works. In support of the city's plan to collect fees for pdot's safe, sound, and green streets ordinance and have these fees appear on utility bills you, must make modifications to our existing software. This ordinance seeks to amend the existing contract to increase but not to exceed an amount by approximately \$288,000 in support of these modifications. Thank you for your consideration. I'd be happy to answer any questions you have.

**Potter:** Questions from the commissioners? Thank you. Is there testimony on this?

**Moore-Love:** I set out a sign-up sheet. No one signed up.

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

**Adams:** Aye. **Leonard:** Aye. **Saltzman:** Aye. **Potter:** Aye. Please read item 176.

**Item 176.**

**Potter:** You look familiar.

**Greinke:** Mark kranke, interim director bureau of technology services here to seek your approval to authorize b.t.s. On behalf of the Portland police bureau to and our contract with michael gunnare to support modifications to the employee information system. Formerly known as the early intervention system is an application designed to help officers improve job performance and also reduce the likelihood of behaviors that can lead to misconduct. This application automatically collects data from a variety of sources, including the city's current payroll system. This is primarily for overtime and sick leave. As the city is planning to move its current payroll system to a replacement system, s.a.p. Is part of the enterprise business solution project modifications to this application, the e.i.f. Application are needed as far as interfaces are concerned. This ordinance seeks to increase but not to exceed amount with the contractor p.t.e. Services by \$18,000 as well as extend the contract expiration date to june 30, 2008. I'm here to answer additional questions that you may have, and I also have folks here from the police bureau if you have any questions related to the system.

**Adams:** What exactly will this do?

**Greinke:** The employee information system collects data from various sources understanding that it's looking for -- you know -- flags that may result in misconduct for officers. So currently the system collects data from ibis, our current payroll system, for time and recording. What we need to do is have that collect data from the replacement system as part of the e.b.s. Project, so this allows work to be done to write an interface to allow the e.i.s. To talk to the s.a.p. Replacement system.

**Potter:** Further questions? Do we have a sign-up sheet on this?

**Moore-Love:** I did. No one signed up.

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

**Adams:** Aye. **Leonard:** Aye. **Saltzman:** Aye. **Potter:** Aye. Please read item 177.

**Item 177.**

**Potter:** Commissioner Adams?

**Adams:** Please come forward.

**Dee Walker, Bureau of Transportation:** Good morning, mayor, commissioners. I'm dee walker with right-of-way acquisitions for the office of transportation. Before you today, we have a request to vacate a portion of naito parkway for development by waterfront pearl limited. We do have someone here if you would like to be given a short presentation of what they're doing. It's a condo project that's going up, and there are no -- no one has sent in any objections, so this is actually part of a three-part deal right now. They are under a long-term lease. It is fee-owned, a little strip of fee-owned property by the city. This is the second part with the street vacation, and then part three will be -- it's actually the property is being appraised, and we will be selling the property to the adjacent property owner for the development.

**Leonard:** Is this the one we discussed some time back or was that a different one?

**Walker:** That was a different one.

**January 30, 2008**

**Leonard:** Same issues.

**Saltzman:** Sounds very similar.

**Adams:** Sometime back, the city had plans to widen naito parkway?

**Walker:** Right. It was transferred from odot. That's why we got it in fee. I actually was here -- it could have been the same one -- to set this public hearing.

**Leonard:** Yes.

**Walker:** But, anyway, it was transferred from odot to transportation to pdot, and that's why we own it in fee. Hence we have to vacate the public's interest in it before we can sell the property back to the adjacent property owner. This was brought before you quite along time ago in an ordinance for this three-part deal, so it's been negotiated.

**Potter:** I think it's the same one.

**Adams:** Deja vu all over again.

**Potter:** Questions? Is anyone signed up to testify on this matter in.

**Moore-Love:** No one signed up.

**Potter:** Anyone here who wishes to testify on this matter? It's a nonemergency and moves to a second reading. Please read item 179.

**Walker:** Thank you.

**Item 179.**

**Potter:** Second reading. Call the vote.

**Adams:** I have one more person I want to thank, and that is susan kaboda who has taken time out of her schedule to attend all the city council hearings who has lost a loved one on the city's transportation system. Susan, I know it's been really hard for you and your family, but I want to thank you for reminding everyone about the human aspects of having an unsafe and deteriorated transportation system. Thank you very much. Aye.

**Leonard:** Aye. **Saltzman:** Aye. **Potter:** Aye. Please read item 180.

**Item 180.**

**Potter:** Commissioner Saltzman?

**Saltzman:** This has been a long time coming, and it's great to see the agreement before us. This is a straightforward license agreement whereby lents little league will have use of the facilities in lents park. These facilities are being upgraded thanks to the Portland development commission and will serve the lents little league for decades to come. Our park staff is here to answer any questions.

**Steve Planchon, Bureau of Parks and Recreation:** Good morning. My name is steve planchon. If you have questions, i'll available.

**Potter:** Questions? Anyone signed up to testify on this matter?

**Moore-Love:** No one signed up.

**Potter:** Emergency. Please call the vote.

**Adams:** Aye.

**Leonard:** Well, I know how challenging this has been. I've followed it over the years as part of the whole urban renewal effort out in lents. So I appreciate the work that it took to do this, and I think it creates an opportunity to do some more really good development in lents. So thank you very much. Aye.

**Saltzman:** Aye.

**Potter:** Aye. Please read item 181.

**Item 181.**

**Potter:** Mr. Saltzman?

**Saltzman:** This is again an acquisition by recreation of some property located on skyline boulevard, so it's basically adjacent to forest park.

**Potter:** How much property?

**Saltzman:** It's about 14 acres. So it's a nice addition to the forest park area. Per it's approval.

**January 30, 2008**

**Potter:** Is raymond hoy available?

**Moore-Love:** No one signed up.

**Potter:** That is just a very generous contribution from mr. Hoy. I just want to thank him personally. No one signed up to testify. Is there anyone here who wishes to testify to this matter? It's an emergency. Please call the vote.

**Adams:** Good job, dan. Thanks, parks. Aye.

**Leonard:** Aye.

**Saltzman:** Well, we typically do send a letter to people when they sell or donate land to us thanking them, and we'll make sure we incorporate your remarks, mr. Mayor. Thanks to mr. Hoy and thanks to Portland parks and recreation. Aye.

**Potter:** Thanks, commissioner. Great job. Vote aye. [gavel pounded] The january 31st 2:00 p.m. Time certain will be rescheduled. Council will not be meeting tomorrow afternoon. For those who are watching us, want to remind folks that we will not be meeting tomorrow afternoon at 2:00 p.m.

**Adams:** It'll come back to my office.

**Potter:** It'll go back to commissioner Adams' office. We're recessed until 2:00 p.m.

At 10:51 a.m., Council recessed.

January 30, 2008

**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.]

**JANUARY 30, 2008 PM**

**Potter:** Council had come to order. Carla, please call the roll.

[roll taken]

**Potter:** I would like to remind folks, prior to offer testimony, the lobbyist must declare which entity they are authorized to represent. Please read the two p.m. Time certain.

**Item 182.**

**Potter:** The attorney's office will describe the hearing process.

**Linly Rees, Deputy City Attorney:** We'll begin with a staff report by the bureau of management development 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 person who is support the appeal will go next. Each person will have three minutes to speak to the council. This three-minute time limit applies regardless of whether you are speaking for yourself or on behalf of an organization such as the business association or neighborhood association. The principle opponent, often the applicant, as is here, 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. Those that, that support the application. If there is no principal opponent, the council will move directly to testimony from persons who oppose the appeal after supporters of the appeal conclude their testimony. Again, each person will have three minutes' each, whether speaking for themselves or on behalf of an organization. Finally, the appellant will have five minutes to rebut the presentation is. The council may then close the hearing, deliberate, and take a vote on the appeal. If the vote is a tentative vote, the council will set a future date for adoption of findings and a final voted on the appeal. If the council takes a final vote today, that will conclude the matter before council. I'd like to announce several guidelines for those who will be addressing city council today. The evidentiary record is closed. This is an on the record hearing, which means you must limit your remarks to arguments based on the record compiled by the design commission. You may refer to evidence previously submitted to, to the design commission. You may not submit new evidence today that was not submitted to the design commission. If your argument includes new evidence or issues, the council-consider it and it will be rejected in the council's final decision. If you believe a person who addressed council today improperly presented new evidence or presently a legal argument that relies on evidence not in the record, you may object to that argument. Finally, under state law, only issues raised before the design commission may be raised in the appeal to council. If you believe another person has raised issues today that were not raised about the design commission, you may object to council since the duration of that issue. I apologize. This is the first page. I apologize. We'll go to the beginning -- I think I covered it all, but let's make sure I haven't missed anything. This is an on the record hearing which means you must limit your testimony to materials and issues in the record. You cannot bring up anything new. The hearing is designed only to decide if the

**January 30, 2008**

design commission made the correct decision based on the evidence presented to them. If you start to talk about new issues or try to prevent new evidence today, you may be interrupted and reminded you must limit your testimony to the record.

**Potter:** Thank you. Do any members of council wish to declare a conflicted of interest? No council members have a conflict of interest to declare. Do any members of council have any ex parte contacts to declare, information gathered outside of the hearing to disclose? No council members have ex partied contacts to declare. Do any members of council have questions or other preliminary matters that need to be addressed before we begin the hearing? We'll begin the hearing and call the staff forward. Sufficient 10 minutes.

**Mark Walhood, Bureau of Development Services:** Thank you. Good afternoon, mayor tom Potter, members of council. I'm mark with development services. We're here today for the appeal of the design commission decision in the land use case 07-153880mad. I do have with me today, we'll get into the, into the reason why a bit later with andy from p.d.c. Is and -- the page down button. Well, in interest of moving along, if you will start verbally hopefully the power point will catch up to us. The project is a six-story u-shaped building with a five-story wood framed apartment structured above the single floor, ground floor commercial uses and residential lobby. There is parking both at and below the street level, and there's 209 affordable apartments. The ground floor has retail on the north end along southwest lowell and office space wrapping the rest of the storefront around the parking at the middle of the block. And, and, um, the, the f.a.r. Is approximately 5-1 with a 65-foot building height. That's under the six allowed f.a.r. And 250-foot height limit. Now, I need pictures so bear with me. My presentation was -- timed it about five so hopefully, we'll catch up here. Ok. I went through this slide, and I am going through really quick. This was just a summary of the project. The components with the 209 apartments, ground floor retail and office space. And 150 below-grade parking spaces and a loading space, and then another, another at-grade parking area and loading bay. And the f.a.r. And height, a bit under, under the maximum allowed. The zoning that's on the south edge of south waterfront district, central commercial zone with design overlay with central city and south waterfront. The required land use, the type 3 review, to allow garage access on southwest bond, which is a parking access restricted street, and three modifications related to the loading and parking stall size and layout. You could see the site. It's at the south edge of the district, just, just north across the street from the discovery center, and, and west of the spaghetti factory. This is just, just a site picture, actually from last fall. They recently completed the street work. This is showing the view along, along southwest lowell, and you can make out the glass streetcar shelter, which is the south terminus right now. The road is improved to the curve, temporary asphalt. There is a surface parking lot that's inside the property today. This is another view from the north edge on lowell and bond. Then another view looking north. It shows it's is a couple blocks south of the current heart of the redevelopment. This is the ground floor plan showing is in orange the retail space, the north end on lowell. Straddling the lobby. Retail space is the green-gray on the other three faces and the at-grade parking area. There was a central city parking review approved yesterday by the hearings officer for the retail parking which required that review, and i'm not showing the basement plan here, which has, has a larger than required long-term bike locker-room and tenant storage space. This view shows the second level courtyard, which is used to, to, to manage and convey 92% of the, of the stormwater that falls on the building. Goes through, through reynolds and planners in the courtyard. Facing second-floor courtyard and down a street wall. The building is pulled back a bit on the north and south edges from the street with sort of the decking treatment to the walkway surfaces, and there's bike parking at both of the insets on either side of the building. Sill go quickly through the elevations. The applicant will cover these, but just point out the vertical -- some of the things that, that the design commission commented on and, and was, was pleased to see, which was the vertical arrangement of the window groupings, the, the inset balconies to break up the mass of the building,

**January 30, 2008**

and those are, it's a very glassy street level storefront space that wraps the entire building, except at the, at the water, water wall and, and the garage entries. And, and this is a view of the screen wall. And then another, and then another elevation view. The material are primarily a bond brick with two colors, metal panels. It is an integral coloration to the swatches, which is unique, and a wire mesh balcony railing system, and a few spaces cast in place concrete piers at the street level. Just have a few other views. I'm going to go through these quickly at the streetcar stop on the north edge. And there is a couple other perspectives from, from the other edge, northeast corner of the streetcar stop. And then along the south edge. Um, I wanted to point out that, that the picture on the bottom is the original concept that was presented at the design commission back in June, and the applicant made several changes in response to the design commission issues that were raised, and including adding additional brick at the northwest corner, and, and, and what's called the anchor volume, and, and increasing the vertical appearance of the, of the building by modifying the window framing and metal pattern systems. You can sort of see this as more of a horizontal feel to it. Maintaining the active open level storefronts, critically increasing a bit at the, at the north corner at the streetcar stop. And significantly changing the brick from the dark to a light color. Commission noted some concerns about the, about the growing dark character to the districts. Just a few more of these changes that were made. Additional glazing at the southwest corner, bringing the stormwater elements from the courtyard down to the street level with this vegetative stormwater landscape green wall. Doing a light-colored rock pillar roof surface and paying careful attention to the materials. The first staff report had a few items requesting clarification. Otherwise, supported the project. The design commission also had, had a few items that they were looking for some more information on at the first hearing. Encouraging tenant access through the courtyard gates, additional information about the rooftop and concrete surfaces, and some clarifications to the plant list. The hearing was continued. The applicant provided some additional draw and goes a letter was received at the continued hearing in December from the south Portland neighborhood association. And the design commission did consider the new details in a letter from the neighborhood and, and ended up unanimously approving the project. With the standard condition. At issue in the appeal today, um, the neighborhood has raised several issues. The approval criteria are limited to the two sets of design guidelines that apply, and then there are some modifications and adjustment criteria related just to, to the transportation and loading related requests. Of course, I'll go into more detail. I just wanted to provide a staff response to, to the appeal issues raised in the letter. There's, there's is a few -- a couple items related to, to the, that could be considered design related statements. There's not a lot of specificity for me to provide much more than, than that response other than to just note that those are -- there are some design related comments. There within any transportation or loading issues identified. There's several other issues related to the affordability, lead standards, and tax increment financing elements of the project, but if it was for staff, or the design commission, I think the discussion would have been that those aren't directly related to the guidelines. There are important issues, which is why Andy is here. I'm going to leave it with the standard council alternatives, deny the appeal, and, and uphold the design commission's decision. Grant the appeal and overturn the design commission's decision, or deny the appeal that modifies somehow the decision. And I'm going to leave it up to you whether you want to hear from Andy now, who is the south waterfront manager for affordable housing, or if you want to have him appear for questions later.

**Potter:** Would you mind describing how the housing is to be used?

**Andy Wilch:** I'd be happy to, Mr. Mayor and Council. Andy will, housing and development commission, I don't have any comments on the design appeal, itself. Obviously, other folks are here to handle that. The program, block 49, the building is called the tamarack, is the name of it. It will be the first affordable rental project in south waterfront. It will be the first affordable housing project in the north macadam renewal area since the inception, and it will be the first publicly

**January 30, 2008**

financed affordable housing project anywhere in the south waterfront area. It's proposed to be 208 units of, of the studios, one, two bedrooms. We worked long and hard with, with all of you and, and dan beats, your legislative director, to see if we could create a project here that has some impact on the lives of folks that, obviously, impact our lives and those are the veterans. This project is proposed to be affirmatively marketed to all veterans, specifically, 42 units of the 208 would be units available targeted specifically to veterans who make less than 30% of median family income, veterans homeless, formerly homeless, at risk of being homeless. Many will meet the 10-year plan of homelessness for permanent, supportive housing, so it's in the proximity to the ohsu campus, the veteran's hospital, and the grave needs of these particular clients are the genesis and the driver for us on this project. One thing I might add is there's never the expectation, although there is always some desire, but not the expectation that, that an affordable housing project would generate tax increment financing. If it was, the public sector probably wouldn't need to subsidize it the way that we are, and so that's the one point that I wanted to make. Happy to answer any questions on the program.

**Saltzman:** That means feasibility.

**Wilch:** There's a finance feasibility gap, the costs are greater than the private sector investment, that can come in, so we're still working to finalize the numbers, but we believe it will be between \$20 and \$25 million of tax increment finance. It is about \$108,000, I believe, of public finance per unit. It is fairly consistent with what we're seeing in today's marketplace with cost escalation and for the quality of construction and for the range of amenities that the residents will enjoy.

**Saltzman:** What is our understanding about the level of lead certification?

**Wilch:** I will defer to the architects on that question, not to put that off, but this building is modeled after a wildly successful building in the river district called the sitca apartments, and they have the same kind of development program. It's the five over one. It is stick frame. Great outside treatments, and I might add that there's about, about over a 200-individual, 200 persons on the waiting list to get into sitca. Wildly successful. The quality of design and the quality of finish and so forth is comparable to that, and I will defer to the architects to talk about the specifics on that.

**Potter:** Why wasn't there any three-bedroom units?

**Wilch:** You know, I guess it's two-fold -- two reasons. Financial feasibility, when you take up more square footage for larger rooms, you can't generate as much income, which is the same financial basis for why we see so many small for-sale condominium units being built, so it's a unit-yield issue, for one. Number two, we had proposed all along to create a project that met what we believe state's primary housing objective is, the 10-year plan to end homelessness and serve populations with the fewest choices in the marketplace, and we're aiming to do that, and we're going to be successful in doing that. Larger family units in conjunction with hard-to-house population doesn't always work that well together, and we want to put all our residents, put all our residents in the position to be successful, and we thought they would be less successful if we tried to mix too many different populations together in one building.

**Potter:** Are there questions? Thank, folks.

**Wilch:** Thank you.

**Potter:** Will the appellant come forward. Mr. Davis? When you speak, state your name, and you have 10 minutes, sir.

**James Davis:** Two?

**Potter:** 10.

**Davis:** Sorry. My name is james davis. 2337 southwest 6th avenue. I am the land use chairman for the south Portland neighborhood association. Say realize that brevity is something that we all seek in this room, but we rarely, very rarely accomplish, but I will try to be as brief as possible today. As a former, as the former speaker said, we, in the south neighborhood, association, did look at the design and carefully studied it, and see that it does fail to meet the design standards of the

**January 30, 2008**

district. And, and we also, um, felt that the, the design guidelines were not met. It meets the high standards of the lead certification. And it contributes to it. The structure, itself, the structure may not be appropriate for the geometry of the site, since this is, this is a flood plain, also an earthquake zone, and subject to, to high water at odd times. It fails to provide affordable family housing, which is something that has been the object of our neighborhood for over 30 years. And, and it has never met the highest and best use standards, which the bureau normally uses when it uses projects. At this time, I will reserve the balance. I have nothing more to say at this juncture.

**Potter:** You actually get five minutes on the rebuttal. You can't carry this portion over.

**Davis:** Well, then --

**Potter:** Would you like to continue?

**Davis:** No, only because I would like to hear what the justifications for this thing that they are building is. I will say this, that, that similar projects throughout the city have not been successful. Certainly, the project at 60th and gleason has, has failed to, to really meet the standards that, that were originally reported to work. There is problems in the new columbia area, which is still early times, and I don't mean to harp on that, and, and -- but one last thing, and it was really -- I was surprised by the former speaker, that, that he would, he would mention the veteran's housing. Originally, it was ten units, and then we heard 20 a week ago, and now it's up to 42. He didn't mention, however, the size of these things. We have heard as recently as yesterday from p.d.c. That the veteran's units will be significantly smaller than the other units in this projected. So you might want to be, to be a little bit careful or have, have a little more specificity when you talk about these particular things. So many times, we think that we're getting one thing and we're not getting what we thought. Lastly, let me suggest that under this camouflage of a specious claim of affordability, what exactly are we getting? Our neighborhood has been asking for, and this city has been screaming for, surge mr. Adams, I have heard you on several occasions talk about affordable family housing. I think that this is first and best chance of our neighborhood will have at this site for affordable housing for families. And I don't want any, any, any, any confusion on this point. This is not a nimbe situation for our neighborhood. We are asking for more affordable housing. More family affordable housing. Than what this project is going to produce. And, and now i'll shut up and we can look at this.

**Leonard:** I have a question.

**Davis:** Yes.

**Leonard:** Jim, you appealed the design of the building, so we're here in judgment as to the design, but as you are speaking, you are talking about examples of how the project at 60th and glisan operates, how the project in columbia operates, and is what you are really concerned about is not the design, but, but what is going to be served by this project?

**Davis:** What I am really concerned about is, is 33.825035, doctors review during a design review, which I don't think has been met, although --

**Leonard:** With all do respect, what does this have to do with that?

**Davis:** I am trying to answer your question, sir. I use those as, as examples of, of what has not worked, as the applicant is now saying, it will work in south waterfront.

**Leonard:** In what way?

**Davis:** Work in terms of a mixed income.

**Leonard:** What does that have to do with the design?

**Davis:** It has a lot to do with the design if you are going to have 30 or 44 people in a simple no, more than sleeping rooms and the rest of the people living in one bedroom and studios. I think you are going to -- the design, itself, is going to be, to be problematic for the people who probably most need housing at this time. The design is much more than just -- than what the design commission assigned to it. It does talk about, about architectural style, structure, placement, dimension, height, and bulk. A bunch of things that they decide to take the simplest things, I find, is relatively



**January 30, 2008**

interesting in that, in that if we have a, a, an applicant, for instance, who would want to make a modification on this home, they will spend hours talking about the shape of the project, when they have a major project, they will pick out the things that need modifications to the code, and very rarely, really get into, into architectural style and the function of the building as it should be serving these people. So design is much more than just function or, or modifications. That is our position.

**Leonard:** Thank you.

**Potter:** Jim had a question, you mentioned the fact that the water feature could be turned off.

**Davis:** It certainly can be. It depends, again, I have seen things happen over my 40 years in this city we're, we're we, we will be getting one thing but unfortunately, we have to turn something off because of the cost of the money, whether it's the fountains or, or something. There's nothing -- what I am saying is, they are presenting one thing but there's nothing, nothing to say that, that in three to five years, this building is sold to another, another owner, exactly what will happen.

**Potter:** Are you aware, jim, the feature consists of stormwater run-off?

**Davis:** I am.

**Potter:** So there's no cost associated after the construction, other than the maintenance functions?

**Davis:** Well, that is a cost, sir. Again, our major concerns to going back to mr. Leonard is, is to, to the function of this building within our neighborhood. I think that we can do much better at this site than what we're being offered, especially at the price that we are paying, and will be paying for, for, for a long, long time. So, um, why don't we end it here, we'll hear what the applicant has to say, and then I will come back and, and wave some flags and then, and then get onto things. Thank you.

**Potter:** Thank you. Now we'll hear from persons who support the appeal.

**Moore-Love:** No one signed up.

**Potter:** Ok. We'll move to the principal opponent, which is the applicant. Now you can come forward. Is he would be glad to hold one of them for you, if you would like. [laughter]

**Leonard:** Finally a use for the reporter. [laughter]

**Potter:** Thank you for being here.

**Potter:** When you speak, state your name for the record. Sufficient 15 minutes.

**Marc Nordean:** All right. Mark, the designer of this project. I'm going to probably just address some of the issues that were brought up from jim davis and the neighborhood association that's applicable to the issues of the design. I think that we have other people that can, that can, obviously, speak to the other issues. They did a great job doing it. Kind of, of a bittersweet thing being here. I wish I wasn't here but it's great to show a great project that i've been a part of, to actually get to be face-to-face and present to you guys. Sieve three basic topics that I will pretty much talk about. It's the general overview of the design, in itself, and the water feature, which is, actually, a stormwater element, as you guys started to discuss here earlier, and, and, um, the, the sustainable components to the project in which we are following. So, with that, with that said, um, I guess that I can just go ahead and start with, with the, the basic design is, pretty much an overview and not, and then down to the nitty-gritty as we did in the design review and the little components. Basically, at the very beginning, we had, we had a vision for, for the affordable project down at south waterfront. A personal goal with the design team to make this fit within the south waterfront and the revolving towers and podium and the glassiness down there, and I feel like within those goals and the hard work between the contractor and ourselves and the owner, we have fulfilled that requirement as the exterior of the building, as well as the interior of the building, which there was a comment made that these people will be staying in sleeping corridors, which, in fact, use the same units laid out as our condo units, meaning the studio, two bedroom, one bedroom. Materials may be different inside there, but the layout and stuff is, essentially, the same. Some of the, some of the things that, that we felt was pretty strong, and I think it meets all of the, of the south waterfront standards and, and central city design guidelines. It kind of shows, and it's not your stereotype

**January 30, 2008**

affordable housing project, with the rich palate of materials, as you can see behind me, reviews the high quality of brick, metal panel, mesh for, for the, or for the decks, and the architectural language of the building, in general, basically, four volume metric volumes floating above the glasses at the retail, really showing off the active use at the ground floor. All three of the vines are surrounded by the counterpart to the north elevation on Lowell. We have kind of addressed the Lowell and the temporary entry point to the south waterfront in different ways. One, the northwest corner. We dropped down to the ground with the brick. Punched out the forward prow welcoming the streetcar arrival, pulled back the building. Allowed a little more cueing area in there for not only the streetcar but the retail potential, potential, people coming into the leasing office. On the south side of the building, just real quick, we, incorporated the stormwater feature that, that is Jim has alluded to. No, there's no way that we could turn this thing off. It's is a component to, to our sustainable piece to the project we're we have collected 100% of the stormwater on-site, let it flow through the, the, flow through planters and the roof, itself, we have taken 100% of that, I think Mark alluded to, 95. We have all the drains to get into the second floor courtyard now, and second floor, 100% of the stormwater, shows itself to the tenant, not only visually but audibly, and then flows out onto the area, poking itself out to the general public as the, the storm element during the rainfall events. It was a u-shaped building, solar oh, therefore, it accommodates the second floor courtyard, and within the green courtyard up above, one of the comments was if you can get some of that green down to the street level and provide some of the green finger components to the south waterfront, we have, incorporated along with the stormwater fountain, as you can see, on one of the renderings, some big screen panels which link up to the second floor so, really taking a good stance at taking a look at what we are providing for not only the tenants, but passerbys and the existing south waterfront district. So, that's pretty much an overview of, of the design, in itself, and the next, next, I could talk a bit about the sustainable component to the project. Basically, we are building, our building follows the highest standards of p.d.c. Green building policies and the program guidelines. Is the p.d.c. Supports a number of green standards, means and measures of the building performance, including what we're going down the path of right now, with the earth advantage certification program. And it's, it's -- we're working very closely with, with, with the earth advantage and a person helping us along making sure that we're fulfilling the requirements for that program, and right now, it's, basically, a pilot project for, for the local, the local earth advantage program for the multi-family certification. And, and at the very beginning of our project, we had, had big ecosherettes constructed by Bright Works to help us guide along in figuring out what strategies we can take to fulfill the requirements, and now, at the end of the day, when even -- when the building is being constructed, there will be a third party coming in and making sure the components are fulfilled to meet that certification. So, that's a bit about the, the earth advantage, sustain softball environmental component to the building that I wanted to touch on, and I talked a bit about that stormwater that Jim had a concern about, and, and the great thing about it is that, is that it will be on, on during the rainwater and never turned off for the most part. Addressing other issues that came up during the, during the appeal. There was, I think, Mark hit it pretty well, and, and, and as well as Andy, and I think that that's, that's kind of all we really have. If you want to look at some of the exhibits of the building, it pretty much speaks for itself. You can go and touch and feel the material board. I'm pretty happy to be a part of it. It's not your stereotype punch opening hardy stucco affordable family project. One final piece to it, I don't think that I have had as many compliments inside of my office from my colleagues and the south waterfront people down there saying, what, this is an affordable project? Have you gone through this and can you afford this? And happy to say, yeah. We're on the path. We figured it out, and through tight knit communication, with the design team, we're on a great path, so the bitter sweet thing, I'm happy to be here amongst you guys and, and this is it. This is what the design team looked forward to, and I

**January 30, 2008**

have one more meeting after this with south waterfront, and then hopefully we can start building. That's all I have.

**Potter:** I have a couple of questions, and I focus on the last two pages of the brochure you handed out.

**Nordean:** Oh, yeah, yeah. What that is --

**Potter:** Ok.

**Nordean:** We have gone through the scrutiny of all the different parties and, and our staff reviews, two design reviews, and one at the south waterfront, and what you see is one of the renditions of our design that, that the commissioners voice some concern about certain components, so it's a reflection of how the process worked, and quite honestly, I thought when I first, when I first presented that, that was like the end-all, be-all of the design, and I have to say the process is working great and is becoming a far better and approved project for the community as a whole and in the south waterfront. So that's we're the building used to be, and this is we're we are today.

**Potter:** What caught my attention is on the second to last page. It talked -- someone from the design commission stated that, that the color could come off as a cheap, affordable project.

**Nordean:** And what ended up -- what he talked about is be careful about using the dark brick and be careful about using bright, vivid colors inside of your project. If you can pull back and, and do a black and white, and if your building is still singing and not relying on color, it's a successful building so, what you can see is some of the renderings in there. We have tone it had down and put it in strategic places for masking, scale devices, and then the black brick, they were concerned it absorbed all the light in the world and does not have shadow or depth, and with the glassy south waterfront building going down, it asks us to look for a lighter color palette.

**Potter:** Questions?

**Saltzman:** How does earth advantage compare --

**Nordean:** As far as apples-to-apples?

**Saltzman:** There is a lead multi-family housing standard, isn't there?

**Nordean:** Yeah, there is. I am not a specialist on all the -- what earth advantage offers and what they don offer. I can tell you that, that they are doing the same type of thing. Stormwater management, energy efficient appliances, the mechanical systems at their utmost efficiency. It's local materials that you are going to end up buying. It's, it's -- I don't know all the specifics of it -- but it's a program that p.d.c. Is helping us guide through the certification process. We have a --

**Saltzman:** Is this is part of p.d.c.?

**Nordean:** Absolutely. Absolutely. Absolutely. There's a representative that's helping, looking at our project making sure that its meeting a, b, and c to get that certification.

**Saltzman:** So, um, the metal wire deck infill panels?

**Nordean:** Those are the guardrails for the decking, themselves.

**Saltzman:** Will those be black or metal?

**Nordean:** Bronze. Painted up bronze. Same as the deck, deck rails, the backup structure, and then the, the rest of the material and the inset pieces will be the accent color. Do you want a sample?

**Nordean:** It's right here. It's not painted. I tried one with a brush, and it turned out not that nice. It's right here.

**Saltzman:** Oh, I see, it's down there.

**Nordean:** That is the true scale, which is in the same proportions as our vertical orientation of our windows on the building. It wraps around the whole project.

**Saltzman:** I'm not a designer. That's the only thing that aesthetically bothers me but I don't have a better suggestion.

**Nordean:** Bothered?

**Saltzman:** I don't have a better suggestion. [laughter]

**Saltzman:** On page c29, c and then point 29.

**January 30, 2008**

**Potter:** I thought I saw a picture, that they also act as a trellis.

**Nordean:** Yeah. It's similar but it's called a green screen, and it's a sandwich panel of kind of a welded wire mesh that comes together, and they create panels, and basically, it's this stuff right here.

**Saltzman:** Ok.

**Nordean:** That's not the deck. The green stream is not the deck.

**Saltzman:** Anyway, that's fine.

**Nordean:** Anything else?

**Potter:** Other questions? Thank you, sir.

**Nordean:** Thank you. When a great pleasure to show you guys. [laughter] I was stressing out about it.

**Potter:** We could tell. Thank you.

**Potter:** Now, any person who opposes the appeal.

**Moore-Love:** No one signed up.

**Potter:** Ok, and now the rebuttal by the appellant. Mr. Davis, your turn again. Nice suit, by the way.

**Davis:** Thank you very much. [laughter]

**Leonard:** Dan likes blue suits over gray, so --

**Davis:** Oh, ok, yes, well. I have two major concerns. One, and this is extremely important, because I take this very seriously, almost as seriously as commissioner Sten. We have to nail down the number of units for veterans that are at the 0-30% or homeless and we have to make sure that those men, who served our country, have been, who have been screwed over for 40 years, yet decent housing, not what we heard yesterday out of the meeting we're they will be getting smaller units regardless of what the architect has said. Apparently, there is a disconnect between p.d.c. And the architect and the developer. So, I would strongly suggest that, that, that this be nailed down. Second of all, I find that, that wire mesh in a rich palette has been meshed together so to speak. I don't think of wire mesh as a rich palette. I think of it as pretty much cheap housing, or in that manner, something that you would see in a parking structure somewhere in downtown. The illustrations that, that we keep seeing of this building are a perspective to make it look as tall as possible. But, so far, no one here is seeing this building in context with the rest of the south waterfront. I know that at least four of you folks have seen me here for the last six years complaining about, about height and, and things like this. These, these 65-foot story, or 65 foot buildings will be put on, on, on blocks that should be having 250-foot tall buildings, and they will be surrounded by buildings that are 250 feet to 325 feet. With the exception, of course, of the spaghetti factory. We don't see context here, for instance. How does this -- how does this building sit with the rest of it? We know that, that the, the construction is, is the, the very, very least expensive available. It's signed primarily --

**Adams:** Are you suggesting it should be taller?

**Davis:** I'm suggesting it should be either taller or however you can get more families into that neighborhood, because right now, what we have in south waterfront is, essentially, an economic, gated community. So, if it has to be taller, fine. It should be taller. But, our neighborhood has been without children is, and therefore, without schools and other, and other increments that one would find in the neighborhood for over 30 years. When do we get a shot at this? When do we get to get our schools back? Our filling stations back? Our churches, our synagogues back? Everything has moved. And all we are -- we are becoming a bedroom community. This is the opportunity now today. Send this back. I've talked to the developer. I said, we're willing to work with you. I haven't heard a thing from homer. But, our neighborhood is always, always willing to work with the developers, so that we can find some neutral grounds. Essentially, we're not arguing about anything, expect more of as opposed to less. So, when you make your decisions, please, please

**January 30, 2008**

consider these two things -- we must nail down those, those things that are going to benefit is our veterans. We, we cannot, have sro units and call that housing for these men. They have been kicked enough. And when you think about this project, think of it within the context of this entire, entire project, south-central section of the south waterfront. Thank you for your time. If there are any other questions, I will be glad to try to answer them.

**Sten:** Just one, mr. Mayor. Just curious, I was, I was -- we did meet a while back on this project and had a good conversation, and I think that I was more, more interested in the argument, and it's a good argument, of trying to get kids into this building before, before we came up with the strategy, which now appears that its going to be successful, and a lot of people are working very hard at it, along with the mayor's office, to get informally or nearly homeless veterans into the building, and I guess my sense at this point is that those, those two strategies are somewhat mutually exclusive. I don't see an argue for building a building hubbed around services for, for homeless veterans and, and children. I'm not going to say it's impossible, but it would be fairly difficult to, to make a building that really truly is worked well for both those populations, and so I have, I have, with the, the advent of the veteran's hospital and, and, and the veteran's project, and given that the tram goes to the v.a., I see, um, an opportunity to do something unprecedented for veterans in the location that is literally unprecedented in the nation in terms of the tram below within short walk to a veteran's hospital that, that, although I share your passion for, for a family housing, I think that there are many other places, including, which I think that we need to continue to push for, in south macadam for, for three or four children so that's why I wanted to share that with you and see if you had a response. You filed this appeal before the -- and I know your issue isn't just about programming, and I am probably running a scance of on the record rules but I wanted to point out I know you filed this before the veterans' opportunity surfaced.

**Davis:** Well --

**Sten:** I don't know if that's a question or a statement, but those thoughts and then my question.

**Davis:** Well, my best answer to that, I don't agree that, that veterans should be any more isolated than they are now. We don't have to walk a block to see what isolation has done to these people. And when you talk to people that have been out on the streets, one of the things that, that, that comes across very, very clearly is, is, is there a lack, is their lack of, of being able to see the spectrum of people, because these people are out on the street, because they have had to live the lives that they have had, does not mean that they are a threat to children. They probably haven't had a chance to talk to a kid in 10 years. So, I don't see -- I understand your point but I don't agree with it. I think that you need to, to try as much as possible, I mean, god knows, we have invested what, 268 million in infrastructure down there. Surely, we can be able to try to bring some sort of normalcy to these, these men's lives. It's not just a tram ride from, from 70 feet above sea level up to, to, to the veteran's hospital.

**Sten:** Jim, we're agreement --

**Davis:** Let's leave it right there.

**Sten:** I was saying if I implied a child would be unsafe with the homeless veteran it, wasn't that but the way you design a building to safely provide play space, the right sized bedrooms, types of things that children need to be safe in number and, and the services that are going to need to be in the building, we need to provide space for the veteran's administration, a whole variety of things that, that you are just trying to get a lot into one block, if you try and put both those into it. That was my point.

**Davis:** Yes, I understand, commissioner Sten, but tell me this, you are going to be leaving shortly, and i'm saddened by that because you certainly shared many of my concerns. But when is our time then? When do we get our children? When do we get our schools back? We've been waiting years and years and decades, and it's not coming. I've been in this neighborhood association since 1983, and we were, we were worse off then than we are now, but not by much. Our neighborhood does

**January 30, 2008**

not function as any neighborhood that i'm aware of in the city with the exception of, perhaps, the pearl. When I first came to Portland, I lived at 6819 southeast 82nd street. Neat neighborhood. People, kids, everything. Six blocks from here, is you won't find a child unless they are in school. And without children, we don't have, have a neighborhood, and without neighborhoods, we don't have a Portland any more, and so that, really, is the basis for, for what we are talking about here today. We need affordable family housing, not, not single rooms, not two bedrooms at some 900 a month. The question is, who will even be using threes things. How do I sign up to get one of these places? Is this just, just nothing more than camouflage for, for, perhaps, more, more student housing? We don't know. After all, I can tell you that, that the, the number of units of student housing produced by, by the medical school at ohsu is exactly the same number as the times that you gentlemen have been invited to go bowling with the pope. Try zero. Now, what, what are we going to be doing about that, as well? Who gets into these places outside of the 10, 20, or 40 some veterans? So, I guess what I am asking is to help us help revitalize our, our neighborhood through our architecture and through planning. And we're being told no, not yet. Your turn will come, but no, not yet. And I am saying, yes, it is now. Is because, because we can't wait any longer. Thank you very much.

**Potter:** Thank you, mr. Davis.

**Leonard:** I don't need to hear from the staff unless council needs to. I'm prepared to make a motion.

**Rees:** I would have one thing to add, and I am not going to presume to know the direction of where this is going, but if there is a decision to deny the appeal and uphold the findings, there is one very minor change in the findings because, because from the questioning we learn that it wan lead certification, but another, and there's a mention of leads in here, and I just want your findings to be corrected.

**Leonard:** I'm going to make a motion and what should I include?

**Rees:** On page 11 of the findings you would amend lead certification and substitute the, for the word "lead" advantage.

**Leonard:** What was the name?

**Rees:** First advantage. Substitute that for "lead" on page 11 of the findings

**Leonard:** Ok. I will move to deny the appeal and uphold the decision by the design commission and to amend on page 11 the word "lead" with "earth advantage".

**Potter:** Do we have to do those one at a time? We have to do the amendment first or can we do them together?

**Rees:** You can do them together. This is not -- this is a set of findings and is moving to adopt the findings with that change to it. I think it would be fine to do it at once.

**Potter:** Do I hear a second?

**Sten:** Second.

**Potter:** Please call the vote.

**Adams:** I want to thank jim for your testimony, I appreciate it and share your goals, certainly, for providing opportunities for families on the south waterfront, and in the pearl district. But in this particular case, i'm going to support the motion because I think that there is an urgent need for veteran's housing, and I think that there's, there's a once in a, in a generation opportunity to put it right here. Also, i'm very impressed with the quality as has been presented today in terms of, of the kind of development that this would be. The location in terms of access to transit, access to the waterfront, and amenities that, that are rare in any neighborhood, but rarer still for, for housing that is specifically designed for the needs and wants of veterans. We have more returning here than ever before, and we recently held a veteran's summit, a couple of veteran's summits, and the notion of the veteran's being able to live with each other in the mutual support that comes with that, especially

**January 30, 2008**

ness close to this as [inaudible] care is something they ask for out of the summit, so, so you are helping to fulfill a need that has been expressed in the public setting, so, so I vote aye.

**Leonard:** Aye.

**Saltzman:** I appreciate mr. Davis' testimony, too, and I guess -- I should have tracked more closely the mayor's first question, why aren't there any three-bedroom units here because I sort of heard your response, and I don't think I really understood it. I do mourn the fact that there are not three-bedroom units in this but that has nothing to do with the design in front of us and I think it's a good design. Certainly, it's a noble cause to provide housing for veterans and affordable housing. So, i'm more than happy to support this. Aye.

**Sten:** Well, I think mr. Davis stated some strong points that I think need to be considered, and I think that we're a long way from having built out north macadam, and I think that nobody has been more impatient than me and may have led to -- i'm not blaming anyone, but I think the circumstances that led to being way behind our projected schedule, on building affordable housing are, in fact, why we have a 30% set-aside with an annual requirement to meet it. So, you know, I think that this council has been very serious about, about saying whatever the circumstances that develop, even though they are understandable in this case, affordable housing can't come, keep getting pushed on the list so, I think that this is, this is -- we have quite a few number of sites to develop, and I think that mr. Davis's call for larger units is warranted, and I hope that, that it will be met. In this case, due to the location and the opportunity, I think a real vision, I think this is the right project for this spot, and I want to also point out that because of the location and the programming, there will be an affirmative strategy to market it to veterans with medical needs of all incomes, and so when we talk about the number of units earmarked, there's a number of units that will be available to the poorest people who served their country in the armed services that we have a certificate for, so those are folks with no ability to pay the rent, and that's the number -- the mayor was back in d.c. trying to get those. It will be hard to get. That's a capped number in terms of the number of certificates we can get. There is no number on the cap that served the country that could live there, and a lot of veterans have jobs that don't pay all that well and they would be very, very great people to try and market to in terms of the units that are affordable but not, not available to the people without incomes. So, I think that this will be a very good project, and so I don't think that the design arguments have the merit of the policy arguments, and i'm going to vote aye to overturn the appeal on the design.

**Potter:** I appreciate the effort of p.d.c. And the design folks and mr. Davis, keep coming back in here and reminding us what our duties are here, I appreciate that, too. But, I think this will meet some significant needs for homeless people, and particularly, for our homeless vets. We're working very hard to try to find additional funding back in d.c., and we've got a very, very concerned group of our delegation back there that wants to work together to try to find special solutions, we're looking at a different solution than has normally been offered, and that's making, making them place based so we can put the actual housing vouchers with a place like this, so that, that it would even further reduce the costs of housing, so we're, we're working very hard to make sure that that happens. And I appreciate your efforts, and I appreciate this project. Thank you. I vote aye.  
[gavel pounded]

**Potter:** So the motion to deny the appeal is passed 5-0. The appeal is denied and the design commission's decision is upheld. Also I want to remind folks that the january 31, 2:00 p.m. Time certain will be rescheduled. Council will be, will not meet tomorrow afternoon, and we are adjourned until next week. [gavel pounded]

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