



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **2ND DAY OF APRIL, 2008** AT 9:30 A.M.

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

Commissioner Adams arrived at 9:38 a.m.

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

Item No. 426 was pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

<b>COMMUNICATIONS</b>	<b>Disposition:</b>
403 Request of Amanda Fritz to address Council regarding thanking Commissioner Sten for his service to Portland and Portlanders (Communication)	<b>PLACED ON FILE</b>
404 Request of Patrick Nolen to address Council regarding thanking Commissioner Sten for his service to Portland's homeless communities (Communication)	<b>PLACED ON FILE</b>
405 Request of Susan Emmons to address Council regarding thanking Commissioner Sten for his exemplary service to seniors in Portland (Communication)	<b>PLACED ON FILE</b>
406 Request of Leslie Esinga to address Council regarding thanking Commissioner Sten for his service to the community (Communication)	<b>PLACED ON FILE</b>
407 Request of Celia Strauss to address Council regarding thanking Commissioner Sten for his hard work and support of New Columbia (Communication)	<b>PLACED ON FILE</b>
<b>TIME CERTAINS</b>	
408 <b>TIME CERTAIN: 9:30 AM</b> – Authorize License Agreement with the Portland Classical Chinese Garden to operate and manage the Classical Chinese Garden (Ordinance introduced by Commissioner Saltzman)	<b>PASSED TO SECOND READING APRIL 9, 2008 AT 9:30 AM</b>

**April 2, 2008**

<p><b>409</b> Authorize License Agreement with the Leach Garden Friends to operate and manage the Leach Botanical Garden (Ordinance introduced by Commissioner Saltzman)</p>	<p align="center"><b>PASSED TO SECOND READING APRIL 9, 2008 AT 9:30 AM</b></p>
<p><b>410</b> Authorize License Agreement with the Pittock Mansion Society to operate and manage the Pittock Mansion (Ordinance introduced by Commissioner Saltzman)</p>	<p align="center"><b>PASSED TO SECOND READING APRIL 9, 2008 AT 9:30 AM</b></p>
<p><b>411</b> Authorize Release and Satisfaction of Agreement to release the City of Portland, Portland Development Commission and the Portland Classical Chinese Garden from obligations of a previous management agreement for the Classical Chinese Garden (Ordinance introduced by Commissioner Saltzman)</p>	<p align="center"><b>PASSED TO SECOND READING APRIL 9, 2008 AT 9:30 AM</b></p>
<p><b>412</b> <b>TIME CERTAIN: 9:45 AM</b> – Recognize the extraordinary commitment and dedication of Native American Youth and Family Center, the Bank of the West, the Housing Development Center, Income Property Management Company, Portland Development Commission and Bureau of Housing and Community Development in their combined efforts to preserve critically needed affordable rental housing for dozens of low income families (Resolution introduced by Commissioner Sten)</p> <p>(Y-5)</p>	<p align="center"><b>36597</b></p>
<p><b>413</b> <b>TIME CERTAIN: 10:00 AM</b> – Accept the recommendations of the Schools-Families-Housing Community Grants Proposal Review Committee (Report introduced by Commissioner Sten)</p> <p><b>Motion to accept the Report:</b> Moved by Commissioner Leonard and seconded by Commissioner Saltzman.</p> <p>(Y-5)</p>	<p align="center"><b>ACCEPTED</b></p>
<p align="center"><b>CONSENT AGENDA – NO DISCUSSION</b></p> <p align="center"><b>Mayor Tom Potter</b></p> <p align="center"><b>Office of Emergency Management</b></p> <p><b>*414</b> Extend the Intergovernmental Agreement with Clackamas County for the distribution of equipment, supplies and services procured as a result of Urban Areas Security initiative Grant FY 2007 (Ordinance; amend Contract No. 52306)</p> <p>(Y-5)</p>	
<p><b>415</b> Extend the Intergovernmental Agreement with Columbia County for the distribution of equipment, supplies and services procured as a result of Urban Areas Security Initiative Grant FY 2007 (Ordinance; amend Contract No. 52497)</p>	<p align="center"><b>PASSED TO SECOND READING APRIL 9, 2008 AT 9:30 AM</b></p>
<p align="center"><b>Office of Management and Finance – Business Operations</b></p>	

**April 2, 2008**

<p><b>*416</b> Authorize acquisition of vehicles for use by City Bureaus (Ordinance) (Y-5)</p>	<p align="center"><b>181703</b></p>
<p><b>417</b> Authorize an Intergovernmental Agreement with the State of Washington Department of Printing to procure print services and printed supplies (Second Reading Agenda 383) (Y-5)</p>	<p align="center"><b>181704</b></p>
<p align="center"><b>Office of Neighborhood Involvement</b></p>	
<p><b>*418</b> Amend contract with Decisions Decisions for additional facilitation services for Office of Neighborhood Involvement budget work group (Ordinance; amend Contract No. 37628) (Y-5)</p>	<p align="center"><b>181705</b></p>
<p align="center"><b>Commissioner Sam Adams</b></p>	
<p align="center"><b>Bureau of Environmental Services</b></p>	
<p><b>419</b> Authorize a contract and provide for payment for the construction of the Stephens Creek Confluence Habitat Enhancement Project 8654 (Ordinance)</p>	<p align="center"><b>PASSED TO SECOND READING APRIL 9, 2008 AT 9:30 AM</b></p>
<p><b>420</b> Authorize grant agreement with American Youth Hostels, Inc., Oregon Council for stormwater demonstration project (Ordinance)</p>	<p align="center"><b>PASSED TO SECOND READING APRIL 9, 2008 AT 9:30 AM</b></p>
<p><b>421</b> Amend contract with SEQ Corp. dba North Analytical, Inc. for laboratory services (Ordinance; amend Contract No. 36238)</p>	<p align="center"><b>PASSED TO SECOND READING APRIL 9, 2008 AT 9:30 AM</b></p>
<p align="center"><b>Office of Transportation</b></p>	
<p><b>*422</b> Authorize application to the Federal Transit Administration for a grant in the amount of \$83,600 for conceptual engineering for multi-modal transportation facilities at Union Station (Ordinance) (Y-5)</p>	<p align="center"><b>181706</b></p>
<p><b>*423</b> Authorize an Intergovernmental Agreement with Portland Development Commission to provide Urban Renewal Funds for the bid and construction of the I-5/NE Killingsworth Street Over Crossing Project (Ordinance) (Y-5)</p>	<p align="center"><b>181707</b></p>
<p><b>*424</b> Amend Intergovernmental Agreement with the Tri-County Metropolitan Transportation District of Oregon for design and construction management services for the Portland Mall Revitalization project (Ordinance; amend Contract No. 52972) (Y-5)</p>	<p align="center"><b>181708</b></p>
<p align="center"><b>Commissioner Randy Leonard</b></p>	

April 2, 2008

**Water Bureau**

<p><b>425</b> Authorize a contract with CH2M Hill, Inc. for on-call professional services (Second Reading Agenda 390) (Y-5)</p>	<p><b>181709</b></p>
<p style="text-align: center;"><b>Commissioner Dan Saltzman</b></p> <p style="text-align: center;"><b>Office of Sustainable Development</b></p>	
<p><b>426</b> Authorize contract with Merina and Company, LLC in the amount of \$130,000 to provide residential solid waste and recycling rate review services (Ordinance)</p>	<p style="text-align: center;"><b>PASSED TO SECOND READING APRIL 9, 2008 AT 9:30 AM</b></p>
<p style="text-align: center;"><b>Parks and Recreation</b></p>	
<p><b>427</b> Authorize acceptance of three parcels of open space known as Johnswood Park located in Charleston Park Place from HOST Development, Inc. for park purposes (Ordinance)</p>	<p style="text-align: center;"><b>PASSED TO SECOND READING APRIL 9, 2008 AT 9:30 AM</b></p>
<p><b>428</b> Authorize a purchasing process for parcels acquired with 2006 Metro Open Spaces Bond Measure 26-80 funds (Second Reading Agenda 391) (Y-5)</p>	<p style="text-align: center;"><b>181710</b></p>
<p style="text-align: center;"><b>Commissioner Erik Sten</b></p> <p style="text-align: center;"><b>Bureau of Housing and Community Development</b></p>	
<p><b>*429</b> Authorize an Intergovernmental Agreement with the State of Oregon, Oregon Housing and Community Services Department to provide confidential records that include client specific information on an as needed basis (Ordinance) (Y-5)</p>	<p style="text-align: center;"><b>181711</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 – Business Operations</b></p>	
<p><b>*430</b> Extend contract with ABHT Structural Engineers for the Portland Building 3rd Floor Computer Room project (Ordinance; amend Contract No. 34753) (Y-5)</p>	<p style="text-align: center;"><b>181712</b></p>
<p><b>431</b> Authorize contract with McBride Architecture, P.C. for \$167,000 for architectural and engineering services to restore exterior envelope of The Portland Building (Second Reading Agenda 395) (Y-5)</p>	<p style="text-align: center;"><b>181713</b></p>

April 2, 2008

<b>Commissioner Sam Adams</b>		
<b>Bureau of Environmental Services</b>		
<b>*432</b>	Adopt sanitary sewer conversion charges through FY 2008-2009 (Ordinance) (Y-5)	<b>181714</b>
<b>Office of Transportation</b>		
<b>*433</b>	Authorize the Portland Office of Transportation to enter into a contract with Max J. Kune Construction, owner of the old Sauvie Island Bridge, to acquire and relocate the Sauvie Island Bridge center span to NW Flanders Street over I-405 (Previous Agenda 397)  (Y-3; N-2, Potter, Saltzman)	<b>FAILED TO PASS</b>
<b>Commissioner Randy Leonard</b>		
<b>*434</b>	Authorize the Administrator of the Portland Water Bureau to establish a loan program for water system development charges consistent with other City bureaus and establish rules for cost distribution for petition mains and fire hydrants constructed in the public right of way (Ordinance; amend Title 21)  (Y-5)	<b>181715</b>
<b>Commissioner Dan Saltzman</b>		
<b>Office of Sustainable Development</b>		
<b>*435</b>	Amend contract with Solar Oregon for continued solar energy education and community outreach services (Ordinance; amend Contract No. 37206)  (Y-5)	<b>181716</b>
<b>*436</b>	Authorize the Office of Sustainable Development to enter into a no cost Memorandum of Agreement with The U.S. Department of Energy and the National Renewable Energy Laboratory to receive technical assistance to further the market expansion of solar within the City (Ordinance)  (Y-5)	<b>181717</b>
<b>*437</b>	Amend contract with Pinch. A Design Office. to provide graphic design and related communications services to the BEST Business Center (Ordinance; amend Contract No. 37772)  (Y-5)	<b>181718</b>

At 12:29 p.m., council recessed.

April 2, 2008

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

THOSE PRESENT WERE: Commissioner Sten, Presiding; Commissioners Adams, Leonard and Saltzman, 4.

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

<p><b>438</b> <b>TIME CERTAIN: 2:00 PM</b> - Appeal of Dominic and Maria Corrado, applicant, against the Hearings Officer's decision, stating that the zoning code requirements to create an Open Space Tract deprive them of rights protected under the U.S. Constitution for their application for a 2-lot partition at 6917 SW 49<sup>th</sup> Ave (Hearing; LU 07-179193 LDP EN)</p> <p><b>Motion to Tentatively deny the appeal, and amend the Hearings Officer's decision to approve a 2 lot subdivision with 2 environmental resource tracts each owned by the adjacent lot owner; staff prepare revised findings and conditions of approval for April 16, 2008 10:30 a.m. Time Certain.</b> Moved by Commissioner Leonard and seconded by Commissioner Saltzman.</p> <p>(Y-4)</p>	<p><b>Disposition:</b></p> <p>TENTATIVELY DENY THE APPEAL AND UPHOLD THE HEARINGS OFFICER'S DECISION WITH AMENDMENT; PREPARE FINDINGS FOR APRIL 16, 2008 AT 10:30 AM TIME CERTAIN</p>
<p style="text-align: center;"><b><u>EXECUTIVE ORDER</u></b></p> <p><b>438-1</b> Reassign City offices and bureaus to the Commissioners in Charge (Ordinance)</p>	<p style="text-align: center;"><b>181719</b></p>

At 2:33 p.m., Council adjourned.

GARY BLACKMER  
Auditor of the City of Portland

By Karla Moore-Love  
Clerk of the Council

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

April 2, 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.

**APRIL 2, 2008 9:30 AM**

**Potter:** We will begin our city council meeting. Please call the roll.  
[roll call]

**Potter:** Like to remind folks prior to offering testimony to the city council lobbyists must declare which entity they are authorized to represent. Before we begin the communications side of this, this is commissioner erik Sten's last council meeting. And I wanted to -- I have issued a proclamation that I would like to read. And then we will go to communications which are all people that are signed up to say goodbye to commissioner Sten. Whereas Portland has a tradition of honoring its leaders who devote their lives to working for the betterment of the community, and whereas few Portlanders have shown as much dedication and commitment to the greater public good as erik Sten, and whereas erik Sten has served as a city commissioner for more than 12 years and whereas commission inner charge of the bureau of housing and community development erik Sten led the council on many issues including launching tent-year plan to end homelessness, working with community partners to develop thousands of affordable housing units, developing a regional housing strategy and working to close the minority homeownership gap, securing a 30% tax increment financing set-aside for affordable housing and hosting five successful project homeless connect events, and whereas erik Sten championed many environmental issues including leading the city's response to the endangered species act, remapping the johnson creek flood plain, working with other council members to brand Portland as a green economy leader and partnering with Multnomah county to advocate a local action plan on global warming, whereas commission inner charge of the water bureau erik Sten led the effort to pass congressional legislation the little sandy watershed protect son act to protect the bull run watershed from logging and worked tirelessly to keep water rates low and as commissioner in charge of the fire bureau erik Sten created a five-year strategic plan for the fire bureau worked to make the bureau more diverse, developed a approach to deployment to speed up response time, oversaw the seismic retrofitting of five stations and erik Sten sponsored Portland's resolution against the war in iraq sending a strong signal to the government the city does not support a failed policy resulting in the deaths of thousands ever americans, iraqis and others from ranted world, whereas erik Sten, this is kind of long, folks, so hang with me. [laughter] whereas erik Sten championed the city's voter owned election system opening city hall to candidates previously unable to run for office, and whereas erik Sten created a developed the school schools-families-housing initial active which is taking a holistic approach to supporting the needs of school aged children in Portland, and whereas erik Sten spearheaded plans to provide more he can able distribution of the city's financial resources and the list of erik Sten's many accomplishments cannot be articulated in such a short document and that this proclamation serves as a reminder of his great work on behalf of the city of Portland. Erik Sten leaves a legacy that will not easily be forgotten by his colleagues on city council, city staff and members of the community. Now therefore I tom Potter mayor of the city of Portland, Oregon, the city of roses do here by proclaim april 2nd, 2008, as official day of appreciation for commissioner erik Sten and in Portland I encourage all residents to observe this day. [applause]

**Sten:** Well, mayor, I am rarely speechless as my colleagues know but I am just about there. So I think I will just say thanks that I have had a great chance to talk with people. It's after 17 years in

**April 2, 2008**

the building, it's become the moment that I have realized it's time for me to make way in the sea I have been the longest of anyone for new talent and the next round of energy. I did want to, before I forget and while I have got the mic which won't be for long thank my wife marnie who all of you know I think and couldn't be here this morning but basically been there every second and probably had to endure all the difficulties of public life and not always all of the accolades that I have. Thank you, and I appreciate it. I also wanted to acknowledge and thank commissioner gretchen kafoury who I succeeded as housing commissioner. And both she and I have talked and very excited actually to see the next housing commissioner. It's been an unprecedented run between the two of us at the office I came from. And I truly believe and I would end by saying that all the problems I have worked on this community has the capacity within itself to actually solve. And I would just urge people to keep up the fight, and every second they can trying and find ways to put our differences aside. The only thing that holds Portland back on any of these issues is arguments amongst ourselves. We can solve these. So thank you so much, mayor Potter. [applause]

**Potter:** Karla, please read ask the first communication to come up.

**Item 403.**

**Amanda Fritz:** Good morning. I'm amanda fritz speaking only for myself. I am going to look this way. It's very difficult to look over to what side. I think I represent many of the citizens and neighbors of Portland who are grateful to you for your service to Portland over so many years. I personally appreciate your responsiveness and that of your staff whenever I have had questions or concerns. Your office has answered quickly and thoughtfully. I particularly remember your actions when the council considered the skinny lots issue several years ago. It's a learning -- zoning code issues of details of which are too complicated to go into now and were almost too complicated. Listened and realized you had made a mistake and brought the matter back to council and mated necessary corrections. That is rare leadership and I greatly appreciate it. But perhaps most of all thank you for being the leader in adopting public campaign financing and for using it as an incumbent. Public campaign financing is revolutionary and the money that council and Portland's taxpayers provide gives the citizens of Portland the opportunity to elect new council members who don't even think about having to ask for big money campaign donations. The taxpayers of Portland have made a great investment in purifying our election process and you have been a notable leader in that. Public campaign financing is only one component of moving to voter owned elections but it is a vital cornerstone and I thank you for the role you have played in establishing it. The salmon colored flowers are there for your wife to thank her because it is a grateful public who realizes that it's a team effort when you are in a family and have to do all the things that you do. The salmon color is to remind us all about your work for the environment and all the things that you have done for the endangered species act, the clean water act and the other things in environmental services. Thank you for all your work.

**Sten:** Thank you, amanda. I really appreciate it.

**Potter:** Please read the next.

**Item 404.**

**Potter:** Please state your name when you speak and you have three minutes.

**Patrick Nolen:** Mayor Potter, commissioners, my name is patrick nolen. I represent sisters of the road. When I decided to come speak today, I wanted to bring a gift of some sort to erik but I was unsure what to bring. I asked sisters co-founder ginny nelson and she recommended our book. My reply was I think I have already given him one, ginny. [laughter] her reply was very logical and very much along the lines of what you would expect from her. He's retiring and I will have a better chance to read it now. [laughter] the book sat on the corner of my desk for about a week or so and an amazing thing happened. A person would walk by and say where's the book going? I would tell them it was for erik Sten, he's retiring. And they would ask to sign it. I'm not counted but I believe there are around 100 signatures in the book, customers, staff, board, volunteers and friends of sisters



**April 2, 2008**

of the road. All wanting to wish you well in whatever it is you choose to do after this. As a staff member of a local nonprofit I should be saying something about how you directly affected my community. Whether it be dignity village, the 10-year plan or recently the day access center you have always been there looking to see what was needed to be done and we appreciate that. Instead of take mike time to talk about that, though, which I am sure others have already done and will do, I would like to speak about how you personally affected my life. When I first visited city hall I was here to drop off a very important book called "without housing," which was put out by the western regional advocacy project. You were the only city council member I saw that day and then only in passing. The other person that I came with that day spoke all the way back about, to the cafe about it. It was like seeing elvis but a bit different. [laughter] the first few times I testified before city council, I was terrified. I am not by nature a public speaker. Even though you don't know it, you help immediate through that. I could sit and look at you and have my conversation directly with you and pretend there were not 80 people behind me listening. [laughter] it help immediate through that period where I was nervous and I thank you for that. When the day access center was the rage of old town chinatown, I came to hear you speak at the sally mccracken. I am not sure if you remember that. I listened like everyone else and was amazed at what happened when you arrived the room was tense and nervous. By the time you left it was although still a divided room, it was one that was at least thinking about the options. I was probably, it was probably the best speech I had heard given to that date. Since then I went to barack obama's rally, and which changed that a bit it's still -- [laughter] it was still a very good speech. Erik, I wanted to thank you for your time and thank you as well, mayor and commissioners.

**Sten:** Thank you, I appreciate it. [applause]

**Item 405.**

**Susan Emmons:** My name is susan emmons. Ism direct of northwest pilot project and I am speaking on behalf of thousands of seniors who are in housing because of erik. I get asked to do a lot of speaking in the community, large and small groups which this is a true story. I was at st. James lutheran church in january right after erik made his announcement. And to speak about affordable housing. They had hadn't explained to me the room I was in. I gave a talk. I thought there would be a lot of questions. And what was on people's mind was what are we going to do without erik? That was the big question. And they hadn't explained to me that they put me in a room between services so I said I have to say really and truly, I am not worried about that. He's provided great leadership but I think one of the things erik Sten as a leader is to create a culture where we now all understand and agree, we have to build this housing and we can do it. And the choir was rehearsing above me and just as I made that statement, started hallelujah and that is a true story. I hope they bought it. I do believe that. The seniors in preparing for today, they said, be sure to list every single building that erik's had a hand in and I said that can't be done but I want to tell one story about before erik was a commissioner in 1993, on gretchen's staff. We had just lost the hamilton. It was the spring of 1993. We lost 194 units, moved people out of the hamilton and lownsdale. We were preparing to move 110 off the Broadway for a remodel that became the swindells. And we learned that the st. Francis was in jeopardy, 132 units. And a member of my board preston holt, a retired realtor and i, he had talked to the elderly owner who was going to sell to somebody who wasn't going to keep it as housing, somebody from out of the country. We took erik to lunch to talk about it. And before we even got the menus, five minutes, erik said I get it. You are right. We are going to save this building. And we were both so impressed at that time. In today's hours I don't think it would have seemed like a lot of money but it was big dollars. In those days, 132 units preserved. And the business people on my board said we have never seen the city move this quickly on anything. It was impressive. And I think that's characterized erik's ability to just get things so quickly, understand them, and come up with a solution and figure out who are all the partners that need to be involved. So i'm going to end just by mentioning a few of the buildings,

**April 2, 2008**

the st. Francis, the taft, 2003, 80 units, station place tower, 333 s.w. Oak, 20 new units, clay tower, 203, 35 units, just a fraction of what's been done in Portland. And we have a little -- we have a tradition of hats in our organization. And maybe this is one for your son. But for your next big picture assignment. [applause]

**Saltzman:** Whoa. He goes to vegas.

**Item 406.**

**Leslie Esinga:** Good morning, mayor and commissioners. My name leslie esinga. I am a single mother. A concerned citizen and a community builder that works for the housing authority for the new columbia development. I have been with the housing authority for five years as a part of new columbia and it's been an amazing run and I feel honored to have played and continue to play a part in the families was lives doing such a transition adjustment, readjustment and increased flexibility that has to go on as a part of new columbia. As the many things I have learned or relearned on both a professional and personal level, it's the vital importance of shelter. I have learned the threat of homelessness due to timelessness. Probably one of the most stressful times they've ever imagined in my life. That was seven years ago. And I have rebuilt my life and as of november I acquired a three bedroom, two bathroom house in a northeast neighborhood. And my -- am I happy about my purchase? Yes, I am ecstatic but I am also equally concerned because of the gentrifying neighborhood and the fear that my income may not increase at the pace of increased property taxes as my neighborhood continues to shift. I have learned in of my professional realm about the importance of shelter as I was positioned as a resident and community liaison to encourage and cajole members of the one of the most vulnerable segments of the population to question, to challenge, to work with and trust in the process of relocation out of columbia villa when the housing authority and I want to say thank you, erik, for championing the city support for new columbia. I was part of a team that asked families to leave the anchors of their community and the place both they and I called home, columbia villa. A community by the way that has carried the scars of a past unresolved for entirely too long and whose ghosts unjustifiably consciously or subconsciously still haunt the community perceptions of new columbia. Just let it be. There were lessons that were learned and many positive and innovative things that emerged from those tragedies that were employed and as a result have been replicated across the country. Yet blood continues to spill in other parts of this city and throughout this country for the same reason that made columbia villa an urban legend. Columbia villa wasn't a stand alone. It was a wake-up call. The media's focus should be on how community support a community and how a community was revitalized and how it survived. It was the epitome of community building whereby members engaged and relied on others to create change. Give new columbia a chance. And now that new columbia is fully occupied with close to 300,000 inhabitants that rent their homes and own their homes I have come to realize that shelter has differing relativity based on personal experiences, individual perspectives, and an investment that's very personal according to which community member you talk to. Thank you, erik, for supporting the possibility that people can live together and whether your means or average, above average or below average that people engaged in their community can still determine and influence the success of their neighborhood and that money matters but that's not all that matters. So the basic component of someone to get it begins with the premise that shelter is a need and that need exists regardless of race, sex, class, income, sexual orientation, or the ability or disability that you may have. And you, erik Sten, or someone that gets it. You worked to address homelessness and to keep affordable housing at forefront of conversations in this city. You spoken truth the that many you the either behind closed doors but are concepts that may need to be heard out loud and in the open to get people's heads around it. Sometimes it matters who the messenger is. Your advocacy around affordable housing in the marketplace where the chasm continues is a common sense approach. You seem to understand that housing is a part of a social antibiotic that maintains -- accountability, that maintains foam

**April 2, 2008**

cohesiveness and economic stability among other things. I am glad you have equitably as your power would allow continue to move the agenda ahead. In this arena I say, job well done, my friend. I wish you continued success and peace in whatever your next endeavors may be. Thank you.

**Sten:** Thank you so much. [applause]

**Item 407.**

**Moore-Love:** Celia is not able to make it today.

**Potter:** We do have one additional person who wishes to speak, ed blackburn.

**Ed Blackburn:** Thank you, mayor Potter. I am ed blackburn, deputy director of central city concern. The resolution and previous speakers have said it all except I want to talk a little bit about your leadership in the 10-year plan to end homelessness. Which it was very audacious thing to do. I think when this was first being discussed there was a lot of skeptics that this was public relations, this was going nowhere. I know you had strong support from the mayor and your fellow commissioners but that was one of the most audacious things I have seen. And although other jurisdictions have adopted 10-year plans because of your leadership, Portland is now seen across this country, including canada, as the city that actually made it happen. That we actually saw significant decreases in both chronic homelessness and homelessness. I want to talk specifically about your work with the recovery association project and that was advocacy group of people in recovery from addictions. You met with them I believe it was in 2002. A group of about 100 people and they made their case to you about the importance and support of housing and how important it was for them to facilitate the transition in their lives. You listened and you made a promise to them that you would increase the capacity for support of housing for people with addictions and you did. You followed through with that promise. And a year later we had funding and a place for eight n.w. 8 building, a national model for housing for people with addictions. Thousands of people have gotten their lives back together, have reunited with their families and gotten jobs, are now functioning tax paying citizens. But more than that, your efforts over the years have resulted in thousands of people ending their homelessness, even before the 10-year plan. And how that has helped heal our community, has had an incredible impact that because of the reputation that Portland has gained, as you know, staff are constantly being asked to go around the country to present the case on how we did this. I am actually also asked, richard harris from central city concern is constantly traipsing around. There are probably other people in the audience that get these calls incessantly from other cities and places around the country. And it certainly uplifts our feeling about what we have accomplished here but it has occurred to me that I know up until now you have been a very busy guy. And as much as I like to help with these calls, I would propose that we now start referring these calls to you since you are going to have a lot of time on your hands. [laughter] but thanks, thanks for all the work and on behalf of all these people that aren't here today, their lives have been changed dramatically, thanks a lot.

**Sten:** Thank you, ed. [applause]

**Potter:** Move to the consent agenda.

**Sten:** Thank you, everyone. I really appreciate it.

**Potter:** Any commissioners wish to pull any items from the consent agenda? Does anybody in this room wish to pull any particular item from this consented agenda? Please call the vote.

**Moore-Love:** Commissioner Saltzman's office for 426.

**Potter:** 426?

**Moore-Love:** Yes. The marina. Make it an emergency?

**Saltzman:** We want to put it on the regular agenda and remove the emergency clause. 426. Sorry about that.

**Moore-Love:** 426.

**Potter:** Any other? Please call the vote.

**April 2, 2008**

**Adams:** Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye. **Potter:** Aye. [gavel pounded] please read the 9:30 time certain.

**Potter:** Commissioners Saltzman.

**Saltzman:** I think we wanted to read 408 through 411 together if that's ok.

**Items 408, 409, 410, and 411.**

**Saltzman:** Thank you, mayor, members of the council. We are here this morning seeking council approval for license agreements with the classical chinese garden, leach botanical garden and the pittock mansion. These three organizations provide the energy and operations expertise and institutional knowledge for some of Portland's most unique, treasured public properties. The classical chinese garden is one of only five classical chinese gardens in america. It inspires and educates our global community in the appreciation of a richly authentic chinese culture. The garden is has also had a tremendous economic and tourism impact on our city. The one 20,000 visitors who pass through the gates every year, 80% of those come from beyond Oregon and Washington. The garden's success has also led to resurgence of economic growth and development in old town chinatown. The garden has served a revitalize and bring prominence to Portland's core and now with the addition of the festival streets and the autumn festival which drew 35,000 people in its first year the future is looking bright. Celebrating its 25th anniversary, leach botanical garden provides very different type of garden experience. If the classical chinese garden is an oasis in the heart of the city, leach offers a respite away from the urban environment. Tucked into a woodland carved out by johnson creek in outer east Portland, leach botanical garden is dedicated to preserving and educating the public about its collection of more than 2,000 plants including many northwest native plants. And it's also important to note that the garden is also a wonderful natural area that serves countless local residents in this park deficient area of our city. The historic pittock mansion is a Portland historical landmark for over 40 years, certainly. It draws over 50,000 visitors every year. Visitors who tour the house and grounds experience a living museum for Portlanders and visitors alike see first hand the history of our city. I am especially thankful that over the past two years, the board and the staff of pittock mansion responded with tremendous energy and purpose to the city's council's challenge to take over more the responsibility for operations and programs at the mansion. And they have risen to that challenge expanding the institution's fund raising efforts while at same time increasing attendance and outreach to the community. And so with these three wonderful institutions poised for the future, I urge council's adoption of these license agreements. We have here with us today karen young, the executive director of leach botanical garden, randy stevens, board president of the pittock mansion society and gloria lee, executive director of the classical chinese garden. Would you care to come up and make any remarks? You are more than welcome to.

**Gloria Lee:** Mayor Potter and commissioners, commissioner Saltzman, i'm gloria lee. I am the executive director of the Portland classical chinese garden and maybe I have been here a little too often. But best wishes, commissioner Sten. And thank you very much for handling a very diversive issues for our community very well. In the eight years since the opening of the garden it has benefit my pleasure to lead the garden in fulfilling its mission of being a cultural heritage destination, a living museum of over 500 species of plants indigenous to china and perhaps most importantly, our educational mission to bring cultural understanding of china to public schools throughout the state of Oregon. Through grant funding from nine local foundations and garden donors, we have traveled over 20 counties of the 36 counties in the state of Oregon delivering chinese culture programs to over 20,000 students to date. We have conducted teacher workshops and provided public programs to libraries and workplaces on chinese culture. In so doing we have bridged not only the east, west, but also rural and urban environments. This project will end in january's 2010 by which time we have reached all 36 counties in Oregon and it's been a huge geographical lesson for all of us at the garden. Our goal in the coming year is to be able to produce

**April 2, 2008**

and procure adequate you understand writing to offer free admission to the many in our community who have not experienced china via the classical chinese garden. We are currently working with Portland parks and recreation to ensure that as Portland grows, so will the garden's capacity to adequately serve the community. Thank you for your vision and support in building this world class garden.

**Karen Young:** I'm karen young, executive director of leach botanical garden and I would like to thank you for allowing me some time to speak on behalf of the garden. I would like to thank the council for showing its support and commitment to Portland parks with the recent approval of sdc funding and I would like to thank you, commissioner Sten, for your work on the council and for your efforts on behalf of east Portland and in particular david douglas school district. And I hope you will remain an advocate and I wish you the best in your future endeavors. Perhaps volunteer service at the garden?

**Sten:** Thank you.

**Young:** To add to commissioner Saltzman's comments on leach botanical gardens I would like to say the garden has been fortunate over the 25 years of the leach garden friends group's existence to have a very committed and hard working pool of volunteers. This past year alone over 120 volunteers donated over 12,000 hours of service to the garden. While many people view leach botanical garden as being isolated in a poor location and away from the mainstream, I see us as having the best of both worlds. I think we are in a very strategic location. For one the garden is located on johnson creek. With the increasing knowledge of the environmental importance of watersheds, the garden is becoming a key site for watershed studies. We have partnered with johnson creek watershed council with, with the bureau of environmental services, on riparian projects, p.s.u. Has reserved the garden for environmental classes for the next three years. The interest in these types of studies is growing and expanding rapidly and leach botanical garden has a great potential to fill this need. Two, with our additional and as you of yet undeveloped acreage we have the power to truly develop garden as a unique demonstration site for sustainability. We already have a compost demonstration site that was created with support from metro. The o.s.u. Extension service master gardener program is interested in using the garden as demonstrate site for sustainable gardening. We are partnering with sanger farm for collaborative education programs and Portland parks is helping expand our children's environmental education programs and tours. The leach is one of the manner house at the garden to be used as a museum. That poach has not even been tapped yet and we provide a much needed cultural and historical attraction in southeast Portland. The garden has already much respected internationally for its seed exchange program and collection and we do attract visitors from all over the world. Locally with the rapid growth and increasing ethnic diversity in southeast Portland, with 46 different languages being spoken, david douglas school district alone, I feel we have a great opportunity and more than that, a responsibility to involve offer local community and especially the children in the programs and enjoyment of the garden. Outer southeast is fast becoming part of the core of Portland. In a word, potential. I feel the potential for the garden is huge. Resources at this point are rather meager. But the staff and volunteers are well invested in this garden. We are ready to take the garden to another level. All we need is the support to help us get there. Thank you for your time. And I hope that you will attend our open house saturday from 1:00 to 4:00 p.m. At the garden.

**Randall Stevens:** Mr. Mayor and council members my name is randall stevens. Ism the president of the board of directors of the pittock mansion society. Thank you for allowing me time to make a few comments this morning on the agreement in front of you today. Two years ago the city, through Portland parks and recreation, approached the society about changing its role at pitting to mansion. As commissioner Saltzman mentioned I the city council challenged the society to take over more of the responsibility of the operations at the mansion. After much debate the board of directors voted to expand and take over the of the mansion. The city and society would become

**April 2, 2008**

part inners in operating the pittock mansion. The society entered its negotiations with the city and began to build a master operating agreement. In the two years that elapsed since starting to build the agreement we found Portland parks to be a willing partner in crafting an operating agreement that provides the society with the confidence and flexibility to operate the mansion in a manner that benefit as wide variety of Oregonians and Oregon visitors. Portland parks never wavered from its responsibility to city residents to preserve the mansion and its contents. The core principles drive much of the agreement you have before you today. In July of last year, after agreeing in principle to the master operating agreement, the society began to operate the mansion working closely with parks to maintain the quality experience mansion visitors have come to expect. Since that time the society has modernized the administrative infrastructure, added to the operating staff and remodeled pittock mansion museum store. This past holiday season, the mansion nearly set a record for the number of visitors who braved the cold to view the mansion holiday exhibit. None of that would have been possible without the close cooperation of the city through Portland parks and recreation. Lisa, michelle harper and parks staff have worked tirelessly to help the society transition from a friends group to a working partner fully responsible for mansion operations. We look forward to continuing our strong partnership with Portland parks and recreation in operating the pittock mansion. I would like to invite mayor and each of the commissioners to tour the mansion and see the changes for yourself. From within the society, several members of the board rose to the challenge and spearheaded the effort to develop the agreement in front of you today. I want to thank barbara mackey and greg fullham for the countless hours they devoted to the effort. The board of directors unanimously approved the master operating agreement before you today and I urge you to approve it as well.

**Saltzman:** Thank you.

**Potter:** Thank you. Is there a sign-up sheet for these four?

**Moore-Love:** There was and no one else signed up.

**Potter:** Threes four items are nonemergency and move to a second reading. Please read the 9:45 time certain.

**Item 412.**

**Potter:** Commissioner Sten.

**Sten:** Thanks, mayor. We actually wanted to thank the team that did some very difficult work in a timely fashion and accomplish something very important. I think probably everybody knows that Portland, maybe not, is the ninth largest native american community in this country. And has a great community, a great sense of pride in all sorts of things, richness that are here because of that. We may not also remember always that as the 38,000 native americans that are in Portland, 50% of them live at 200% of the poverty rate or below. Housing is a real crisis in the native american community. And as we talked about today integral to people's success. We had a group that had done a great job developing affordable housing, and ended up running into some hard times and we are just about to lose some significant housing units, and everybody knows me, they have stepped in and found a way to build housing capacity where none was and preserve this housing. We really wanted to thank the team that did this and particularly also bank of the west, which I believe is here as well who really stepped in and sometimes you hear people saying what institutions are not doing. In this way bank of the west stepped in to help us do this. We wanted to thank bank of the west, income property management company, pdc and the bureau of housing development. As I go it's also clear there's a strong team knew place. I wanted to introduce them to tell the story to the council.

**Will White, Director, Bureau of Housing and Community Development:** Thank you very much. I'm well white, director of the city's bureau of housing and community development. It's fitting here sitting here on erik's last day as commissioner to recognize this important accomplishment that really stem backs more than 15 years. When I first began working here in

**April 2, 2008**

1993 at the housing development center, I was involved in the development of these housing properties that were developed with the intention of being owned of Portland and available to that community and others. Now we've had to take the important step of finding a long-term owner and manager of the those properties and native american youth association has stepped up to take that role and i'm just here to help acknowledge on behalf of the city and in addition to the folks that p.d.c. and our bureau, nicole maher and ray espannia jeff reingold at i.p.m. and others at the housing development center that have helped bring this about. We are excited to know we are preserving 34 units of housing through this transfer that will be managed in the future by sowash. The chinook language way of saying native housing. And that is indeed what this intended to do and has been from its inception. This property also supports the 10-year plan to end homelessness because it includes seven units of permanent supportive housing that is particularly important since there is a very high incidence of homelessness in the native american community in greater proportion than any other ethnic group in our city. At present, the statistics tell us that 25% of native american families earned less than \$10,000 a year and another 25% earn less than \$25,000 a year. So this is really important to provide this fundamental affordable housing for these families and we are excited to work with n the family center as it takes on this role in the city is here to continue to support the building of capacity in this new housing organization and we look forward to its success over at least the next seven generations.

**Andy Wilch:** Good morning. Andy wilch. I don't want to go into a lengthy presentation. I am sure you probably won't want me to either other than to suggest that the culmination here today and the closing of the transfer of the portfolio to the naia organization is something that did not happen overnight. Many, many years of hard work. And I think in essence, the you want goal that we all had all along was to ensure that these 44 units of housing were indeed in the hands of a community organization that could adequately commit to representing their community members. And we think we've accomplished that. From a p.d.c. perspective working with the city, the city authorized the investment of over \$1.6 million into the preservation. The city also, by preserving this housing, has ensured that there are family units, all the units are two bedrooms and larger, sustainability, substantial rehab, and I think as will white mentioned the city investment in the organization led by nicole maher, is an investment for the long term and we are committed to that. Let me take a moment if I might to congratulate nicole and her board. I was at, I had an opportunity last week to go to an honoring ceremony at the invitation of nicole. And it was a very, very rewarding evening for me. Thank you. And I found that the community support for naia is immense. The community support for naia is immense and the of course the community respect for itself honoring their elders is a really rewarding and kind and continuous cultural kind of benefit. So I was moved by that. Let me mention a couple of p.d.c. Staff members really quickly that worked very, very hard selflessly to make sure not to try but to make sure that this happened. John marshall was the project manager for p.d.c. he underwrote it. I negotiated I he stuck with it. He worked with the lenders. I was the intermediate area that really brought all these pieces together. And even when we were at times finding a really, really arrest do with us path to our successful goal, john stuck with it. Our legal team in p.d.c., matt baines, michael griser working tirelessly to ensure that this property did not go into foreclosure, that this property stayed available under the control of p.d.c. as the agent of the city to make sure that we could work out the details and the variables to ensure that it stayed in the hands of a quality community-based nonprofit. I will conclude my remarks by saying the p.d.c. Commission has charged me time and time again with ensuring that we are doing everything we can preserve housing. This is another example, particularly rewarding but another example of the work we are doing on behalf of the city. Thank you.

**Nichole Maher:** Good morning. My name is nicole maher. A member of the central council from southeast alaska. I am really pleased to be here. Today is a special day in that it's a really fine example of when public and private partnership can come together and be really effective at holding

**April 2, 2008**

an asset for the use of the community. Time and time again, at every community gathering, in Portland on behalf of the native community, housing and family stability is identified as the absolute highest priority. I served as the check director of naia for the last seven years and we are very well known for our work with the community, important academic achievement but the piece that a lot of people are not aware of is that in every element of every program that we do, housing is and poverty right real core issues. Our students struggle in school because their families are moving two and three times a year. Our clients have a difficult time accessing domestic violence services because of the housing-related issues. And so we're very, very excited to really be addressing the core and root causes. Equity issues continue to be a great, great challenge. Although we are 5% of the population and have the highest overrepresentation of poverty, our community only represents about 1% of the folks receiving low-income housing units and it's important in that way. That's really, really important to recognize and really, there's an important need to honor and recognize the public institutions that are working towards this equity issue. I really want to give appreciation, I am glad that andy and will called out some specific staff members because it has been a long process. And what it represents is really a shared vision. A shared vision about what it will take to truly serve our community. And all along there's been a true committed that, for p.d.c. to reach its commission, for b.h.c.s. and for naia to reach its mission and think about new and innovative ways to do this, several times throughout the process, we have, it's sort of like industry standard and then also the new path that we are creating together. So I think that's really, really important to recognize and to appreciate. I also want to recognize that these properties represent three memories and three honorings. One is named nelson core in honor of les nelson. One is named for a woman who lost her life in st. John's and another is it represents another leader of the klamath tribe. So these properties are important in the future stability we provide for our families but also important in the long history for our community as well. The other piece I want to say is this project really represents a new way of working together and a new partnership. It represents retaining an important asset for the native community that was almost lost. And really a new role for naia family center but it's really just the beginning. We know that we have a lot of work to do and I am really here to celebrate a partnership and a collaborative relationship. Lastly, I want to really thank and honor erik. I know you have been involved in this project long before I even lived in Portland. And have been advocating for this issue for a long time. And throughout the process I really appreciate yard honesty and your integrity and really your commitment to say let's do what's really right to keep this for the families. Thank you for that. Thanks.

**Potter:** There is a sign-up sheet?

**Moore-Love:** There was. No one else signed up.

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

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

**Saltzman:** Well, good work to naia and commissioner Sten for preserving this affordable housing. Aye.

**Sten:** Glad we got this one done. Aye.

**Potter:** I want to thank naia and all the folks who participated in this. Both housing and legal services at p.d.c. for making it work, and for all the folks who are going to be benefiting from this, as nicole said, there's still a lot of work to do to ensure that more of our native community has adequate housing. So it's a good start. Aye. [gavel pounded] please read the 10:00 p.m. time certain.

**Item 413.**

**Potter:** Commissioner Sten.

**Sten:** Thanks, mayor Potter. As you recall as everybody does, we as a council started the schools-families-housing initiative about a year and a half, two years ago, and it's the schools-families-housing is really almost a movement, I think, to try and get community work, housing policy, and



**April 2, 2008**

schools to work better together. We do lots and lots of good things but often don't link them together. And I think as we noted with the decision, the unanimous decision to invest the money from the river district in david douglas schools what happens throughout the city affects each part. And we also see, this was I think the light that went on that maybe should have went on sooner that went on that our housing investments and strategies probably have more to do with the patterns in enrollment that we ever thought. The Portland public district loses districts and is in danger of closing schools while david douglas which is entirely in the city limits is coming apart at the seams. The council as argued and I think correctly that that's primarily because of housing costs, not because of choice or anything else. Not that people don't choose both school districts and the other in the city because they certainly do. What we have tried to do is I go night some community thinking, which is how to take on the issue that's not immediately obvious. Create some excitement and also to try some new strategies. So other parts of the school schools-families-housing initiative include a trial rent sss tans program before we are tart getting some of the dollars we have in the schools that are experiencing 60% turnover from september to may to see if we can't slow that down. We have target the some of home ownership collars around schools that are losing enrollment to try to give families, particularity families of color a chance to stay in the neighborhood. That seems to be working pretty well. The one that was most I think broad but perhaps the most intriguing to the council was put forward a small grant program to say ok I think we get what we are trying to do with schools-families-housing but we don't mow how to do it. We went out and said, why don't you propose innovative projects to try and make this link and be on the ground in reality between schools and housing and community development. And partnered with the Portland school found education and we have got seven grants to give away today. It's our first round. Because it was so new, I will say on the front end what I was going to say near the end, we decided to give half the money away, get some excitement going around, and there will be a second round of grants due may 15th. The idea is hopefully that this round of conversation will also catch people's imagination and we will see another round to come in to be given out in june. Also I will say what I was going to say later which is, with me leaving, mayor Potter has not graciously but I think enthusiastically assigned his staff to step in and run this program so I am very excited it will keep going. And he will be in charge of making sure this grant money is spent well. So let me, we think we have got about 200 families, 250 families that will affect about 400 youth in three of the school districts. We have representatives here from three of the seven award winners. We had 37 applicants altogether and were able to only choose seven and it was one of the rare cases the feedback I got from the review committee that just about every indication was worthy of funding. These were the top seven. What we really then kind of did is our screen is to make sure all these things are not start-ups. They build on existing efforts and will leverage something this summer so we expect to see things happen this summer in the community and I think it also fits nicely with the council strategy led by commissioner Saltzman to have more youth activities this summer. So today we will hear from kristen trainer from human solutions, a somali resource program that helps immigrant families connect to school housing and english as a second language. Cathy robinson and bob from parkrose school district for a program to provide homeless high school students with paid jobs, mentoring elementary students so that the high school students will help the kids of the neighborhood and get stable that way. And we will hear from john keating from the academic achievement and community engagement summer program tied into the humboldt neighborhood. She's been our leader and guide in trying to figure 24 out. He will introduce the grant programs and give us a few thoughts on how things are going with the schools-families-housing initiative.

**Tripp Somerville:** Thank you, commissioner Sten. Thanks to do full council for really launching what's been a key partnership. I want to echo a little bit about what nicole said earlier. This schools-families-housing effort that we have been part of is really been an ideal collaboration with the city, the city staff, the bhcd has weighed in and commissioner Sten's office, the same heroic

**April 2, 2008**

manner. We are very excited about this partnership. The grants are one stream of schools-families-housing and inner designed to do really one simple thing which is how can we attract and keep more families in this city to make sure that it's family friendly to continue to reflect the complexity and richness of the ethnic array and allows people of all incomes to continue to be part of this great place. We have got, so we had \$2.2 million in requests for this small grant pool. We, after three levels of review by our organization, the final approval from our board of directors, have made grants to \$425,000 to projects for seven. We have three representatives from organizations here today to talk about this. To give you a little human contact because we often get caught up in all this policy talk about how we are going to change the world. And really it comes down to the people that we are working with every day. So I would like to invited up three representatives from the projects to talk very briefly about what we are trying to accomplish here together. First from parkrose school district, keith keen robinson has brought two young people with her who are involved in this work. Austin and raven smith and I would like to ask them to come up and say a few words right now.

**Austin Crumbly:** Hello. High name is austin. I am a senior, former student of parkrose high school. I just want to start out by saying thank you very, very much for this opportunity. I moved down here just a year ago from texas, and I have been through many things. I have experienced many things through many kids down here. First of all, i've gone to a lot of kids' housing experiencing what their families are like and what they are going through makes it really hard for kids at parkrose high school that I am attending. Makes it very hard for them to focus on school because they have so many family issues, financial issues and stuff like that. And I know that this program not only because people don't know much about it yet but when they do know it I believe it will make a big change as far as parkrose high school and the community because people are lacking in these areas of being able to pass classes and get credits and stuff like that. I know that this program is going to help out financially because it gives them opportunity to make money, a social advantage, you know, helps them get more social with the community people, teaches them to learn to talk better. Just kind of gives them a better personality in a way. And so I just really want to say thank you very much for this opportunity. I know it's going to help out a lot of people. So thank you.

**Raven Smith:** My name is raven smith. I currently attending parkrose high school as a junior. This program will put a lot of hope in some kids just sort of lift their heads up and give them a chance to get some things that are going on at home. It put like a little bit more of some pay back in the community, giver them more of what to do and they will have time to just, you know, reflect on what they want to do sometimes. And get focused on what they are ready to do later on and give them an opportunity to see they can help someone else at the same time. So thank you.

**Kathy Keen Robinson:** Thank you. I'm cathy keen robinson, direct, of student services in parkrose school district and I am very excited. We are grateful we will be able to put this project into action this summer building on an elementary program that we have had for several years. I think the most exciting part of the program is the element that will be able to provide actual paid jobs as youth men fors from some of our at-risk high school students to be able to be in a role, as you just heard from these two eloquent folks, to be able to serve elementary students and be true leaders. So we are very appreciative. We are looking Portland to this being something that will be able to continue and grow in our area in parkrose. Thank you.

**Potter:** Thanks, folks.

**Somerville:** Thank you. Then we also have jean demaster and doreen warner from human solutions which is doing some path breaking work with somali families. In east Portland and john keating from the housing authority whose promised an interpretive dance presentation but I don't know that we have enough time to complete that today.

**April 2, 2008**

**Jean De Master:** Hi. I'm Jean DeMaster from Human Solutions. And before I begin, I would again like to add congratulations to Erik for his fine work and the legacy that he leaves here in Portland. I am an old person so I remember 1991 when Erik came but mostly what I remember is that the difference between where we were in 1991 in terms of shelter and affordable housing and where we are today, and knowing that on any night especially nights that are cold like now, so many more people are able to be in shelter than ever were at that time. But more importantly so many more families and single people are able to be in affordable housing and to have wrap-around services for their affordable housing because of the projects that Erik has helped sponsor and has helped develop. So let me add my congratulations. Thank you for all that you have done. In terms of this project, this is a schools-families-housing and community grants program that Human Solutions is making in partnership with David Douglas School District. The families we will serve are families from Somalia. The families have come to the United States, have come to East Portland from a war-torn area in Africa, and they have come to us, and have begun to become incorporated into the David Douglas School system. But there are some major problems in making that linkage happen. Many of the students in these families came from war-torn areas where they did not go to school at all because there wasn't a school system. Many of them did not know housing at all until they got into the affordable housing projects that were provided. Link Woods is where many of these families live. It's on 130th between Division and Stark. The families live there. They have affordable housing. But now they are beginning to need to link to the school and to the community. The problem is that for the young children, they are becoming incorporated into the school but need to get into the homework clubs. But more than that, the families of these children do not have English as their first language and have no experience dealing with the school system. And so this project will employ a man from Somalia who will be a link between the Somali community and Human Solutions and the school district to try and ensure that parents can understand what are the notes, what's the information coming back to them from the school district, and, more importantly, how parents can get involved in the education of their children. We all know that the children are more successful when their parents are involved but these Somali families are being denied that experience because the parents don't know how to get involved. The third part of this program is that the, while the young kids in the first and second graders they come into the program and they learn to read and write in English and they do very well. But the teenagers who come into this program come in, they're high school students. And they don't read and write. It's not an ESL problem. It's a problem they don't read and write. So here are high school students trying to become incorporated into the high school system, and go on to become employed but they have tremendous barriers because they don't read and write in any language. So this program will help incorporate those teenagers into the school system and into the work force system so that they can become productive members of our society. These are Somali families that want to be able to give back to our community and want this -- what this program will do is be a link to the school and the community to let them know how they can give back to the community and how they can get involved. We are very grateful to the Bureau of Housing and Community Development, to Danielle in particular, for allowing us to go forward with this program that will bring services to families that were otherwise cut off altogether. Thank you.

**Doreen Warner:** Good morning, Mayor, Commissioners. This June, just about the time of Rose Festival, there will be the start of 130 new families moving into the Humboldt neighborhood in a place that used to be called Iris Court. And we are just a few paint cans and hammers and nails away from completing what's going to be Humboldt Gardens. With those families come a lot of kids and what we learned at our first Hope 6 project is that when kids show up, you need some really good partners to be there with you. At New Columbia those partners were Portland Parks and Recreation and Portland Public Schools and the Boys and Girls Club. So as I started to think about the children that would make Humboldt Gardens their home, I thought to myself, who is going to be

**April 2, 2008**

with us out there? This schools-families-housing initiative is an awesome approach. And I really appreciate all of your leadership to bring this to us. We have some great people out there just ready to greet these kids as they start unpacking their bags and put stuff in their rooms and all of a sudden it's summer, and none of the kids know each other and it's a new place for them. We really at housing authority of Portland, we value housing stability. That's what we do. We build housing. We hope people will come to our housing and once they are in our housing we want it to be a good thing. But we know that without stable schools and without a stable family, the housing cannot be stabilized. I really appreciate this work. I hope that you will come out to Humboldt Gardens if you are looking for us, we will be over at the playground at Humboldt School at the boys and girls club and the staff of Humboldt School and you will go to meet all the kids and do come out this summer. Thank you very much.

**Potter:** Thank you.

**Sten:** I think that's everybody. I did want to quickly, Mayor, share the other winners just four other grants that were given out. One to the community alliance of tenants, tenants family stability project. This is a partnership with the county's touch stone program at eight high priority schools and it will support families that live in rental housing and continue education programs through community leadership and targeted fund raising. Our last item was with Naia and we are awarding Naia an award for this grant so they will use their capabilities in the family centers community and family stability project that provides housing and education services for American Indians, Alaskan Native families and also support the Naia Early College Academy. We have a third grant is Haciendas enrichment program and this one offers culturally specific after school enrichment, academic experience and parent involvement strategies to Latino and other families in the Cully neighborhood. And the seventh and final is the Oregon Trades Woman YWCA building project. It's a five-day summer day camp and after school program that will focus on introducing the trades to middle school girls this summer. So I think it's going to be a broad and successful group of grants. We want to grant late all the winners, great, great job. Let's see. We had \$850,000 that the council also indicated for this grant program, these grants are about 425 so half is still there. And applications for that half will be due on May 15th which with the decision in June. So if somebody would like to apply, if you are out there in the audience or in the viewing audience, it's [www.thinkschools.org](http://www.thinkschools.org). So I want to thank my colleagues for all their help on this and I also wanted to just take a second, I don't think he is here today but to thank Rich Rogers who has served as the coordinator of this effort. He's also leaving the city in two days to go into some private business. I wanted to thank him for his hard work. That's our presentation.

**Potter:** Good. Do we have a sign-up sheet?

**Moore-Love:** We did. No one else signed up.

**Potter:** A report. I need a motion and a second.

**Leonard:** So moved.

**Saltzman:** Second.

**Potter:** Please call the vote.

**Adams:** Great work. Thank you. Aye.

**Leonard:** This is really outstanding work. Something I am really happy to be involved with. Aye.

**Saltzman:** Well, I do appreciate this work and I think these initial projects were chosen to be funding sound like outstanding and particularly their relevance to summer activities. As we all know it's important to have activities for youth in the summer and this will complement the many activities Portland Parks and Recreation Children Investment Fund are supporting and we can't do enough in these areas. Good work. Pleased to support it. Aye.

**Sten:** I think this is a great idea that's beginning to come together and to great reality and ideas are easy. Putting them together is much more tough. I want to note I'm closing this out the planning

**April 2, 2008**

bureau is doing two plans that will be designed to really kind of tie these things together. One is in east Portland and the other is in Cully-Concordia and I do think that the east Portland action plan which Commissioner Leonard has graciously stepped in to take my spot on is another vehicle where we have a real immediate opportunity and probably the most startling thing when I got a call from a national education magazine saying it was very unique. It seems to be obvious we could be coordinating housing and school strategies and these types of efforts. But we have not been as well as we could. And so I think this bodes very well for the future and I wanted to thank Mayor Potter for stepping in and taking the leadership. Aye.

**Potter:** And Commissioner Sten, another mark in your contributions to our city. And to all the community groups. This is such an important thing for our city to really bring our schools and our communities together, but ensuring that there's housing so that we can keep our children and our families here in Portland. And for that, I thank you, Commissioner Sten, and for all the folks who are going to do that. I vote aye. [gavel pounded] Move to the regular agenda. Please read item 430.

**Item 430.**

**Potter:** Staff?

**Ed Newvine, Office of Management and Finance:** Good morning Mayor Potter, Commissioners. My name is Ed Newvine, project manager with the Office of Management and Finance. The ordinance before you is to amend the contract with a.b.h.t. engineers to extend their contract for a period of 1 year. They're currently used in project -- computer room upgrade projects in the Portland building. There's probably about a balance of about \$4,000 in their current -- for their original contract and I'm just going to use that up. We need the extension for about 1 year. Questions?

**Potter:** Questions from Commissioners? Was there anyone signed up to provide testimony on this? Please call the vote.

**Moore-Love:** There was a sign up sheet but no one signed up.

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

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

**Adams:** Aye.

**Potter:** Please read item 431.

**Item 431.**

**Potter:** Second reading, call the vote.

**Adams:** Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye. **Potter:** Aye. [gavel pounded] Please read item 432.

**Item 432.**

**Adams:** Do we have people to testify? Oh, good. I'll leave it to Dan and Lana.

**Lana Danaher, Bureau of Environmental Services:** Good morning, Mr. Mayor, Council. I'm Lana with the Bureau of Environmental Services. If you will recall, I was here in January with an ordinance that authorized the Bureau of Environmental Services to establish a new program to respond to a contentious issue in the community with nonconforming what we call hearty suers, and we have been working since then to develop that program. Today we have an ordinance in front of you that is the first -- implementing the first phase of this program, and includes a cap on the assessment that property owners will have to pay when they connect to the new public sewer. We believe that this ordinance and this cap will provide the property owners with the certainty they need in order to move forward, enabling houses to be bought and sold without this inhibiting the transaction, slowing down sales. We also believe it will, we hope, help to facilitate a willingness to convert and bring and neighbors to be able to come to a resolution without what we have seen in the past, some rather unpleasant interactions. If -- Dan, could you go to the slides? It does have two classes of rates on the cap. One is for simple projects, which will be by far the majority of projects, residential, simple commercial, and is currently will be \$1.83 per square foot of property. That rate represents 70% of the actual average cost for similar projects over the last several years. To give

**April 2, 2008**

some reality to it, typical residents sits on a 5,000-square-foot lot. With this rate, it would be subject to a little over \$9,000 of charges. This is a lower amount than the actual cost, which would be closer to \$13,000 or a little bit over. We think that by having a period of time over the next few years of subsidizing it and gradually going to the actual cost that we can innocent people to sign up and lock in the rate early and get a han gl on getting this done quickly. We have gone to purb and have talked about this among people who are affected by it as well, and we have had pretty much unanimous support for it. There is also another class, which is the complex class. This would be if the party -- as you may know, there are several party sewers and private sewers in the right of way in the downtown area, and in other areas like that where you have very difficult and expensive extensions of the sewer that would be necessary. We did not think that they should have to pay -- that they should be able to pay those same rate as the residents, nor did we want the residents' rates to be artificially high, including those. So we do have ar two tiers that. One is currently at this cap would be at \$4.08 a square foot. And the one for complex shows you what the average cost for a typical downtown lot would be. At the discounted rate. Which I don't have in front of me and can't remember the exact amount. But are there any questions?

**Potter:** Questions of the commissioners? Is there a testimony sign-up sheet?

**Moore-Love:** One was filed and no one signed up.

**Potter:** Please call the vote.

**Adams:** Lana and dan, I want to thank you. I also want to thank lisa in my office, and shoshanna and the entire team for getting on top of a, what, 85-year-old problem?

**Danaher:** At least.

**Adams:** A reminder to Portlanders that you need to check before you buy a house whether or not the sewer that goes under the city street is indeed the city sewer. This is going to provide people the certainty and the transferability that folks were looking for. And I really want to thank you for your innovation and helping to work something out that provides those and at the same time protects sewer ratepayers. So thank you very much. Aye.

**Saltzman:** Good work tackling a long-standing problem. Aye.

**Sten:** Great. Aye.

**Potter:** Aye. [gavel pounded] please read item 4 three. 433.

**Item 433.**

**Potter:** Commissioner Adams.

**Adams:** Thank you mayor. Bill and david, come up, i'll make a few opening remarks. First why this project. The Portland office of transportation does not have enough resources to manage the transportation system in a cost effective and in a safe manner. So we have to prioritize what projects we do, what projects we don't do. As the city's transportation commissioner over these past three years, i've prioritized safety projects. Projects that will save lives and reduce injuries. We've held two transportation safety summits. The first transportation safety summits in the history of the city. Through that, we have worked hard to identify specific improvements, engineered improvements that would go in at specific place ways and means the city that we know will have a positive impact on safety. This project is in keeping with those priorities. It is also very similar to my efforts and council's approval of \$11 million over the past two years that went to transportation safety projects, the bulk of that \$1111 being spent in east -- \$11 million, being spent in east Portland. The most dangerous streets are in east Portland and west burnside. So it is appropriate that we focus on these two areas of the city. This removes -- is also responsive to public opinion research that we've done recently. Where Portlanders, whether they ride a bike or not, said, and bikers, whether they go out on busy streets or not, said we need to remove the conflict -- more of the conflict between bikes and cars. And that's how we came up with our proposal to build 110 miles of bike boulevards that expand upon the 20 miles of bike boulevards we already have. Why this project as well, americans are spending more every month right now on transportation costs

**April 2, 2008**

than they're spending on food. A bike trip, a pedestrian trip might not work for all families for all trips, but the more of those trips that we can get on bikes and pedestrians, the better we will all be, both in terms of congestion, in terms of our own health, and in terms of balancing household budgets. The project before you is one of the most sustainable transportation proposals in the history of Portland. Seeking to reuse a piece of you'll hear in greater detail, a piece of local history.

There is a time when reuse just in our own sort of daily lives seemed very foreign. And there were folks when we worked hard about 20 years ago, when we first started pushing recycling, where it was perceived as a waste. It would be so much cheaper to just continue to throw trash away. Why spend the quote unquote extra money to recycle this stuff? Well, we've learned a lot of lessons since then. We've learned that reuse and recycling, when you look at the total cost, when you look at the total benefits, are well worth the effort, and they're very much in keeping with Portland's values as a community. This project is no different. This project, as you'll hear, would again be the largest reuse/recycling project for transportation in our nation, in our city's history. This project is cost effective. The \$3.5 million placeholder amount is a guess. It is the lowest confidence estimate, and it is an estimate you'll hear is a low confidence estimate, not based on preliminary engineering.

The 5.5 estimate for moving the bridge is based on combination of guaranteed maximum price from the contractor and high confidence estimates based on engineering done by odot and the Portland office of transportation. This is also a cost effective project because instead of an overpass style concrete structure, we get a 30-foot-width span versus a 15-foot-width span at the \$3.5 million. The money going to this project cannot be used for, except for \$500,000 of general transportation revenues that would be coming from the safe, sound and green street package request that we've made for this fiscal year, leverages \$5 million in other funding. Tax increment funding cannot be used for basic maintenance. I wish it were different, but it's a state law. This is a long overdue project. The flanders street bike boulevard project, as you've heard, has been on the books for some time. This is a restorative urban design project. It will bridge the divide in a way that people will actually want to use it. If you want to see pedestrian overpasses using the sort of basic brutalist style of a freeway overpass, just spend some time in my neighborhood. You'll see the failing street crossing, you'll see the lombard street crossing. They're not used, they're not considered safe, they're too narrow. The other benefit of this project is, because it is wider than the 12 to 15-foot span, it provides the city of Portland with more emergency preparedness. Another way to get across i-405 in the event of an emergency. Not just if all the other overpasses collapse, but another way to get vehicles back and forth across i-405 if everything else is plugged up. I appreciate the opportunity to have council consider. This we'll have a brief presentation and then we'll have public testimony. We've got seven invited testimony and I think some people signed up as well. Thank you.

**Bill Hoffman, Office of Transportation:** I'm bill hoffman from the office of transportation. With me is david, also from the office of transportation. We have a short power point presentation that david will take us through, and then we're here to answer whatever questions you may have.

**David OLongaigh, Office of Transportation:** Thank you. The genesis for the boulevard really began in 2002, when city council adopted the burnside transportation and urban design plan. Coming on as the burnside-couch cup let. It was conceived as a way to get cyclist and pedestrians from waterfront park to Washington park and beyond that to forest park. It connects northwest district to the pearl district to the old town and then to riverfront, waterfront park. There's a broader context also. It's also seen as a vital east-west link by connecting the spring water trail and the esplanade also to forest park and Washington park. The existing sauvie island was build -- bridge was built in 1950. It's become obsolete for modern freight. The residents of the island have been campaigning for many years to have the britain replaced. And here you can see a photograph showing the replacement bridge under construction. It's the one that's larger and rusting. It's the type of steel that rusts. And in the foreground you seat older bridge in green. The new project

**April 2, 2008**

began two years ago. It will be finished this year. And they're due to start demolishing the old bridge in June. The old bridge is eligible to be on the national register of historic places. It is quite charming, although it's not a work of art. But it is unique. The center truss is a Parker style truss, which is unique in engineering. They're actually disappearing because they're becoming obsolete for modern freight. When you look at the whole bridge, there's really three components. The center archway, the through truss, because you drive through it. Each side of that is a deck truss that you drive over. And they're both made of steel. But then each side of that again you have the concrete approaches. And the concrete approaches, similar to the Sellwood bridge, have been deteriorating over the years and are cracked. The steel components, the center steel truss and the companion steel side trusses are in fabulous shape. They were last inspected in August '07, and I have the report right here. The flaws noted were it rusts and peeling paint. Both of which this project would fix. There were no cracks noted in the steel work whatsoever. In fact, we've also discussed the condition of the bridge with the county and with ODOT, and they have confirmed that too. As well as our own site inspection. This is where the bridge would fit in the east-to-west Flanders bike boulevard connection. Shown here in orange. With the gap being 405. The bridge-to-gap located between Everett Street and Glisan. It's located between 15th and 16th. On 15th have you the historic Meier & Frank warehouse, soon to be renovated. Another pedestrian friendly view showing the bridge in location. Looking towards the Pearl District. We do envision putting the pedestrian signal at this location to get bikes and peds safely across 16th Avenue. We've talked about ODOT, and they're happy to accommodate us. But the bridge does fit. We have done due diligence. We've surveyed the site. We've surveyed 405. We've mapped where the constraints are, and oddly enough, almost like a glass slipper, the bridge fits perfectly between the curbs and outside of retaining walls of the freeway. In fact, it will be the only bridge that meets the clearance that the feds now require on the freeway, which is ironic. There is an opportunity, and timing is critical, to use the existing bridge for this location. The old bridge is declared obsolete by the county. They have no future plans for the old bridge. In fact, Kuey Construction, building the new bridge, and now by terms of the contract owners of the old bridge, we did carry out feasibility study, and we did determine that it is feasible to move the bridge to 405. We've overcome all the obstacles. We found a route to take you there. But the bridge is scheduled for demolition in June of '08. That's critical, because when you get a permit to do work in the water, the Corps of Engineers give you between June and September to carry out that work. You miss that window, the in-water work window, there's no exceptions. You just can't miss that window. And the contractor has to meet that deadline. He has to demolish the bridge this summer. Or he will suffer substantial delay and penalties. We are proposing to break the construction of this project into two phases. Which is quite logical. Phase one would be moving the bridge from Sauvie Island to Terminal Two. We've met with the port and discussed using Terminal Two, and they're quite happy to do that. In fact, they built the new bridge at Terminal Two and floated it upriver. While at Terminal Two we'll remove all the lead paint that's on the bridge and repaint the bridge. Second phase, there may be some overlap, is that while that work is going on at Terminal Two, design work will be underway to design the fowp education and build the new foundations at 405. We'll then do site prep work and install the pedestrian signal. And finally move the bridge into place. Funding sources. We have a variety of funding sources to complete the package. Transportation System Development Charges of \$2 million. P.D.C. tax increment funding for the River District, another \$2 million. Federal money, transportation enhancement funds, administered by ODOT, \$1 million. And then Safe, Sound, and Green Streets program, \$5 million. The neighborhood has been working hard to start working on private fund-raising. I think they've had some success so far. Schedule. June, July is when the contractor is scheduled to demolish the bridge and resalvage if we decide to do so, the center span, and move it to Terminal Two. July and September, they'll be working on the lead paint removal and abatement and repainting the bridge. Concurrently we'll be designing the foundations for the new



**April 2, 2008**

location, and undergoing permitting with odot. And then september and october we will build the foundations and do some site prep work, and finally towards the end of the year, move the bridge into place. And that completes the presentation. Thank you.

**Adams:** Roger, could you come up? I forgot to have you come up and talk about the safety issues in the corridor. The reason why this should be considered a priority.

**Roger Geller, Office of Transportation:** I also work in the office of transportation. My name is roger geller. We do a lot of bike counts around the city, and we see that the counts in northwest Portland are surprisingly low. We wonder about that, because northwest has the density and proximity to the central city. You look at cities around the world that pride themselves in great conditions for bike friendliness, and you'd expect to see high numbers. The problem we have in northwest, we have very poor access between northwest and central city right now. The routes for cyclists are typically on busier streets. They're somewhat disconnected. We have bike lanes that drop. We do have the freeways, significant barrier. We do have crossings on the freeway, but those crossings are really appropriate only for the most I guess fit, the strongest, and the most fearless of cyclists. Burnside, everett, and glisan, everett and glisan have bike lanes that drop once you get past the crossings, and then the conditions are not at all suitable for the type of cyclist that we want to encourage. We want to make our streets safe for just the average citizen. Not somebody who necessarily self-identifies as a cyclist. So if flanders street has been on our map for a long time. We did a project in northwest Portland working with the streetscape that we had, and we were able to create some bike boulevards up there. And flanders was one of those, and of course it ended at the freeway. And we think that flanders street is going to be a primary conduit between the neighborhoods in northwest Portland and the river district and the rest of the central city, and as david mentioned, the connections to the fabulous pathway system we have along the river. And so this -- because of this connection across the freeway, because it's going to keep traffic volumes on flanders street low, it's not going to encourage increased auto traffic, because it's going to be a nice family friendly route, and because it's going to connect to other parts of this 110-mile network that commissioner Adams mentioned. We see this route as being very popular, very well used. And we have a lot of 15-foot-wide paths in the city currently. We have the spring water on the willamette, we have portions of the esplanade that are 15 feet, and they've almost been undersized from the day they opened. Among the most common complaints I get in my office from pedestrians are about conflicts with cyclists on our pathways. They're just too small. And for that reason, with the south waterfront, when we build the final pathway there, we're taking our lessons from vancouver, british columbia, which has for years has been widening and widening their pathways. And in that area we're going finally with a 30-foot-wide pathway corridor that will have 10 feet for pedestrians, 12 feet for cyclists, and then a median in between to keep them separated. And in my observations of what we've built around the city, we can't build big enough to accommodate the future demand for bikes. So that's what we've seen.

**Saltzman:** What is the cost to build the 15-foot pedestrian bridge, pedestrian bicycle bridge?

**OLongaigh:** I did carry a low-confidence estimate on that. It was based on -- carried out on a different bridge project, the gibbs street bridge under the tram. We thought using scale as a model, \$3.6 million. But that was a low-confidence estimate. \$5.5 million is a high confidence negotiated cost.

**Saltzman:** Roughly a \$2 million difference.

**OLongaigh:** Yes.

**Saltzman:** Is the gibbs street bridge, how wide will that be?

**OLongaigh:** 15 feet.

**Saltzman:** Gibbs street pedestrian bridge?

**OLongaigh:** Yes.

**Saltzman:** For bicycles?

April 2, 2008

**OLongaigh** Yes.

**Adams:** Part of the reason for that is we got \$11 million from the federal government thanks to congresswoman darlene hooley. To be blunt, we're struggling to find a bridge form that will come in on budget, even at 15 feet for the \$11 million that we have for the project. Thank you. If we could have mayor bud clark, kathleen ciarlo, and patricia gardner.

**Bud Clark:** Good afternoon, gentlemen. Good to see you, mayor, again. We just had dinner the other night. And it's good to be here for all the commissioners. We didn't expect to be first, but because we have all these experts that know the history and everything like that, it's great. One of the great things about this, the passion of the neighborhoods. It brought the people on both sides of i-405 together. And we've come together because of the common interest of both safety and the economic viability that this bridge would add. Eric atriumel is on the northwest district association board, and he wanted to be here, but couldn't be here but I took his words and -- that were on an email which he said he couldn't be here, so i'd like to read those. From eric trummel, "the bridge idea has excited me ever since it was suggested. I use flanders street as the best biker friendly route to the waterfront, but have to negotiate glisan and everett. Everett and glisan are no problem for an experienced biker, but the joy of possibly having a flanders byway excites. I always use flanders street when I have my grandchildren in tow and less experienced bikers always prefer it." I think that's the biggest sales point. Bikers need to be separated from the traffic. And I do use the failing street bridge to go to kaiser. I go out mississippi and across the failing street, but it is narrow and you just want off of it. You get a lot of noise out. When you have a wider bridge, sitting on the bridge come here from my house today, with certain barriers could you cut out almost all that noise from the i-405 freeway. This is not the first time a bridge has been moved, as you probably know. The turn of the century the ford bridge was constructed across where the vista bridge is now, and when the vista bridge was built in 1926 they used that as the scaffolding to build the vista bridge, then they took the old ford bridge, the steel bridge and put it across -- took it to burlingame and put it across the -- what is i-5 there now. And it lasted for over 90 years until they just replaced it about 10 years ago, I think. That's all I have to say. It has my vote and I hope you help us bikers get across the river, or get across the freeway.

**Adams:** Thanks, momplt.

**Catherine Ciarlo:** Thank you for allow me to be here. I'm katherine ciarlo, I am -- 8 live at 1804 southeast 34th in Portland. I am a member of the Portland planning commission, however, today I am representing myself. I first became involved with this project over six years ago when then mayor katz appointed me to be on the stakeholder advisory committee that was look at ways to humanize burnside. And we came up with some ways that you all have discussed many times in the cup let concept, and will no doubt discuss further. One of the things that became clear as we looked carefully at that cuplet concept is that the bicycle access through that corridor, which we've heard, is already not good, and were the cuplet to be implemented, would it essentially eliminate bicycle access for anyone who isn't extremely competent in-traffic rider. So as the bicycle representative on that committee, it was my job to really try to ensure that we figured out a way to get bikes through the corridor. And couch was the obvious answer. However, if we add a lot of vehicles to couch, that doesn't work. You move them over to davis, that's fine, except you get to 405 and them you drop into the freeway canyon. So we talked for a long time about a bridge at davis. It was a much longer, wider more extensive bridge because of all the weaving on-ramp and john vlazny ramps. Eventually the flanders concept surfaced. It was one of those moments which shall be made it one of my favorite and most unique processes that I participated in, where something that was good for bikes was something that the whole committee really coalesced around. The business owners felt excited, the neighborhood, the pearl district liked it, northwest liked it. This whole concept of really trying to connect the northwest neighborhood to the pearl's old town, to downtown, and ultimately hopefully to the water, it was one of those ideas that took hold. And so

**April 2, 2008**

in the intervening years, I periodically have called up the city transportation department, ok, what about that bridge? If we're going to do anything with the cuplet, we've got to have the bridge. I think what we're really seeing now is that the bridge is an idea that stands on its own. And it's the kind of idea that has continued to surface. It's continued to hold a lot of weight and excitement, and frankly I went to look at that crossing, that bike crossing at couch on my way to work this morning, and I remembered why it's so terrible, which is, you can't get through on the north, you have to cross on-ramp and off-ramps, the signal is crazy, it's squishy, and it's just not accommodating. So in addition to what we heard about everett and glisan, there's no good way to get through there now. So, you know, I think that most of us agree there should be a crossing. And now the question is, what kind of a crossing? And what excites me, and the reason I wanted to come today, is the opportunity that we have to both satisfy our bike and pedestrian need and create a place in Portland, and link up some of the investments we've made, and capitalize on our identity as a city that has really developed a network of trails as part of the fabric of our city. They're not just outside of the city, but they're in the city. The esplanade has done that. This would be a way to continue that. And to do it in a way that is cost effective. There's no other bridge like this that we could build for \$5 million if in fact that is the price tag. If we end up spending \$1 million more than it would cost to us create a concrete slab bridge, in my opinion, it's a million dollars extremely well spent. Not just for transportation, but for the identity of the city. And, you know, when you think about that sauvie island bridge, you see something that is industrial yet gracious. And that's such a good way to sort of echo Portland's history as we do this forward-looking thing of connecting the neighborhoods. So i'm here to urge you to do that. I hope that we have your support, and thank you for listening.

**Patricia Johnson:** Patricia gardner, I live at 1116 northwest johnson street. I'm planning chair for the pearl district neighborhood association. I have a terrible story to tell you. It was a formative moment when I first moved to Portland. I moved here in '93. A friend of mine in '94 was crossing at everett on the six-foot-wide sidewalk, and was actually struck by a car. And she went over the side and duly went down to i-405 and was hit by a car. And from that moment, from that very moment, I have been driven to make that a better place. Absolutely formative. Those clogs at everett and glisan do not work. They do not work. They do not work as a pedestrian, they do not work as a bicyclist. They don't. They're incredibly dangerous. I have letters from families to give you, you know, the Portland central families have written many letters about this, how they don't feel safe about crossing there. And in my experience, I can tell you they are not safe. It is not a safe place. And we need to do something about it. We've needed to do something about it for over a decade. And we lookd at many, many different plans, and 5 years ago, five or six years ago we came up with a grand one during the burnside-couch process. And I guess the word is kitzhaber met or fate. When the sauvie island bridge became available for a dollar, which we're all very sad we didn't buy it for a dollar, and it fit exactly over that freeway, what a moment. It just galvanized everyone's imagination of a better place and a way to really create that connection. We've been advocating, our committee has been advocating for this with p.d.c. For over five years. And actually with whoever was transportation chair at the time. We've been trying to get this for years, and years. It's -- it first appeared as a line item on p.d.c.'s budget two years ago, and we've been working both at the p.d.c. Commission and joint budget committee to keep it in the budget, advocating vigorously. I do want to say we didn't talk about it because that was about boundaries, but we were absolutely talking about it with the budget folks. The vision of the bridge means so much to us. Not just to the neighborhood, but to our businesses, and to our neighbors in northwest. This is about connection. There's not great safe connections until you get to johnson. From -- if you think about it this way, from glisan all the way over to the very south end of the city, there's not a safe connection across that freeway. And so to have finally a safe connection means just tremendous -- so much to our community, and to our city. One of the things that has captured

**April 2, 2008**

everyone's imagination is the symbolism of the bridge. It's not just any bridge. I can't name -- I'm glad you guys know where the 15-foot-wide bridges are I can't name any of them. And it's not because I haven't gone across them as a bicyclist, it's because they don't have a story. This thing comes with a story. It comes with an amazing story. And that excitement of that story has really, really collected so much passion in the neighborhood. And the reason why, it's coming to us whole. We haven't had something like this since they first floated Portland down river. This is going to come to us whole down the river and it's going to come to us whole on the street. One of the questions I've been asking people, what color do you want that bridge? It can be any color. Well, you should hear people talk about that. It could be red. It could be purple. That kind of imagination, that symbol of what it means to say as a city, pedestrian and bicyclist matter more. We matter more than the automobile. And I don't think we have a flag as good as that bridge. It's truly a flag to alternative forms of transportation. A 15-foot-wide bridge with chain link fence is not going to galvanize people like this bridge is. And so for that alone, we're just immensely excited about it. And have been I think the word would be passionate. And I guess I would just say, we -- for all of those reasons, for its green aspects, for the environmental aspects, for what it can mean to us as a city to how it can connect everybody through a really -- something that's never been connected ever since we broke it when we put that freeway in, I would just really beseech you to go for it. Go for it. It's worth it, and I think that -- I can tell you for a fact we have developers, the only reason they haven't written a check, it needs to be real. They're lined up, ready to have this happen. You just -- it just has that. People are asking me, when, when, when? And it's because it is the sauvie island. It's not because it's just any bridge. Thank you very much.

**Adams:** Thank you.

**Johnson:** I'm going to drop off letters I was asked to ferry.

**Adams:** Kim carlson, rule fish and dennis wild.

**Kim Carlson:** My name is kim carlson. I live in northwest Portland, the cochair of the nwda transportation committee. A committee that voted unanimously in support of reusing the sauvie island bridge as a pedestrian and bike bridge over i-405. We like the sauvie island. It's been our closest connection to family farms and community supported agriculture. It is over this bridge that countless Portland families have crossed to pick strawberries in summer and pumpkins in fall, and we think this bridge has more years of service to give. First we do need a pedestrian bike bridge over i-405. I joined more fearless neighbors to ride through northwest Portland on my way to work. I am a reluctant cyclist, but a bike boulevard takes me to northwest 19th which becomes a shared bike-car lane that I no longer fear. My fellow cyclists on this route turn east on everett. Too fast, too narrow, and for too great a distance for me. I continue across burnside to alder, where the shared bike lane transitions back to a back lane. The most treacherous part of my commute is crossing i-405 on alder on my way to work and on taylor on my way home. Where my bike lane is surrounded by cars on both sides. Those cars are crossing dangerous 30 feet in front of and behind me. Other more timid cyclists have asked me how I do it. I know if not for this most scary part of my ride, they would be riding with me. We do need a pedestrian bike bridge over i-405. Second, a flanders pedestrian-bike bridge lab hard-working commuter bridge. It will provide a much-needed connection between northwest Portland and the pearl, old town, downtown, waterfront, and even the east side. A 15-foot bridge would be inadequate given the high density neighborhoods it would span between. There is no precedent in Portland. All other bike-ped bridges are on trails like the spring water or between less dense neighborhoods. This bike-ped bridge needs to carry will be a growing capacity of commuting and recreational walkers and cyclists. And I believe it needs to be at least 25 feet wide. The sauvie island bridge at 30 feet wide is a real bargain. Third, the sauvie island bridge will be safer being a narrower bridge. It can easily accommodate lighting, personal safety is an issue on a narrow bridge over a noisy freeway. Because there is no escape route, a wider bridge provides some level of security to -- due to avoidance or escape options. The sauvie

**April 2, 2008**

island bridge will be safer. And fourth, since the first earth day 38 years ago this month, we have been taught to first reduce and reuse and resort to recycle. Reusing the perfectly good center span of the historic sauvie island bridge uses less resources and less energy than recycling it as scrap. And the entire cost to reuse the perfectly good center span of the sauvie island bridge goes directly into our local community development reusing the bridge is the right environmental thing to do. Finally, my neighborhood has received lip service for years about creating gateway to the third and burnside, and it's 23rd and vaughn. And I can't think of a more significant and functional gateway than this historic sauvie island bridge over i-405. And I respectfully request that you reuse this bridge. Thank you.

**Reuel Fish:** My name is reuel fish. I'm here representing the pearl district business association. I'm also a member of the joint transportation committee. It involves people from both the pearl district business association and the pearl district neighborhood association. And i'm also here on behalf of a group of citizens that's been meeting since early last fall. I guess we could call ourselves the northwest flanders street bridge recycling com -- committee. And i'm here as the principal owner of urban lime works, which is at the foot of the proposed bridge. So I tend to come at this from a business perspective, and I would suggest to you that there's been comment about the cost of this project. Well, you always ask the cost to get what? What's your bang for the buck? And I think in this case over other alternatives, you get something that's going to happen right away. So as a stimulus for economic activity, it's going to happen and have an oaiveg within the year. The second thing is that it will have I think a payback for the city in terms of economic activity. And i'll get into more of that a little bit later. But then finally, this group, this committee that we put together, we have been meeting, we've been talking about the fact we want this to be a public-private partnership in the sense, and we're ready to pound on doors for a variety of reasons that I don't fully understand. Because i'm not involved in these processes much. I was ready to go out gathering quarters last fall, but we are now just to the point where we are ready to do that. And will do that. Second concern I think, appropriate concern for business and government is public safety. And i've walked from urban wine works over to paragon restaurant for lunch many times. You cannot walk on that six-foot sidewalk with two people abreast and meet two people coming and one of the people invariably steps in the street, which is not a good scenario. So it's not safe trying to cross either everett or glisan. Then i'd like to comment sort of on the principles, would this be a left brain kind of thing? The city ought to stand for some principles. And businesses ought to stand for some principles. We've talked about reuse. Instead of being a throw-away society or throw-away community, let's reuse. Reconnect. How about these two very vibrant areas and providing the connection between the two as opposed to the barrier that i-405 now represents? And do it in a way -- i've been involved in the redesigning of northeast Broadway over on the east side. And I always thought it was a big mistake to try to put that bicycle lane on northeast Broadway. And the reason is because you've got that conflict between the cars and the bicycles. So let's learn from that scenario, which is not a very good one. Let's put the bicycles and the pedestrians on a different thorough fare, and I think you can relieve congestion on the traffic mode as well. And then I guess finally reinvention ought to be a principle that we aspire to. Let's think outside the box or the bridge, or whatever you want to call it. Even though Oregonians brought up the idea of naming rates, this doesn't have to be a loose proposition. You've got money coming back on this project direct funds, you can lease kiosks on the bridge to vendors, just the same way that I suppose Saturday market works. It creates a significant event, just floating that thing down the river that's going to bring promotional news coverage to Portland. You've got people over -- sales people over at the Oregon convention center that are trying to bring conventions to the city. What a great story they'll have to talk in their sales pitches about another thing, another cool thing that is nowhere else in the other 65 cities that have convention centers in the United States. And then finally, putting our money where our mouth is. Two of the members of this adjunct committee Fred Chown and Jack Joyce,

**April 2, 2008**

have already pledged up to \$15,000 of seed capital to put together the collateral materials we need to go out and raise money for this bridge. All we need is your vote today. We would appreciate it and then we'll hit the ground running to raise the money that we need from the private sector.

Thank you for your time.

**Susan Kubota:** I'm dr. Susan kubota. Concerned citizen, and reluctant traffic safety advocate. I wish I could turn back the clock. If I could go back in time to 2006 when this project was first envisioned, my family would have happily given the city the \$500,000 to move the bridge. If you could have guaranteed it would have been in place before my niece tracy moved back to Portland to study at pmca and to work at saint cupcakes at northwest 17th and flanders. If that bridge had been in place, tracy may not have been riding her bike down 14th street. If a bike box was at 14th and burnside, she may not have been killed by a cement truck five months ago. Excuse me. I cannot bring tracy back, but I can try to prevent this nightmare from happening to other families like ours. No new taxes will be required to pay for this project. \$5 million of the fundtz are earmarked for capacity projects like this one and none of that \$5 million in funding can be utilized in any road repairs and maintenance this city desperately needs. Exponentially greater numbers of pedestrian and bicyclists will be protected by this larger bridge than just a standard 12-footbridge. Many of tracy's friends, classmates, and coworkers would be able to take advantage of a flanders street bridge like this. Traffic flow will improve on burnside, couch, everett, and glisan would be absent of pedestrian and cyclists in the mix of city motorists and highway on-ramp drivers. Preserving the sauvie island bridge in this manner would be the ultimate in reuse and solidify the green reputation of this city and this state. Projects that refurbish city structures maintain the history and soul of the town, and promote its livability and desirability. Tracy loved Portland. Let's continue to make it a city to love. Thank you.

**Adams:** Thank you.

**Dennis Wild:** My name is dennis wild. We're a real estate developer here in Portland. We're in the process of redeveloping the old meier & frank warehouse at 14th and everett, which also fronts on flanders street immediately adjacent to the proposed location for the bridge. And we're here to support the relocation of the sauvie island bridge. We think it would be a wonderful iconic element to bring to Portland, and it will certainly -- it certainly is captivated the attention and interests of a lot of people that I don't think a narrow concrete pedestrian span would achieve. And I think there's a significant importance that we need to recognize there, because as I understand it, there's a very little financial support to do a pedestrian crossing what has even brought this whole issue to the surface is the fact there's a potential to recycle this bridge span, and so I think without the magic of that potential, we wouldn't be even talking about a pedestrian bikeway across i-405. And as others have testified, both everett and glisan are mean crossings. Really not pedestrian friendly. Finally, I think that -- so I think, yeah, this may cost a little more, but I think there's a heck of a lot more value added in terms of what we will have and what we will achieve as a city if we accomplish this. And I won't recapitulate all of the reasons in terms of recycle and reuse that have already been mentioned. I think those are obviously part of the legacy that as a city we want to leave. And I guess in the lastly, I think there's a real value in the whole notion of keeping Portland weird, and this certainly play noose that. I don't think we can undersell or undervalue the importance of maintaining an identity around Portland that has some mystique to it, that draws people to come and see what is this magic called Portland? Thank you.

**Scott Bricker:** Mayor, commissioners, scott bricker, the executive director of the bicycle transportation alliance. Thanks for having me today. I want to recognize commissioner Sten for the service. The bicycle transportation alliance has supported this project, in fact, my past boss, katherine, testified earlier for many years for reasons that we've already heard today. B.t.a. has recognized for the last four years that our primary strategy to move bicyclists is to increase the number of low-traffic facilities. That people do not feel comfortable riding bicycles in traffic.

**April 2, 2008**

Riding bicycles -- I ride my step daughter to school every day in northwest Portland. I won't take her on everett. I won't take her to glisan. Johnson is our route. Floss safe crossing from johnson to burnside. There's no way for me to travel with her. Downtown has been recognized as a top barrier for people who want to bicycle in our town. And it's actually interesting, because in the last about year, we've been working -- we moved our offices in old town and we've been working with folks in the old town and pearl area. There's this vision that's surfacing of having northwest Portland being one of the best bicycling districts in the nation. There are many low-traffic streets already there, flanders being a primary one, it's flat, it's dense, it's grid networked. The opportunities are huge. In the process the burnside-couch planning process, flanders was identified as the primary bicycle boulevard because of crossing i-405. However, today davis safely crosses nato and connects to the river. And so with this project, we would -- we -- when this is complete people from around Portland will be able to safely access the entirety of northwest Portland. This would put into effect a bicycle route at the end of this year that would be accessible using the bicycle freeway ring road of Portland by the end of this year. And the issue of cost is actually something about the bicycle freeway ring road, maybe a number of years ago the Portland city council had to make a tough decision of whether they would build a floating walkway. Whether we would spend the money and invest in a project that seemed like it was an outrageous amount of money for just bicycle and pedestrians. And today that project, that facility is not only completely at capacity, but it is one of the landmark projects of Portland. It is the project that employees everybody day use, that commuters use, that people come from around the country when they're staying in downtown hotels, and have the three-mile loop to be able to walk around, the 30-plus million dollar project has absolutely panned out and paid off for this city. This project has the same potential. This project, maybe spend another \$1-2 million, has the potential of being a landmark project for the city of Portland, and it requires the leadership of the city council. In Oregon one out of everybody nine jobs is tourism-baisd. Having reasons to bring people to our community to see how we reuse this project drags more conference and folks here, it is worth the extra \$2 million. And we'll get the project done this year. I think this is a visionary project that has the whole community excited. --

**Jay Graves:** Mr. Mayor, commissioners, my name is jay graves, i'm the owner of the bike gallery stores, six neighborhood locations, 130 employees. I'm also a cycle Oregon founding board member and i'm an Oregon state parks commissioner. I urge to you consider using the sauvie island bridge in this project. When I woke up this morning I wasn't going to come testify. I thought, all right, they've got a funding issue they need to figure out. And then when I read in the paper that what is being considered is a 15-footbridge, I thought, don't make a mistake. Don't spend nearly \$4 million on a mistake. Because 15-foot-wide is not going to last us very long at all. If you had ridden the hawthorne bridge before the b.t.a. got the bridge's sidewalks widened, would you understand what i'm talking about. There is a huge difference between a 15-footbridge and a 30-footbridge in terms of capacity. The city has seen a 64% increase in bike commuters. People using their bikes for transportation in just the last three years alone. We spend less than 1% of our pdot dollars on bicycle facilities and yet 6% of trips are taken with bicycle trips. Shim an 0 america did sure vai a couple years ago. They spent a qawr tur million dollars talking to just regular people out in the street. Not enthusiasts like myself. And what they found is the number one concern is safe places to ride. Having lost a coworker to a cycling death last year, I urge you to give us safe places, give all of the city safe places to ride our bikes. Because if that 15-footbridge you're talking about building gets overcrowded, then cyclists are going to start heading over to glisan and everett, and it's dangerous with those freeway on-ramps on those two streets. Give us a safe place to ride, and let us continue to make Portland proud. Thank you.

**Potter:** Do we have a sign-up sheet?

**Moore-Love:** We have eight people.

**April 2, 2008**

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

**Chris Smith:** Good morning. Chris Smith. Mayor Potter, members of council, let me start by thanking and congratulating commissioner Sten for all of his achievements over his service on council for these dozen years. Interesting piece of history. The first transportation advocacy project I ever worked on was just after I joined the northwest district association and worked on the northwest bikeways plan with Roger Geller. So this has some significance for me in terms of my personal history as a transportation advocate. And even then one of the places the neighborhood pushed back on that plan and asked the city to modify it was to terminate bike lanes on 16th well short of this area, because it was judged not safe to have bikes mixing in the environment around 16th, Everett, and Glisan. And that's why that bike lane stops well before that point. This is a tremendous safety improvement. I generally use the route that Kim outlined before to get downtown, 19th to Alder. When I do have to go down into the Pearl, I will sometimes use Everett, but there is a tremendous right hook danger on both Everett and Glisan because of the freeway entrances, and I typically don't use Glisan at all. I think this is one of those defining moments for Portland. This is a decision about one whether we will walk our talk, sustainability and promote an ethic of reuse. More importantly about whether we will build simply adequate bicycle and pedestrian facilities or whether we will build great bicycle and pedestrian facilities. And I think we have seen that every time we have built those great facilities as has been talked about on the Hawthorne bridge, the Esplanade, we are rewarded with throngs of cyclists making that part of their daily commute pattern. We have such an opportunity in northwest Portland. We should not let it go by. Thank you.

**Jim Kennett:** I'm Jim, northwest Portland resident. I'm also the director and founder of the northwest Portland international hostel. I'm excited about the relocation of the Sauvie Island bridge for all the obvious reasons. The reuse of a historic bridge versus build can new. The greenery reasons, helping the environment, creating a wider bridge that can handle the busy bike and walking traffic in northwest. And the importance of the east and west -- east-west bike and walking route through Portland's busiest and densest neighborhoods and Reek Kenyatta Gowan the northwest neighborhood and the Pearl. And this project is the Portland way to do things. Where quality of life often comes before the bottom line. But today I'm here to represent the international youth hostel located on northwest 18th between Flanders and Glisan. The hostel provides over 26,000 overnight stays per year. We provide low-cost quality overnight lodging to visitors to our city. From girl scout troops, and school groups, to college-age backpackers from over 70 countries, to families and touring bicyclists. Every day as many as 126 visitors are setting out from our hostel on northwest 18th to our -- to explore our city. And most of them will make their way down to Glisan or Everett en route to the Pearl downtown, Amtrak Greyhound, Portland attraction and the riverfront. They might be 10 young girls and a scout leader, touring cyclists beginning across -- a cross-country journey or three college grads from Germany, Australia, and Japan. Just three blocks into the journey they will face two freeway on-ramps, a major two-lane one-way street crossing I-405, that would be either Glisan or Everett, with a sidewalk only on one side. If they happen to be not fully alert or confused by foreign traffic pattern, they might find themselves crossing I-405 on a one-foot-wide curb. And at the other end, face a freeway on or off-ramp with no signal or crosswalk to assist them. What a difference a wide historic recycled bike and pedestrian bridge will make? My hostel is pledging \$2,000. When I see the people are signed up on that committee and the community support, I believe we can raise that money. So please support this project and continue the quality of life in Portland. Thank you.

**John Reinhold:** Good morning. My name is John Reinhold, I live in southeast Portland. I'd like to thank you for being here and especially thank commissioner Sten for your years of service. I'm here to voice my support for the reuse of the Sauvie Island bridge on the Flanders bike boulevard. It has been mentioned many times the issues of safety, issues of cost, the issues of iconic nature. What I



**April 2, 2008**

wanted to bring to the table is to mention the fact that Portland is becoming known nationally as an epicenter of sustainability. As an iconic city in north america, with regards to friendzing a way to move into the future, and I know this as I travel around the country, and people I meet find out i'm from Portland, they say oh, yes, I loved walking around downtown, the streets were so friendly and the blocks were small. It becomes something that people have really known the city fomplt just anecdotally, I myself am one person, but I know two people traveling to Portland this summer on a bicycle vacation. I don't know if many other places where people go to to travel just to ride your bicycle around. So i'd like to bring up the comment that other people have mentioned as well, that economically I think this makes good sense for the city of Portland. Something like this could very well end up on postcards. Calendar photos. It's something that you don't see every day in an urban situation crossing a freeway, and it's something I believe photographs of people machining on the bridge with that nice old fashioned steel architecture with the cityscape behind it would be something that we're bound to see alongside very many other pictures of Portland's skyline and riverfront. I also would like to mention I live very close to the pedestrian and bicycle crossing over powell at sesdz 9th. And I don't think anybody has ever taken a picture of that except maybe to report the graffiti. I'd like to impress upon council members and mr. Mayor that as a city that is starting to become nationally known and internationally known, it's a very important to make sure that we think about the long tale of the choices we make. Building another boring overpass is not something that will move forward into an international community of alternative transportation choices.

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

**Jeanne Harrison:** Good morning. Mayor Potter, commissioners, i'm jean harrison i'm a northwest resident. I use the various ways of getting from northwest Portland to downtown as I commuted on foot for over 20 years. Today i'm here representing the willamette pedestrian coalition. The coalition is very supportive of using the sauvie island bridge. This has got us very excited. We it this will be so much safer than a 15 hitch foot span. On a personal note, I have crossed the freeway just about every way you can, and I have the gone up in a canopy walk in peru. Let me tell you, crossing glisan or couch or everett is a lot scarier. I've had several near-misses. I've seen other people run across the ramps. You can't tell when cars are coming from behind you. It's not safe. We support reusing something that would otherwise go to scrap. I'd also likes to say that as you can see i've got a bike pin on today. I also bike. But I don't bike much. And part of the reason is I don't feel like I can get out of my neighborhood. It's just not safe. I bike to work once a year when I was working. I biked to workday, and that's because my husband would guide me downtown. I wouldn't do it alone. I think this will flake a huge difference in the number of people both walking and biking from northwest Portland into the pearl, and into downtown. And I urge you to vote for this. Thank you.

**John Hirsch:** John hirsch, i'm a resident of the pearl and a member of the pearl district neighborhood association. I'm also an organizational consultant that specializes in organizational effectiveness and leadership coaching. My practice, when companies hire me to move them from being good to great, I often talk to leaders about building on what is great about their current companies and having a vision for the future to improve what brought them where they are and to tyke brew dent risk. In this situation, I think what has made Portland great in part is honoring and preserving history, respecting the environment, and connecting communities. Unlike other communities, Portland has done am this with their, with style. If you go to crystal city or toledo, where I was born, they're just names on a map. Portland has done things in style, and I believe the sauvie island bridge will add -- will fit the culture of Portland. Reflect on what has made Portland great. I urge you to take intelligent risk and vote for style, flair, and function yacht. Thank you.

**April 2, 2008**

**Karl Rohde:** Good afternoon. Karl rohde. Let me begin by bidding farewell to commissioner Sten and how much I enjoyed the clibtive relationship we enjoyed as the two youngest elected officials in the region for a small window of time.

**Sten:** We're turning that over to commissioner Adams now.

**Rohde:** Exactly. I am here not only in my role as the government relations and public affairs director for the bicycle transportation alliance, but also as a native of the Portland region, and a resident of the pearl district now. I was around when the fremont bridge was raised into place. The reason why it's the kind of bridge it is is because the people of Portland said we don't want another marquam bridge crossing the willamette river. Nobody is out taking iconic pictures of Portland with the mark wam grinch in the background. It's the fremont bridge. This city has acted in ways that have moved it ahead of the page of the rest of the country. We decided the site of the old Oregon hotel with the highest and best use of that site was not its parking garage, but in fact as an urban park that is now referred to as Portland's living room. Metro decided it was better to rehabilitate the old sears store instead of tearing it down. Multnomah county library was refurbished as an iconic part of downtown instead of being torn down and building something new, which probably would have been cheaper. The building that we're in today, there were people saying we should tear this building down and build something cheaper. But instead we made the bold move to refurbish this building, which is again, an iconic part of Portland's downtown. The freeways tore neighborhoods apart throughout Portland. This project has an opportunity to -- to sew one back together. I have never known this area not to be in some sort of financial crisis. It's just always been the case. But even in times of far greater financial crisis than we find ourselves in today, old lead verse stepped forward and said, we have a future to look at. People talked about what about the children to don't teddy roosevelt, who was asked that same question, his response was, I am thinking about the children. The children in the womb of time. Do this for the children in the womb of time in Portland. Thank you.

**Sharon Wood Wortman:** My name is sharon wortman. Thank you for hearing this today and thank you erik Sten for your long service. I prepared some notes because i'm not very good at memory anymore, and there are some points I want to make. I am a bridge advocate. I find myself with that title as a result of writing several books about our bridges, three editions. And I am a new member of rah new group called the friends of Multnomah county's willamette river bridges. Notice the absence of Portland's name in there. Yes. It's because those in the audience that don't know, i'm sure there are a few of you, the bridges of the wifer are not a concern of the city. But the city has stepped up in its bridge program. I admire very much your east bank esplanade and that truss bridge along there. And I really admire the way the city fought for that \$2.5 million sidewalk on the bottom deck of the steel bridge. So this is another chance for you to be in the bridge game. I want to point out there are two kinds of highway bridges. There are steel bridges, and are concrete bridges. Portland is a steel bridge city. And more than that, we are a portal steel bridge city. And those are the kind of bridges that you drive through. Very much like the Oregon coast bridges. I think it's wrong to scrap the sauvie island bridge, and I don't have to repeat anything, all the wonderful comments that have been said well before me. Why are bridges seen differently than buildings? Any one of our river bridges is used by more people every day than any single building in Portland. When we wrote the second edition of the book published in 2001, we noted there were a little bit more than 200 truss bridges remaining in the whole state of Oregon. When we published the third edition in december of 2006, we are down to 160 truss bridges. They're an endangered species. We are losing them every day. And I get emails every day from groups across united states working hard to save our truss bridges. So this goes way beyond Portland. People are looking at us to see what we're going to do with that sauvie island bridge. And once they're gone, they're gone. There are groups like the historic bridge alliance, the historic bridge foundation, and there's even a national historic bridge program i'm sure you've heard about, and save america's

**April 2, 2008**

treasures funds. These are considered an American treasure. This isn't just the Portland treasure this, is an American treasure. It's an Oregon treasure. I want to clarify there have been errors in the newspaper report about the Sauvie Island bridge is cracking. It is not cracked. The approach concrete. Thank you. I urge you and Sam Adams in particular, thank you for moving this project forward. It will identify this council's public service in the future by efforts on behalf of the Flanders Street bridge. It's symbolic of how we do things here. I brought \$100 check today. If the citizens of this town need to step up, count me in. I just need to know who to make the check out to. And there will be others like me. And there will be more of these. And last I want to say what I do for a living in this city is take third graders bridge walking. 60 at a time. And I don't want to take them walking on a concrete bridge. Thank you. [laughter]

**Kevin "Pete" Colt:** Peter Colt. Pedestrian Pete to those of you who know me. This morning I left 221 Northwest Everett, at the corner of Northwest 18th and Northwest Everett. And I walked up to the V.A., where I got good news from my doctor, and I walked down here. I'm all for the bridge. For all the reasons everybody has said. But -- but for reasons you guys know. My neighborhood in a 400 by 600-foot area is intense with children. We have the children's theater, we have Cathedral School, we have the Cathedral, St. Mary's, Trinity Episcopal, the Metropolitan Learning Center. And by the way, guys, at the fifth grade level they're allowed off campus, which is very shocking in that neighborhood with everything going on all of this compressed down, Everett and Glisan are hell streets. We know this. One of the things this bridge will do is get bicyclists off our three-foot sidewalks on Everett and Glisan, because there are lots of conflicts going on as the bicyclist has no place to go on the bridges, on Everett and Glisan, are forced up on the sidewalk and in the natural state of mind continue on that way. By the way, I am not here as the chairperson of the Northwest District Association Public Safety Committee. The other thing I want to say about my neighborhood, Alphabet District -- what city planners call a complete community. That means somebody can be born in my neighborhood, grow up, go to school, people are leaving the Pearl, and for the amount of money they're paying to live in the Pearl they can live in my neighborhood with a house with a yard and bathroom and three bedrooms. People can grow up here, go to school in my neighborhood, marry, they can raise a family of their own. When their kids have kids of their own, their grandkids can walk to see grandma and grandpa. This is what we're trying to make better in our neighborhood. We want to make it safe. This is our goal. The other thing is, business people are smart. They use leverage. So we have this little tiny amount of money that we need to finish this project. And the business community is going to step up to the plate. I have to say this. I looked at that chart, I saw millions of dollars coming from the taxpayers. I think the tax payers should have the ability to name that. Since I have the microphone and since you Mr. Sten have been on the council forever and you've done so many things in Portland, and built so many bridges, I say I'd like to nominate this should be called the Erik Sten Urban Esplanade. Thank you. [laughter] [applause]

**Potter:** Is that it?

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

**Sten:** That can't be the last word. [laughter]

**Potter:** Please call the vote.

**Adams:** I want to thank the community for their testimony. It's very eloquent. I want to thank my staff and the staff at PDOT for working on this issue, including also we've got -- we've had some borrowed help from the community, from a variety of people, P.D.C. Thank you. Aye.

**Leonard:** In addition to the bridge that former Mayor Clark pointed out was reused, I want to remind those in the audience that the original Burnside Bridge that was built in 1894 was a three-piece steel truss bridge from the east to the west side. In 1926 when it was replaced, one of the three spans was sold to Aberdeen, Washington. One of the spans was deconstructed and reinstalled over the Sandy River at Dodge Park where it exists today, and the third span was -- I have got my history right? My third -- I was nervous when you identified yourself. I hope I have this right. The

**April 2, 2008**

third span was deconstructed and installed over the bull run river at the p.t.u. Water house as you go up to the bull run. So what's fascinating for me, when I take the tour, which I do regularly with guests to bull run, we stop at the first span at the p.g.e. Water house and I get out and we look down the bull run river, and I point out to them the bridge we're standing on look out on was the -- I don't know if it was the original burnside bridge, but certainly was built in 1994 if not the original certainly shortly after the original. And it brings the oohs and aahs that were described, which I identified was -- with this kind of connection to the this whole city. I also think it was correct to point out the -- what appears to be a paradox between how we consider historic buildings in Portland versus some of the bridges. I don't think the debate here, by the way, has anything to do with whether or not there should be a bridge over Flinders. I don't think anybody on this side of the dias has argued whether we need a bridge. The safety issues, all the issues identified I think there's agreement on our side need to be addressed with the bridge. I think the issue needs to be framed as to whether or not it should be this particular bridge at Sauvie Island or a concrete bridge that's built. So from that perspective, I believe that this city in the '50s and '60s made huge errors in not recognizing some of the historic structures that are now gone forever, and replaced with often concrete parking lots and certainly unattractive buildings was a huge, huge mistake that we can never recover from. Fortunately in the '70s we had leadership here on the council that recognized that and put a stop to it, and to this day we've certainly enjoyed that -- the results of that decision with some of the historic buildings we have. And also let's be clear the development community doesn't really appreciate that -- those kinds of preservation efforts. It's more expensive to take an existing older building that was built in another era with much more relaxed code and upgrade it to today's standards earthquake proofing, sprinklerring, certainly electrical wiring. It's much more expensive to retrofit a building than to remove it and replace it with a newspaperer building. But the reason we do that is because we connect ourselves with our history when we do that. This project is that to me. That's part of our due diligence. To not have that debate would be wrong. But I think we also need in that debate to consider what it is that we're getting for the extra money that it's going to cost us and what we're getting, I'll harken back to I think Patricia Gardner more -- got to where I was at, where I've been at on this project, you have a project that inspires people, you have a project, we have people here pulling their checkbooks out, we have people here saying they're going to fund-raise. That just doesn't happen on a typical project in Portland. And for no other reason it's a great community building project for a variety of reasons. I think it's the right thing for Portland to do. And so I appreciate the discussion and testimony, but for me I never had a moment doubt when Sam first presented this to me, I thought it was a great project, and I'm pleased to support it. Aye.

**Saltzman:** Well, I think Commissioner Leonard just said it. This isn't a debate about a crossing. We all want to see a crossing there. And I think the Sauvie Island bridge would truly be iconic. And I'd like to see that happen. But I also know if we do it under this contract, it would be iconic in another way. The largest sole-source contract ever awarded by the city in its history. And that is not the way we do business. We are bound to our taxpayers, to our community, our construction community, to go out and seek bids to do the work. And there's a very high bar to meet to do a sole source contract tomorrow give to it one firm without testing the market to see if there's better pricing out there to move the bridge and to reinstall the bridge. And we're not doing that. We're doing this as a sole source contract. The largest in the city's history. I simply cannot support that. We have to test the market. There's a lot of circular arguments about Kune, the construction company owns the bridge, they meet the criteria because they own the bridge, therefore we have to hire them. Given the uncertainties about the cost of this project, the last position I want to be in is having a contractor feeling like they've got us over the barrel. And when this bridge is moving down I-405 and suddenly the cost escalated, five to seven million dollar project, and suddenly they've got us, we're going to be coming back here and we're going to be tapping into general fund

**April 2, 2008**

contingency to finish this project. And we don't know what it's going to be. It may be \$5 million, it may be \$7 million. It could be greater. And that's why you test the market. So I would recommend that pdot, commissioner Adams, enter into discussions about purchasing the bridge y. We didn't purchase it for \$1. That baffles me to this day. We could have will this for a dollar and then done a fair bidding process. Go back to kuney, let them know council is not prepared to enter into a sole source contract. See if they'll sell us the bridge. I'm sure they'd probably consider an offer somewhere above what the scrap value is of that bridge. And then we'll put it out to bid. Who can move it and install it at least responsible cost. So I vote no.

**Sten:** I was a little torn on this. We did talk a little bit about this on the p.d.c. Budget committee, but it really didn't get the kind of focus it needs. But as I listen today and heard both the vision from of many of you and the need, I think the need is obvious to get a safer way to get through. Safer way could be accomplished by less money, and I would agree this holds some risk. I'm convinced the vision is the right one, and it's something that I believe will -- it's interesting, I remember when mayor katz said something like the tram is going to be in postcards. And everybody jump order that and made fun of her. It's actually true, it's going to be in postcards. I think this is another type of thing. I'm saying that on purpose because I think commissioner zap Adams, who brought that tram in, knows how to handle this on budget, and is setting up a process despite the concerns which I think are valid raced by commissioner Saltzman to make sure we don't get into something like that. I also think this is a much -- there's still work to be done, there's a lot less that can go wrong. These could be famous last words too on putting a bridge in scplais building a tram that nobody has built in their life. People have moved these structures and built foundations for them. And I think it will cost a little bit more, but as is the case in every store and every world on every product, you get what you pay for. And I think if we pay more for this, we will get a lot better resulting. And I think in the long run you have to be very careful with dollars and I think this is a careful use of the dloshs and the difference between this and the alternatives, one of which is unacceptable, which is a completely unsafe route that never gets fixed, I was also really struck, I think it was gene, who testified that if we actually do build the cuplet, which we voted to do only if there's a streetcar u. So we'll be advancing that type of transportation, we'll make worse by improving the streetcar stretch the actually more environmental way to get around than a streetcar, which is bicycling. So I think when you take the sum total of all these things, it's an opportunity we ought to take. When you have to take an opportunity quickly, you take risk, but i'm confident commissioner Adams can manage this. I am struck there's going to be about six weeks here where there's only four members. So 2-2 votes will get much more interesting. But today it's 3-2, I think. We'll see where the mayor goes. Aye.

**Potter:** Portland is a large city. And there are a lot of different needs out there. A lot of our communities were incorporated into Portland in the mid '80s. And they didn't have streets or sidewalks. And many of those communities still don't. I think for myself and my vote, this is about how we prioritize spending for transportation issues in the city of Portland. And I think that this as a priority for the city doesn't raise to my level as a \$5.5 million or \$7 million bridge. When I can also see how that money could be spent on paving and putting in sidewalks so that children can walk safely to school. There's a force choices we make on the council, and I can respect the other commissioners' priorities. From my priority, i'd rather invest that money in sidewalks and safe ways to school and paving streets and reducing traffic congestion, and improving traffic safety throughout our entire city. So I advised earlier this week the council members of my concern about this, and I still have those same concerns. For that reason I vote no. [gavel pounded]

**Adams:** [inaudible] i'd like to move to remove the emergency clause.

**Ben Walters, Sr. Deputy City Attorney:** As an emergency ordinance it requires the unanimous approval of all the commissioners in attendance. As a 3-2 vote, this would fail. In order to remove

**April 2, 2008**

the prevailing parties in this vote are the commissioners who voted against it, and therefore they would have to move to amend at this point. If there's no motion, then it fails.

**Potter:** Anything further? Please read item 434.

**Item 434.**

**Potter:** Commissioner Leonard?

**Leonard:** Due to the lateness of the hour I have the fair of the water bureau here. One of the engineers if you want to ask questions. Basically this is a program that well reflect what other city infrastructure bureaus are doing in terms of s.d.c. charges and create add loan system. For those who have to pay s.d.c. charges.

**Potter:** Was there anybody to speak to the issue?

**Leonard:** I have them here, they're prepared to talk if you'd like. Due to the lateness, it's 12:20.

**Potter:** Any commissioners, questions? Is there anyone signed up to testify?

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

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

**Adams:** Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye. **Potter:** Aye. [gavel pounded] please read item 435.

**Item 435.**

**Potter:** Commissioner Saltzman.

**Saltzman:** Could you read 436 too?

**Item 436.**

**Saltzman:** These two tents are part of our solar now campaign. Which is funded in part by a \$200,000 grant by theist department of energy that the city council accepted last october. The first item continues our partnership with solar Oregon to provide community outreach and education. The second enables the office of sustainable development to receive no cost in-kind technical services from experts at the national labs as part of the u.s. d.o.e. grant in addition to the cash award. Any questions? I urge approval.

**Potter:** Questions from the commissioners on the two items? Anyone signed up to testify?

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

**Potter:** Call the vote on the first.

**Adams:** Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye. **Potter:** Aye. [gavel pounded] call the second.

**Adams:** Aye. **Leonard:** Aye. **Saltzman:** Aye. **Sten:** Aye. **Potter:** Aye. [gavel pounded] please read item 437.

**Item 437.**

**Saltzman:** Thank you, mayor. This contract is with the design firm to put together the best business center website which helps businesses to learn how to operate more sustainably.

**Potter:** Questions from commissioners? Is there anything -- anyone signed up to testify?

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

**Adams:** An increase in the amount?

**Saltzman:** No. This is the -- this is an original contract. Actually it does say amendment. Ok.

**Adams:** It is an increase? What's the amendment?

**Saltzman:** It looks like an increase in the scope and contract amount.

**Potter:** I think it's \$17,500.

**Saltzman:** Yeah.

**Potter:** Other questions? Is there a sign-up sheet?

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

**Potter:** Anyone who wishes to testify to this matter? Call the vote.

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

**Sten:** I have one point of personal privilege.

**April 2, 2008**

**Potter:** We're not done yet. We had one pulled.

**Sten:** Oh, ok. After that.

**Potter:** Item 426.

**Item 426.**

**Saltzman:** This was a contract with the company that will help us do our rate making for residential solid waste.

**Potter:** Questions?

**Moore-Love:** There's an amendment. Make it an emergency ordinance.

**Potter:** Did you have the emergency pulled?

**Saltzman:** We had the emergency pulled.

**Moore-Love:** It isn't an emergency. If you planned to amend it -- they wanted to amend it to make it an emergency.

**Saltzman:** That's all right. Let's just do it first reading.

**Moore-Love:** Ok. Nonemergency, not amended.

**Potter:** Questions from commissioners?

**Leonard:** Will we have three votes next week?

**Adams:** Has it been put out for bid? [laughter]

**Leonard:** Do you want to go for emergency now? [laughter]

**Sten:** I just -- I hadn't thought this would take as long as the hearing started with a very touching and I really appreciated tribute to me. And I wanted to separate it out and I think you may not be here this afternoon. My last full council meeting by ending it the only place I could have ever done anything, which is to thank my staff. They're here. This is -- there's a lot of good staffs in the building, but in my opinion the hardest working, most dedicated, it's a tie, I guess, but these are folks who have -- the vast majority who have been with me the entire time I've been with the council, and the folks who are not have moved on, and I wanted to, while I was on television, thank them and ask you to help me in thanking them. Nobody knows better than my colleagues that all of our work is absolutely impossible without a good staff. And I've had a great one who are by -- privileged to count as friends and colleagues. I wanted to say that. Thank you, mayor.

**Potter:** Thank you. Let's give you a hand. [applause] I look forward to working with the staff and continuing all those good programs that you've initiated under the leadership of commissioner Sten.

**Sten:** You particularly.

**Potter:** We're adjourned until 2:00 p.m. [gavel pounded] [applause]

At 12:29 p.m., council recessed.

**April 2, 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.

**APRIL 2, 2008      2:00 PM**

[roll call]

**Sten:** Please read item 438.

**Item 438.**

**Sten:** Do you want to walk through the rules and the procedure?

**Linly Rees, Deputy City Attorney:** Sure. I wish on your last day I could give you the gift of not having to read all of these, but I can't.

**Adams:** Do it with special emotion.

**Rees:** It's the thought that counts.

**Adams:** Maybe with an english accent.

**Rees:** Oh, you don't want that. This is an on the record hearing. You must limit your testimony to materials and issues in the record. During this hearing you may only talk about the issues, testimony, exhibits, and other evidence that were presented at the earlier hearing before the hearings officer. You cannot bring up anything new. This hearing is designed only to decide if the hearings officer made the correct decision based on the evidence that was presented to him. If you start to talk about new issues or try to present new evidence today, you may be interrupted and reminded you must limit your testimony to the record. We'll begin today with a staff report by the bureau of development services staff for approximately 10 minutes. Following the staff report, council will hear from interested persons in the following order. The appellant will go first and have 10 minutes to present their case. Following the appellant, persons who support the appeal will go next. Each person will have three minutes to speak for council. The principal opponent if there is one, will have 15 minutes to address council and rebut the appellant's presentation. After the principal opponent, the council will hear from persons who oppose the appeal. Those persons will also have three minutes each. Finally, the appellant will have five minutes to rebut any presentation of opponents of the appeal. Council may then close the hearing, deliberate and take a vote on the appeal. If the vote is a tentative vote, council will set a future date for the adoption of findings and a final vote on the appeal. If the council takes the final vote today, that will conclude the matter before council. There are several guidelines. First, the evidentiary record is closed. So again, it's on the record. You must limit your remarks to testimony based on the -- you may refer to evidence that was previously submitted to the hearings officer, you may not submit new evidence-to-not submitted to the hearings officer. If your argument includes new evidence or issues council will not consider it and it will be rejected in the final decision. You may object to new evidence if you believe another person who addressed council today improperly presented new evidence. You may object to that today. Under state law only issues raised before the hearings officer may be raised in the appeal to council. If you believe another person is raised issues today that were not raised before, you may object. And finally, if the applicant fails to raise constitutional or other issues relating to proposed conditions of approval with enough specificity, to allow council to respond, the applicant will be precluded from bringing an action for damages in circuit court to challenge the condition of approval.

**Sten:** We'll start with the staff report.

**Rees:** Erik, commissioner Sten, are there any ex parte contacts?



**April 2, 2008**

**Sten:** Does anyone have any ex parte contacts? It appears not. Would anyone like to chal thing?

Ok. Staff report.

**Kimberly Parsons, Bureau of Development Services:** I'm kimberly parsons, staff with the bureau of development services. This is the presentation for appeal of land use appeal. The purpose of the hearing is to consider the appeal of the hearings officer decision to approve with conditions a two-lot partition and open space or environmental resource tract. The appellant is also the applicant dominic corrado. A brief summary. The land division reviews for two-lot partition with a 16,557-square-foot environmental resource tract, environmental review was also requested for creation of proposed partition and improvements. The environmental review was required because one of the proposed lots did not meet the required setback from the adjacent street. The applicable approval criteria are listed in 33660120. Environmental review approval criteria. So a summary of the hearings officer decision, he approved with condition the two-lot partition with the creation of an environmental resource tract to be owned in common by the owners much the lots. There are also conditions of approval related to the sanitary and storm sewer easements. Water and fire bureau requirements, associated maintenance agreements for easements and tracts, mitigation planting and standards apply to development of the new lot. The site is located on southwest 49th avenue between southwest vermont and southwest texas. It's zoned r7, a medium density base zone and has environmental protection overlay zone. This protection zone provides the highers level of protection to important environmental resource and functional values. You can see here the protection zone is over the southern half of the property and then along the western and northern edges. This is the aerial photo of the site. You can see the property is currently developed with a house and that will remain on proposed parcel one. There is an existing barn at the northern edge of the site that will be removed to accommodate development on parcel two. In blue, those are the streams that run along the northern and southern boundaries of this site and located within the environmental protection zone. This slide shows the existing conditions plan and the environmental protection zone boundary in relation to the existing development. And then this is the preliminary plan which shows the proposed lots, the parceling one and two, and the environmental resource tract, which is outlined in green. What's important to note here is that the proposed lot does not go into the resource area of the protection zone. They only extend to the transition area, which is what is typically allowed for development. I'll go through some photos of the site here briefly. This is the front edge of the site on the right-hand side of the screen. And the improved portion of the street extends to the front of the house. This is the existing house to remain on parcel one. This is parcel two, and the open space or the environmental resource tract. So the stream shown here is actually not on the applicant's property. It's on the adjacent property. And the lot lines for this site falls approximately five feet to the right-hand side of the barn. And then this is the area of parcel two that will be developed. Another photo, the protection zone, this is behind me on the existing house on the site. Mr. Corrado listed the following points in his appeal statement. The requirement for creation of an environmental resource tract and that it be owned in common by the owners of the land division site deprive him of rights protected under the u.s. Constitution, including just compensation and equal protection. The tract and ownership requirements also violate Oregon revised statutes chapter 35 by condemning property to convey to another private party. Or basically he'll be forced to jointly own the resource tract with the new owner of the other parcel. Just to provide some background on the issue, environmental development standards and approval criteria require resource areas of the protection zone to be placed entirely within resource tracts. The standards also require the tracts must be owned in common by all the owners of the land division site. In this case, owned in common by the owners of parcels one and two. The constitutional and condemnation appeal issues raised by the appellant regarding the creation and ownership of the environmental tract were not addressed in detail in the hearings officer's decision. The hearings officer determined that the appellant had not raised these issues with sufficient

**April 2, 2008**

specificity. It is important to note that the city does not take title to the environmental resource tract at any point in time and does not require conveyance of land for public use. So whatever the council's decision is today, the hearings officer decision does need to be amended to address the appeal issues raised. There are several purposes for the tract and common ownership requirement force resource areas. One is that property owners are often not aware that an area on the property is in an environmental zone. There's nothing for them to refer to on their property deed. That would describe where this area is. Environmental zone boundaries are difficult to determine on a property.

There's nothing physical on the land that represents on the ground where that boundary lies. A tract better protects resource by clearly identifying areas that can be developed and areas that cannot be developed. A property owner deed description would identify the tract purpose and area and maintenance agreements for the tract are recorded against the property and outline the use and responsibilities for that area. There are often property markers on the site that mark the boundaries of a lot and an environmental resource tract. Generally common ownership of the tract bite land division law owners provide greater protection by having multiple property owners invested in protecting their resource. Standards including ownership of the tract can be modified through environmental review. So to address the appellant's concerns, council could consider and staff recommends one of the following options. Create one environmental resource tract to be owned by one of the lot owners, so it can be specified just parcel one would own the environmental resource tract. Or to create two environmental resource tracts with each tract owned by the adjacent lot owner. So parcel one would have a tract that it owned and parcel two would have their own tract. Eye they're alternative would meet the criteria that require creation of the environmental resource tract. And also either alternative would provide a clear boundary of the area that is allowed to be developed, which is the lot, and the area that's required to be protected. There are a number of options for council to consider. One is to deny appeal and uphold the hearings officer decision for the two-lot partition with the commonly owned tract. You could deny appeal and amend the hearings officer decision to approve a two-lot partition with one environmental resource tract owned by one of the lot owners. You could also provide a condition within this that would give the applicant the option to decide if they wanted one lot owner or two at the final plat stage. You could deny the appeal and amend the hearings officer decision to approve a two-lot subdivision with two environmental resource tracts, each owned by the adjacent lot owner. Or uphold the appeal, thereby overturning the hearings officer decision and allowing no environmental resource tract to be created. If you decide to uphold the appeal, I would request you call me back so could I address some additional issues that are related to that final option. With any of the options, though, as I mentioned before, your decision will need to address the appeal issues that were raised, since they weren't addressed in the hearings officer decision. And I do want to point out the 120-day review period expires april 17th, so we would need to come back for a final adoption for that time. That concludes my presentation.

**Sten:** Questions? I have one. Is the hearings officer decision the same as the staff recommendation?

**Parsons:** Yes. He followed staff recommendation for tract owned in common.

**Leonard:** Not to the extent of the issues raised on appeal with respect to the constitutional issues, which staff has recommended two different alternatives.

**Parsons:** Right. Those two option were not addressed in the hearings officer decision.

**Sten:** Thank you. So we'll hear from the appellants.

**Dominic Corrado:** My name is dominic corrado, 6917 southwest 49th avenue, Portland. I am the appellant. I would like to offer my congratulations to commissioner Sten on his impending retirement and best of luck to you in the future, and thank you for your hard work with the commission in the past. It was a poignant moment downstairs as I was waiting for the chambers to open, there's a plaque rededicating this building on almost exactly 10 years ago, 3-30-1998. And it

**April 2, 2008**

listed the mayor and commissioners and the last man standing on that plaque. It doesn't really seem like 10 years.

**Sten:** No, not yet.

**Corrado:** I'd also like to thank the commission for the opportunity to air my grievances in this indication, and I would in particular like to thank Kim Parsons, who has been working with this with me for a number of years. I started this land partition in 2004, so this has been going on for a while and she has been very helpful and her guidance has been very, very useful, in fact, couldn't have gone this far without her. I'd like to congratulate her on her impending move to a new and higher position with the staff. So I'm here today to seek a fair solution to what I believe is an unconstitutional condition on my land use decision. My position is informed by the purpose of the takings clause, which is to prevent the government from forcing some people alone to bear public burdens which in fairness and justice should be borne by the public as a whole. Under the well settled doctrine of unconstitutional conditions, the government may not require a person to give up a constitutional right here at the right to receive just compensation when property is taken for the public good in exchange for a decision correctionary benefit conferred by the government where the property sought has little or no relationship to the benefit. The benefit I see gives permission to divide my existing lot into two lots. The city has conditioned that benefit on the requirement that I relinquish title and fee simple ownership on 49% of my property to create the environmental tract. The city is imposing the condition without making any individualized determination that the required dedication is related in nature and extent to the impact of the proposed development. There's a test that asks three questions. If the government can answer yes to all three, there is no unconstitutional condition and no payment required. Simply, is there a legitimate government purpose to support the imposition of the condition? Second, is there an essential mechanics us between the legitimate government purpose and the condition imposed, and third, is there enough -- is there a rough proportionality between the condition imposed and the impacts of the development, both in nature and extent? It's also settled that the burden is on the government body imposing the condition to establish the conditions are not taking under the above analysis. So the -- I guess the suggestion that I may not have made my arguments before the hearing officer with sufficient specificity is moot, because it would have been the burden of staff to show that its requirement was not an unconstitutional condition. In addition, particularized findings are required. In other words, there needs to be an individualized determination specific to my land use decision, not a broad brush regulation intended to apply to all land divisions. So going back over these tests, is there a legitimate government purpose for the condition? Yes, there is. It is important to protect the resource area. I'm not arguing against that. Is there a nexus between the legitimate government position and the condition imposed? Not necessarily, because the form of ownership in no way changes the environmental regulations that already exist on the property. The existing regulations in place now and that would follow the property to whatever ownership it may have in the future, are the regulations that protect the environmental zone. So is there rough proportionality between the condition imposed and the impacts of development both in nature and extent? And here I would say clearly no, as stated above, the environmental overlay regulations protect the resource area regardless of property title. The force change in ownership is designed solely to prevent any future development of the property, even though current regulation was allow further division and development on the property. The city has identified no special benefits conferred to me for relinquishing half of my property, and it has not identified any special quantifiable burdens created by a simple partition of my property that would justify the dedications demanded from me, and which are not required from the public at large when they go to do a land division of their property. Settled law places the burden on government to establish that the can't are not a taking under the above analysis. Furthermore, the government must do so with an individualized determination that goes beyond the conclusory statements that have been offered so

**April 2, 2008**

far. As staff offered earlier, and as was offered during the hearings when the hearings officer asked for the rationale behind the creation of the environmental zone tracts, the homeowners were not often aware of the disturbance areas allowed on their property, and this led to violations which in turn led to the regulation to impose a demand property be turned into an environmental zone tract. On a land division. It's interesting to note the hearings officer further asked if in the five years since the environmental tract requirement was adopted has it affected the number of environmental violations the city has received, and staff didn't have any firm numbers on that that would support that position. So I would say by staff's own admission the environmental regulations were effective in -- in the past in finding and controlling violations prior to the imposition of the environmental tract requirement, but after five years no evidence can be offered that the requirement to form a separate tract through a forced change of ownership has reduced the number of violations. Without question, had the city simply required me to relinquish half of my property rather than conditioning the grant on a fair land use decision, a taking would have occurred. In other words, if five years ago before I had even started the land division process I got a knock on the door from city saying, we've decided that the 49% of your property that lays within the environmental zone needs to be relinquished from your ownership and placed into a different form of ownership where something less than fee simple, regardless -- one of the options is that it go into the ownership of the city or government agency or nonprofit organization, the least onerous under this condition of approval is that it be put into joint ownership with the participants in the land division. In any case, that is a diminution of my fee simple property ownership rights. And if that had happened, not conditioned on a land use decision, it would clearly be a taking. So now we have to ask ourselves, ok, is imposing that condition as part of a land use decision to receive a benefit, is that a constitutional or unconstitutional condition, and I think I have made the argument it's not constitutional, that it is an unconstitutional condition. So as mentioned earlier, I think this also runs afoul of o.r.s. Chapter 35 as amended by measure 39 a few years ago that essentially says that you, not condemn property without due process, the city intends to convey fee title to all or apportion of the real property or a lesser interest than fee title to another private property. So those are my concerns. And I think that staff has outlined a number of options here. I would obviously be happiest with the last of those four options, which was to not have to create an environmental zone tract at all. But I would be amenable to discussing some other arrangement that would allow separate environmental zone tracts that can follow title of the -- each individual parcel in the future, and not place either owner in a position of having to share responsibility for a larger environmental tract, portions of which can't be seen from one or the other of the properties. So in closing, I would just like to say that there was -- in a supreme court decision on this matter it closed by saying we are in danger of forgetting a strong public desire to improve the public condition is not enough to warrant achieving the desire by a shorter cut than the constitutional way of paying for the change. With that I many close and ask if you have any questions.

**Leonard:** I do. So mr. Corrado, you finally got to what the staff was recommending, and I appreciate it. Had you seen that before today? The two options, the one being that the -- create one environmental resource tract that is owned by one property owner, or two, two environmental resource tracts, each owned by adjacent property owner? Have you seen that before?

**Corrado:** Yes.

**Leonard:** Did I understand you to say that you would be acceptable to either of those you'd prefer to have the latter rather they're than the former?

**Corrado:** It was item four, I think, on the list. The one that would just create two lots and no environmental tract.

**Leonard:** The two options I just read to you --

**Corrado:** Those were a single tract and two tracts. The second option would be preferable.

**Leonard:** So each tract went with the adjacent property owner.

**April 2, 2008**

**Corrado:** That's correct.

**Leonard:** You would find that acceptable?

**Corrado:** I would.

**Leonard:** Thank you.

**Sten:** Any further questions? Thank you. We'll now hear from supporters of the appeal. Would anybody like to -- did anybody sign up?

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

**Sten:** Ok. So I think -- we don't have anybody in opposition to the appeal. So let's bring staff back up and we'll open this up to council discussion.

**Leonard:** I was hoping to get -- I was trying to write as fast as I could when I saw it on the screen. What I got down in the second option that you offered was amending the hearings officer report with language that said that we would create two environmental resource tracts each owned by the adjacent owner.

**Parsons:** I just pulled it up.

**Leonard:** Deny appeal and amend the hearings officer decision to approve a two-lot -- that one. Ok. Is that the right language for the second option that you proposed? The third --

**Parsons:** The third bullet, yeah.

**Leonard:** I'm prepared to make a motion.

**Sten:** Further questions? Motion?

**Leonard:** I'd move to deny the appeal and amend the hearings officer's decision to approve a two-lot subdivision with two environmental resource tracts, each owned by the adjacent lot owner.

**Saltzman:** Second.

**Sten:** I have a motion and a second. Any discussion? Roll call.

**Rees:** Commissioner, may I remind the council that staff had requested that it be a tentative vote because revised finding and conditions of approval would need to be drafted and brought back to council probably april -- the morning of april 16th, which is two weeks and before the 120-day period.

**Sten:** Commissioner Leonard, would you be open to including that language in your motion?

**Leonard:** I would.

**Sten:** So ordered.

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

**Saltzman:** Appreciate your thoughtful arguments. Aye.

**Sten:** Hope you can get something built. Aye. [gavel pounded] we'll schedule a indicate to bring this back, Karla?

**Moore-Love:** April 16th at 10:30. Time certain.

**Sten:** Will that work for the 120 days in plan something terrific? Council is adjourned.

**Saltzman:** Can we give you a hand again? [applause]

At 2:33 p.m., Council adjourned.