



CITY OF
PORTLAND, OREGON

OFFICIAL
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **16TH DAY OF APRIL, 2008** AT 9:30 A.M.

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

Commissioner Adams was excused to arrive at 11:02 a.m.

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

Item Nos. 495, 499, 500 and 501 were pulled for discussion and on a Y-4 roll call, the balanced of the Consent Agenda was adopted.

| COMMUNICATIONS | Disposition: |
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| <p>477 Request of Keola Morley to address Council regarding the need for speed zones around Portland skateboard parks (Communication)</p> | PLACED ON FILE |
| TIME CERTAINS | |
| <p>478 TIME CERTAIN: 9:30 AM – Accept the Urban Forestry Commission 2007 Annual Report (Report introduced by Commissioner Saltzman)</p> <p>Motion to accept the Report: Moved by Commissioner Saltzman and seconded by Commissioner. Leonard</p> <p>(Y-3; Adams absent)</p> | ACCEPTED |
| <p>479 TIME CERTAIN: 10:00 AM – Accept the Interbureau Task Force Report (Report introduced by Mayor Potter)</p> <p>Motion to accept the Report: Moved by Commissioner Leonard and seconded by Commissioner Saltzman.</p> <p>(Y-3; Adams absent)</p> | ACCEPTED |

April 16, 2008

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| <p>480 TIME CERTAIN: 10:30 AM – Tentatively deny appeal of Dominic and Maria Corrado, applicant, 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 49th Ave and uphold the Hearings Officer’s decision with amendment (Findings; Previous Agenda 438; LU 07-179193 LDP EN) Motion to adopt the findings to deny the appeal and uphold the hearing officer's decision with amendment: Moved by Commissioner Leonard and seconded by Commissioner Adams. (Y-3; Potter recused)</p> | <p align="center">FINDINGS ADOPTED</p> | |
| <p align="center">CONSENT AGENDA – NO DISCUSSION</p> <p align="center">Mayor Tom Potter</p> <p>481 Accept nomination of David Johnson for appointment to the Portland Utility Review Board term to expire April 30, 2010 (Report) (Y-4)</p> | | <p align="center">CONFIRMED</p> |
| <p align="center">Bureau of Housing and Community Development</p> <p>*482 Authorize an Intergovernmental Agreement with the Portland Development Commission, Housing Authority of Portland and Multnomah County to provide a social housing delivery system evaluation (Ordinance) (Y-4)</p> | | <p align="center">181747</p> |
| <p align="center">Bureau of Planning</p> <p>483 Establish \$275,000 as the maximum price for newly constructed, single-unit housing eligible for a limited property tax exemption in a Homebuyer Opportunity area for 2008 according to Chapter 3.102 (Resolution) (Y-4)</p> | | <p align="center">36598</p> |
| <p>*484 Amend contract with Elizabeth H. Moreno to provide additional services in technical writing in relation to visionPDX and provide for payment (Ordinance; amend Contract No. 37613) (Y-4)</p> | | <p align="center">181748</p> |
| <p align="center">Fire and Rescue</p> <p>485 Apply for a \$1,300,000 grant from the Department of Homeland Security to purchase a new fireboat (Ordinance)</p> | | <p align="center">PASSED TO SECOND READING APRIL 30, 2008 AT 9:30 AM</p> |
| <p>486 Apply for a \$560,625 grant from the Department of Homeland Security to replace Personal Alert Safety System devices (Ordinance)</p> | | <p align="center">PASSED TO SECOND READING APRIL 30, 2008 AT 9:30 AM</p> |
| <p align="center">Office of Management and Finance – Financial Services</p> <p>*487 Amend contract with Public Financial Management, Inc. to provide financial advisory services (Ordinance; amend Contract No. 37061) (Y-4)</p> | | <p align="center">181749</p> |
| <p align="center">Office of Management and Finance – Purchases</p> | | |

April 16, 2008

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| <p>*488 Authorize an Intergovernmental Agreement with Multnomah County for the City Equal Employment Opportunity and Workforce Training & Hiring Programs (Ordinance) (Y-4)</p> | <p>181750</p> |
| <p>*489 Authorize an Intergovernmental Agreement with the Housing Authority of Portland for the City Workforce Training & Hiring Program and Equal Employment Opportunity Program (Ordinance) (Y-4)</p> | <p>181751</p> |
| <p>Commissioner Sam Adams</p> | |
| <p>Bureau of Environmental Services</p> | |
| <p>*490 Authorize application of grant funds to U.S. Environmental Protection Agency for brownfield sites within the City (Ordinance) (Y-4)</p> | <p>181752</p> |
| <p>*491 Authorize the Director of the Bureau of Environmental Services to execute an easement with the Union Pacific Railroad as part of the East Side Combined Sewer Overflow Tunnel Project No. 7594 (Ordinance) (Y-4)</p> | <p>181753</p> |
| <p>492 Authorize contract with Tetra Tech, Inc. for engineering services for the design of the Oaks Bottom Wildlife Refuge Phase I Project No. 8576 (Ordinance)</p> | <p>PASSED TO SECOND READING APRIL 30, 2008 AT 9:30 AM</p> |
| <p>493 Authorize grant agreements and Intergovernmental Agreements with 21 non-profit and public entities related to the East Side Community Benefit Opportunity Program (Second Reading Agenda 450) (Y-4)</p> | <p>181754</p> |
| <p>494 Authorize grant agreement with Audubon Society of Portland for \$6,000 (Second Reading Agenda 451) (Y-4)</p> | <p>181755</p> |
| <p>*495 Authorize a contract and provide for payment for the construction of NW Irving St and NW Flanders St Combination Sewer Replacement Project No. 8780 (Second Reading Agenda 452) Motion to adopt the emergency clause: Moved by Commissioner Leonard and seconded by Commissioner Adams (Y-4) (Y-4)</p> | <p>181760 AS AMENDED</p> |
| <p>496 Amend contract with David Evans and Associates, Inc. for additional work and compensation for the Umatilla Wastewater Pump Station and Influent Sewer Design, Project No. 8589 (Second Reading Agenda 453; amend Contract No. 36485) (Y-4)</p> | <p>181756</p> |
| <p>Office of Transportation</p> | |

April 16, 2008

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| <p>*497 Authorize application to the Oregon Department of Transportation for four grants to improve transportation education, safety and options (Ordinance) (Y-4)</p> | <p>181757</p> | |
| <p>498 Authorize an Intergovernmental Agreement with the Oregon Department of Transportation for design and construction of the bridge deck replacement on the existing bridge that carries N Lombard St over the Columbia Slough (Second Reading Agenda 463) (Y-4)</p> | <p>181758</p> | |
| <p style="text-align: center;">Commissioner Randy Leonard</p> <p style="text-align: center;">Water Bureau</p> | | |
| <p>499 Accept contract with Brant Construction, Inc. for the construction of the Groundwater Pump Station Security Improvements as complete, release retainage and authorize final payment (Report; Contract No. 36532)</p> | <p>REFERRED TO COMMISSIONER OF PUBLIC SAFETY</p> | |
| <p>500 Accept contract with Konell Construction and Demolition Co., Inc. for the construction of the Westinghouse Building Demolition as complete, release retainage and authorize final payment (Report; Contract No. 37455)</p> | <p>REFERRED TO COMMISSIONER OF PUBLIC SAFETY</p> | |
| <p>501 Accept contract with Stettler Supply Co. for the construction of the Well Pump 38 Equipment and Site Improvements as complete, release retainage and authorize final payment (Report; Contract No. 36739)</p> | <p>REFERRED TO COMMISSIONER OF PUBLIC SAFETY</p> | |
| <p style="text-align: center;">Commissioner Dan Saltzman</p> | | |
| <p>*502 Provide grant to the Miracles Club to prepare to develop a new facility and expand services (Ordinance) (Y-4)</p> | <p>181759</p> | |
| <p style="text-align: center;">REGULAR AGENDA</p> <p style="text-align: center;">Commissioner Sam Adams</p> <p style="text-align: center;">Office of Transportation</p> | | |
| <p>503 Assess benefited properties for street improvements in the NE 135th Ave and Prescott Ct Local Improvement District (Second Reading Agenda 442; C-10015) (Y-3; Adams absent)</p> | <p>181744 AS AMENDED</p> | |

April 16, 2008

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| <p>504 Assess benefited properties for improvements in the Portland Streetcar Gibbs Extension Local Improvement District (Second Reading Agenda 469; C-10013) (Y-3; Adams absent)</p> | <p>181745</p> |
| <p>Commissioner Randy Leonard</p> | |
| <p>*505 Authorize a grant to The Salvation Army to relocate and continue to operate an emergency shelter for homeless women (Ordinance) (Y-4)</p> | <p>181761</p> |
| <p>Commissioner Dan Saltzman</p> | |
| <p>Office of Sustainable Development</p> | |
| <p>*506 Authorize contract with Merina and Company, LLC in the amount of \$130,000 to provide residential solid waste and recycling rate review services (Ordinance) (Y-4)</p> | <p>181762</p> |
| <p>Parks and Recreation</p> | |
| <p>507 Designate two Heritage Trees in the City (Ordinance)</p> | <p>PASSED TO SECOND READING APRIL 30, 2008 AT 9:30 AM</p> |
| <p>City Auditor Gary Blackmer</p> | |
| <p>508 Direct Auditor to treat July 15, 2008 special runoff election as General Election for purposes of Code Chapter 2.10 and provide for reduced distribution of campaign funds available to participating publicly financed candidates (Second Reading Agenda 440) (Y-3; Adams absent)</p> | <p>181746 AS AMENDED</p> |

At 11:17 a.m., Council recessed.

April 16, 2008

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **16TH DAY OF APRIL, 2008** AT 6:00 P.M.

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

Commissioner Saltzman arrived at 6:20 p.m.

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

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| 509 TIME CERTAIN: 6:00 PM – Grey to Green Initiative briefing (Presentation introduced by Commissioner Adams) | Disposition: PLACED ON FILE |
| 510 Create a voluntary funding program that provides an opportunity for all Portland sewer ratepayers to invest in making Portland green and improving watershed health (Resolution introduced by Commissioner Adams) (Y-4) | 36599 |

At 6:59 p.m., Council recessed.

April 17, 2008

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **17TH DAY OF APRIL, 2008** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Potter, Presiding; Commissioners, Leonard and Saltzman, 3.

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

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| <p>511 TIME CERTAIN: 2:00 PM – Appeal of Steve Cox against the Noise Review Board decision to grant a noise variance to Portland International Raceway for the National Hot Rod Association National Open Drag Race on August 22-24, 2008 (Hearing introduced by Auditor Blackmer)</p> | <p>NOISE REVIEW BOARD DECISION AFFIRMED BY A LACK OF COUNCIL ACTION</p> |
| <p>512 TIME CERTAIN: 3:00 PM – Accept Staff Report and Recommendation and Order of Council for Mattie C. Baker, Measure 49 Vesting Claim (Report introduced by Mayor Potter; PR No. 06-181218)</p> <p>Motion to approve the claim, adopt the staff report and order as the Council’s decision: Moved by Commissioner Saltzman and seconded by Commissioner Leonard.</p> <p>(Y-3)</p> | <p>STAFF REPORT AND RECOMMENDATION ACCEPTED; ORDER OF COUNCIL ACCEPTED</p> |

At 3:25 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 16, 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 16, 2008 9:30 AM

Potter: I ask a question at each council meeting of the community and the question is how are the children? And the reason I ask that question is because I know when our children are cared for our community is as well. And we invite experts in to talk to us each week. And today we have esme, a third grader at the creative science school at bridger elementary. Do you want one of your parents to come with you? Good. This school is a focus option within the Portland public schools for children grades k-7. Students are encouraged to be independent thinkers, learners and problem solvers. They demonstrate the ability to create questions, formulate solutions and apply results throughout their lives. So welcome to city council and thank you for being here. What would you like us to know? Could you speak into the microphone?

*****: Yeah, right now.

Esme Schornstein: Good morning, mayor Potter and city commissioners. My name is esme and I live on southeast 48th avenue. I like being able to walk to coffee shops and shops on hawthorne and mt. Tabor park. I go to the creative science school currently located in the bridger building. Next year my school is moving to the clark building because we share a building with bridger neighborhood school and it's getting a bit crowded. I like the teachers and projects we do and I think they are very creative. I think Portland should put more money into schools. For example, science equipment needed in the sixth and seventh graders. We should have better kitchens. Finally we should have better lighting in the school and especially in the bathrooms that the younger kids don't get scared. One thing that bothers me is there's too much trash like old paper, like paper, old food, et cetera, in the city. These materials kill animals like birds, mice, and could be harmful to dogs and cats, too. I also like that there's -- also think that there's too much graffiti and those who get caught doing this should get more severe punishment like being mailed to clean up graffiti every weekend for a year. Homelessness is also a problem. I think Portland should make more homeless she wants for homeless people because it's not what some people have a home and others do not. Also Portland should make more schools -- also Portland should make more schools for homeless kids because it will help them get educated and their parents not to worry when the children get older. Earth day is important. We could plant more trees, flowers, and owl sorts of plants because earth is getting a bit polluted and this will help get the pollution out of the air. I think there should be bigger water gardens. I really thank you all for listening to me making the city a better place.

Potter: Thank you very much, esme. We appreciate you coming in today. Can we give this young lady a hand? [applause] city council will come to order. Karla, please call the roll.

[roll call]

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

Item 477.

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

April 16, 2008

Keola Morley: My name is keola morley. And I am the chair of friends of pier park. And I am here to discuss the importance of putting placing speed zones around skate parks. Pier park I believe was the first park to get a skateboard park built within the park system. And since its provision I believe about two, three years ago, we have learned quite a bit about, well, the traffic that comes along with building a new skateboard park. What makes pier park unique in a sense is that it's connected, the entrance to the skateboard park is north brew test street and it's the same street to get to what we caught circle, the little parking lot. So any given day there's about 100 plus disk golfers coming to the park using the same street that skateboarders use to, well, basically glide in to the skate park. And there's been numerous incidents where we've had a lot of close calls with kids coming from the cross street, which is hudson, to get on to bruce to cross over to the skateboard park. And with just cars speeding by and kids not really paying attention to their surroundings. It's for the community, has found that very disturbing and we're trying to get things done. We've spoken to pdot and we have got information. We're on the waiting list for that, for a survey to be done. In the previous survey they have done on north bruce street, there's always been cars going over the speed limit. Mostly the cars were going 35, between 30 and 35 miles per hour. So we're working with the neighboring houses near the skateboard park to see what the best plan would be, either to put speed bumps or other options that we're looking at. But -- and what my concern is, is that skateboard parks are becoming more popular. And what I would like to see done is to put speed zones just for the safety of the kids around, knowing that what pier park has dealt with over the years. And thank you for listening today.

Leonard: Can I follow up a little bit?

Morley: Yes.

Leonard: Do you know what the current speed is there?

Morley: The current speed on north bruce street would be 25.

Leonard: And so on bruce street is the one you have identified would be benefited most by the speed bumps?

Morley: Yes.

Leonard: Ok. I will follow up on this.

Morley: Thank you very much.

Potter: Thank you.

Moore-Love: That's all the communications.

Potter: We will go to the consented agenda. Commissioner Leonard, did you have some items to pull?

Moore-Love: We have to wait until commissioner Adams gets here if you want to hold off.

Leonard: If we could maybe wait for the consent agenda until he got here.

Potter: Ok. Move to the 9:30 time concern. Please read item 478.

Potter: I think this one and the next one will be read together.

Saltzman: If you could read 507.

Items 478 and 507.

Potter: Commissioner Saltzman.

Saltzman: Thank you, mayor, and members of the council. Just over a year ago, city council passed the urban forestry action plan to direct city wide activities that would meet three major goals of our urban forest management plan. These are, number one, growing and enhancing the urban forest, continuing to secure the public support for the urban forest and, number three, insuring the urban forest serves all the Portland's residents. This annual report includes a brief summary of current and upcoming projects, obstacles to effective implementation and some recommendations for resolving those obstacles. I do want to take a moment to thank our urban forestry commission. You are doing a great job. This 11-member volunteer body continues to do amazing work for the benefit of Portland's trees. It's also great today that we will be adding two more heritage trees to our

April 16, 2008

roster of heritage trees. This is always one of my favorite city council activities is adding heritage trees. Michael McCloskey, chair of the heritage tree committee, will introduce us to our newest heritage trees. Urban forestry commission Ed Washington will start us off. But first, Ed, this will be your final time before the city as chair of the urban forestry commission. He will be leaving this upcoming June. I just want to speak for all of the council when I say thank you. We deeply appreciate your seven years of service to the urban forestry commission. And let us not forget your previous record as an outstanding metro councilor for the fifth district. So thank you, Ed. He has worked not only on the forestry commission but at metro he's worked to include expanding open spaces through the creation of wooded ponds, improvements to Smith and Bybee lakes, forest park expansion and so many other accomplishments that have created a true legacy for our community. So thanks. And now, to top that off, with your work at enhancing Portland's urban forestry is truly commendable, Ed, your shoes will be impossible to fill in the commission. And the proactive to do and the passion you have brought to the commission in no small way thanks to you and one reason why this commission is an outstanding group of citizens who are not shy. So that's great. So with that, chair Washington, the floor is yours.

Ed Washington: Thank you, commissioner Saltzman. I would like to extend a welcome to Mayor Potter, commissioner Leonard and commissioner Saltzman. Thank you very much for those very kind remarks. We always say they really weren't necessary but, you know, deep in our hearts we really appreciate them. So thank you very, very much. I would also like to acknowledge one of our members who is in attendance but who will not be presenting today, commissioner Diane. She is here somewhere. There she is. And I don't think there's anyone else. And I'm going to, the pleasure for me to introduce to you one of our, we have all of the commissioners are outstanding. This is one of our very outstanding commissioners, commissioner Mike McCloskey the chair of the heritage tree committee. Mr. McCloskey comes to the commission, brings to the commission a tremendous past experience, for 30 years, he was the chairman and c.e.o. of the national Sierra Club. So it's a pleasure having him here and he's just done a great job on the heritage tree commission as well as those who are chairing that commission, that committee before he arrived. I am going to turn it over to Mr. McCloskey for his presentation.

Mike McCloskey: Thank you, Ed. And it's an honor to be before you again with some positive recommendations for additions to the heritage tree system. This year, I mean this time, we have two trees to recommend. They both have the approval of the consent of the landowner involved. One of them is, see which comes up first. Oregon white oak. I have incidentally a write-up here. Maybe I will have this distributed to you. Suddenly I don't have any light here.

Saltzman: We will get you some more light.

McCloskey: My elderly eyes don't work well in the dark. Thank you. This oak is in north Portland, 4768 N. Oberlin. It's a fine example of its species. Its canopy size compares very well to one we already have in the system. Though we have a number of Oregon white oaks already in the system, but our reading of the code doesn't suggest any limitation on the number of such trees as large -- as long as they are large and impressive. And this one is. And such impressive trees constitute part of our ecological heritage and provide lots of ecological services to us. This one, while it's in the backyard of the house involved, it's quite visible from the street and back of the house on North Depauw Street. And our commission has recommended that you approve adding this to the system. I don't know if you are able to see our slides but anyway, you have them up there.

Saltzman: Yeah.

McCloskey: If you would like to ask questions about this one, before I move on to the next one or would you prefer to me do the next one?

Potter: I was curious about the ages. Do you determine the age on these trees?

McCloskey: We don't have data on the age. I think you would have to take a boring to actually count it. There are tree rings but the size varies with the growing conditions, whether it grows fast

April 16, 2008

or soily. But we're right in the range for these trees here in Portland. So we get some of the best ones. In fact, one block from my house in southwest hills is the Oregon white oak that has the record canopy spread in the world. So we have a special value to treasure with these trees here by virtue of where we're located and where they like to grow.

Potter: Thank you.

McCloskey: And these old trees provide an extra, as I said, extra measure of ecological services to us. The ponderosa pine is in northeast Portland at 3437 n.e. 29th at fremont. And while this tree is most common in the eastern Oregon, and there are few in western Oregon, it's not that common in well-watered areas such as this. And it's also compares very favorably to the three trees, three ponderosa pines we already have in the system. And it's four and a half feet in diameter. It's in the front yard of the house but it's very close to the sidewalk and easy to see and easy for visitors, neighborhood visitors to appreciate. And there aren't that many impressive ponderosa pines in northeastern Portland. So we recommend that it be added, too. And there's -- I have a picture of it. That's my presentation.

Saltzman: Thanks. We will actually vote to include them after the presentation here. When we vote to accept your report as well.

Washington: Thank you, mayor Potter and commissioners. The urban forestry commission is a very, very hard working group of individuals. And we really appreciate the work that you're doing for us now because they work really hard for the city. Thank you very much, mike, for your presentation. The urban forestry commission is mandated by the urban forestry management plan to really carry out six primary duties. And I would like to touch on them just very briefly. First to provide assistance to the development. Urban forestry management plan. Second, to provide assistance to the development of the annual urban forest budget request. And third, review plans and policies around city codes that relate to urban forestry and to prepare and submit to the commission of parks and recreation an annual report which we are doing today, and this is our management plan. Your management plan. And this is the urban forest action plan which we work from. And this is the annual report which you all are getting today. And last we work from the Portland urban canopy. One of the things that we do in addition is we serve as an appeal board for citizens with tree issues. And we also support the urban forestry public outreach and education effort. And I think if you look at the members of this commission and you are going to hear from some of them in the second half, all of the things that we really talk and all the things that these reports really touch on, we have tried to bring those in to the work that we're doing, the education outreach and we have a very active person who really deals with budget. We have people that really deal from intrabureau relationships. So I think you will find and you will see that what you have asked us to do through all these reports, this commission is doing it. And I would also like to just show you three slides, four slides. And if we could lower the lights, three slides. Excuse me. If we could lower the lights. I think slide number one speaks for itself. It's showing the canopy in the city of Portland. I think if you look at the green forest park really dominates. And that's why. We have a lot of work to do in the city. I think one of the important things for us there is that, you know, we must continue and with your urging and your pushing and your help, is that we want to make sure that we put the right tree in the right place. If we are going to make that whole area as green as forest park which may be an impossibility, but I think it should be our goal. The second thing we really work on, slide number two, please, this is a slide of denver avenue. The top slide is denver avenue before trees were planted. And the second slide is denver avenue after trees were planted. So I think you can see there's a great demonstration of the kind of work that the commission does and really what we expect of, in the city of Portland. That's a great example of the before and after. The before part reminds me a little bit of how denver avenue not quite like it was when we left vanport in the flood in 1948 and went up there. There were very few trees and it's a pleasure to see that area the way it is today. And lastly, the reason for this is right there. And

April 16, 2008

that's what this is all about. Most of us, most of them will not be around 300 or 400 years but those trees that we plant will be. But it's for them and it's for their kids and their kids to follow. So to that end, I would like to say it's so very important when we look at trees that he don't forget about the native trees that we have. Those trees that really last a long time. And it's nice to have the small, beautiful decorative trees but they don't last very long. But this is what it's all about. So I would like to close my part saying, again, thank you all so very much for the hard work you do for us and also to thank all the commission members for the hard work that they do for you in the city and all the people in this region. So i'm going to call up three other commissioners and they are going to introduce themselves. I would not dare introduce them. Well, I could. But i'm going to let them introduce themselves because they are very capable and thank you very much and again thank you for the kind remarks.

Potter: Thank you, ed.

Margot Barnett: Good morning, mayor Potter, commissioner Leonard, commissioner Saltzman. I'm margot barnett. My background is in public involvement. As chair Washington indicated the commission is responsible for hearing appeals related to the tree cutting ordinance, developing the urban forestry management plan and advising the urban forester and the city council on progress and obstacles encountered in the intrabureau work that impact the forest resources of the city. As the city proceeds to integrate the management of the gray and green infrastructure, the role of the commission has become critical for ensuring that there's a balance and a place for trees as we continue to urbanize, redevelop and increase density. We make sure that the city doesn't lose sight of the forest while concentrating on green streets, transportation, design areas, infill and all of the other elements that make up the evolving form of Portland. This includes resolving challenges such as the preservation of views and solar access. The theme of right tree in the right place is the only way we can ensure a forest that provides canopy and ecosystem functions rather than an endless rotation of planting and removing small trees that never get a chance to reach maturity and fulfill their function. This annual report provides an update on the city's progress on the urban forestry action plan that was accepted last march, a review of some of the commission activities and a discussion of some of the obstacles to achieving the goals for the city's urban forest. The commission has several ongoing committees in addition to the heritage tree committee that are actively addressing paths identified and the action plan. These include committees involved in regulatory review, education and outreach and budgeting. I chair the rules and regulation committee and the budget committee. This committee work provides detailed input to city bureaus working on the city wide tree policy review and regulatory improvement projects. To set the stage for presentations by my fellow commissioners, I will quickly review the three goals of the action plan. One is to protect, preserve, restore and enhance the urban forest. This includes increasing the urban canopy to meet goals ensuring that regulatory program to protect trees is clear, equitable, and forest and provides clear mechanisms to preserve and enhance the forest during development and redevelopment. Two is to develop and maintain support for the urban forest. And that's stewardship of the urban forest must be shared among residents, governmental agencies, businesses, and nongovernmental agencies. To achieve that end, education of citizens is vital to ensure that they understand the role of trees in environmental and human health as well as their economic value. Stable support includes insuring that economic resources are sufficient to maintain and enhance the urban forest. And the third goal is to manage the urban forest to maximize community benefits for all residents. It is critical that the benefits of trees are spread equitably across the city in terms of street-tree distribution, parks and green spaces. The urban forest contributes to livability for the whole community and contributes to watershed health. In summary Portland's trees are a working, living forest that is publicly and privately owned. As such it is critical we make sure that we have a healthy mix of young and old trees, as well as the balance of species that serve to provide shade, manage storm water and provide habitat. The urban forest is a vital asset of the city and

April 16, 2008

must be maintained and renewed to continue its function. I will turn the discussion over to Brian for a description of some of the urban forestry commission committee activities supporting the action plan.

Brian Krieg: Mayor Potter, members of the council, my name is Brian Krieg. My professional background is in social marketing and public-private partnership development along with some government relations. Much of the work of the forestry commission is broken out into our committees. We have about 11 of them. One of the things that we need to remember is that 53% of the city's tree canopy is in private hands. And so actually on our committees we often have people in who are citizens, stakeholder groups, other government agencies and, of course, our city nature staff. Friends of trees would be a great example of one of our stakeholder groups that's very active in working with us on different projects. Reports from each of the committees are in your packet of materials there and I am not going to go over them committee by committee. I would like to highlight a couple things going on in the education and outreach committee that I think are kind of exciting and really bode to the types of things we are trying to build for for the future. One of the I think most rewarding things we've been working on over the last year and a half has been trying to increase and do tree plantings at our local schools working with Portland public schools and the individual schools to enhance the environment, therefore our kids. Each of the tree plantings that we have done at the schools during this time has been rather different. But kind of our goal we are aiming at is coming up with a model that we can actually start using it more of the schools. And I think the most recent plantings we had at Jefferson High School were a really good example of how we can do that and how we got the high school students actually involved with working with the little kids at the grade school nearby and the kids actually planting the legacy there that will impact their lives but the lives of many others after that. And I think by coming up with a bit of a model then we will be able to do some things about looking for some outside and private funding to help us do more of those. I think it's going to be something that's going to just we are going to be doing more and more of them over the coming years and that's a goal. One of the other projects that we have going on is a revisioning of the neighborhood tree liaison program to bring it in line with current needs of the community. That's a program that was started quite a few years ago in response to helping different neighborhood groups get more tree plantings going, one of the things that, of course, has happened over time we have over 90 neighborhoods in the city. And in some neighborhoods, we have great tree programs that are going on, Eastmoreland would be a prime example of that. But we have neighborhood that don't have tree committees. So we are need go to get them started so the needs of the different tree committees and those who are working on it are really diversifying so we are looking at retooling that program to provide a number of different types of materials and ideas and trying to do more of sharing. So some of that is some needs assessment that's going on and review of materials. One component of that in particular is being done by a Portland State graduate student. She's taking the information from the tree canopy report which we presented back to you back in February, and is breaking down the data neighborhood by neighborhood so that we can provide these tree committees with information. So if it's a committee that isn't doing something they have a baseline to start with. We will give them data to do planning and also helpful if they apply for grants from different organizations on that. That's a project that will be done this summer. And it's going to be very, very useful out there. Hearing information between the different groups is something that we are going to want to foster also and we are looking to see if there's some ways that he can incentivize some of the established tree groups in neighborhoods helping out to some of those who don't have the programs in place at this time. So that we can have more of them across the entire city. As you saw in that one slide there's a lot of areas in the city that still need tree coverage. And lastly, this committee also selects the annual Bill Naito and works on the Arbor Day project. This year's winner of the Naito award, had two winners. We had the ecology students from Jefferson High School for their outstanding project. And we also

April 16, 2008

east columbia neighborhood association for a children's arboretum they established on the slough which is quite a neat park. And the fact that they raised \$130,000 out in the community to put to that project is something. And it really was an award winning project. At this point I will turn it over to christine.

Kristine Karnezis: Good morning. "name is christine. I'm an attorney who as worked in legal publishing for over 30 years and as I move into retirement i'm taking up flower farming on sauvie island. So the natural world is always been a passion of mine. Margot and I have worked with the interbureau team to track the city's implementation of the urban forestry action plan. Besides commissioners that team is comprised of dedicated city employees who daily work on the myriad complex issues and competing demands of having a green environment among the city's built infrastructure. And who have helped us identify obstacles to implementation of action items in the urban forestry action plan. Excuse me. I want to talk to you about a few of the most pressing obstacles that the commission has identified and wants your help in resolving to assure that we have a healthy urban forest and reach our goals of increasing canopy coverage significantly so that it, in turn, can provide the many environmental, economic, social, and esthetic benefits we know it does. The first of these is enforcement. Enforcement requires that we first have a base of clear, consistent ordinances. Please fund the second year of the tree code review process you have authorized to assure that we have this basis. We have requirements for planting trees. To assure that the right tree is planted in the right space as well as requirements to assure that we not lose canopy to disease, neglect, or property owners who think they can damage this community resource or even remove it without permission or mitigation. You can also help these parts of the enforcement effort by providing staffing support in all relevant bureaus to assure consistent enforcement of all the tree codes. By enacting civil penalties for tree code violations and by providing money and staff resources for increased public education. The second major area of obstacles concerns funding tree establishment and maintenance. The benefits of living among trees in our city from better storm water management to improved air quality and temperature control depend on ensuring a healthy urban forest. Trees must grow before they provide these benefits and growth as we all know takes time. And until trees reach a beneficial size, they are subjected to many competing demands in an urban environment. If you would fund the lifelong care and maintenance of trees in capital and other projects, you would assure a healthy urban forest into the future. The third major area of obstacles we would like your help in resolving concern citizen education. We need more of it. We need to coordinate it among the various city bureaus and stakeholder groups so that the public hears a consistent message. We need to dispel the notion that trees are dirty. We need to teach the public about a tree's energy cycle so that they properly care for this community asset, that that he don't lop off the growing tips of trees. We need to facilitate a greater awareness of the many benefits provided by living among a forest while also living in the city. This educational effort to increase support for stewardship of this community asset takes project funding and staffing. Where you can help, please do. Finally, the commission would like to ask you to provide us administrative support. This would enhance our productivity and prolong our ability to function effectively for the city with volunteers. Thank you.

Krieg: As a concluding couple remarks here, we celebrated arbor day last week at the hoyt arboretum. It's a very special place in the city, something we are all very proud of. Mayor Potter joined us at that event and he commented on the fact when he comes home, when he flies in from meetings in other cities, other states, as he's coming in he looks out the plane and he sees the green of the city. He sees the trees and the beauty that they have. And how that made him feel good. And he was, he knew he was home and he was proud of the city. I think that's a feeling that we can all share on that and had that response. But Portland's tree canopy of today did not happen by accident. It required the vision, the leadership, and the care of our past civic leaders. If they hadn't made it a priority we would still might be referring to Portland as stumptown. Our urban forest is a

April 16, 2008

treasure. Its health depends on public education and outreach and continued funding and support of policies that will maintain and enhance it. It is essential that along with adding new trees that our mature tree canopy be maintained and cared for. Your urban forestry commission is committed to this cause and appreciates the opportunity to present this report.

Potter: Thank you, folks.

Saltzman: Before you go, I just want to you know we're working on that second year of the comprehensive tree code enforcement project. Can't say right here whether it's in the mayor's budget but i'm hoping it is.

Potter: It is.

Saltzman: Ok.

Krieg: Thank you.

Karnezis: Thank you.

Saltzman: And also that we are looking at trees as infrastructure now from a city wide perspective.

When we calculate what our infrastructure is now, we do, in fact, now include trees as part of our infrastructure and finally we are looking to figure out more effective penalties for those who, you know, wantonly want to disregard the rules and take down trees or clip trees or make a view that's on public space. So we are working more diligently on resources for that as well. Thank you.

Potter: Thank you, folks. I really enjoyed my time at the arboretum. Should be more magnolia trees in the park.

Krieg: Yes.

Potter: Do we have a signup sheet for this?

Moore-Love: We do. We have two people signed up.

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

Braghtom West: I am going to go first. My brighton west and I am the program director with friends of trees. I just wanted to give you some I guess report on what we've done this year. We planted 1360 trees in the city of Portland. Which is a 7% growth over last year so we are very excited about that. And I hate to comment on the rivalry that may exist with our neighbors to the north in vancouver but they grew our work there grew by 250% this year. So I hate to kind of lay down a challenge there. But I do see the potential for growth in Portland being significant and I hope that you guys will rise to the challenge and help us get to a significant growth in the years to come. I also want to say I am proud of our species diversity. The Oregon white oak which the heritage tree we planted 30 of those this year. That's a tree that's very hard to come by but friends of trees is really good at getting species diversity in our canopy. And I guess I wanted to thank the urban forestry department, bureau of environmental services and invite to you join us at hosford elementary -- middle school for our earth day celebration when we will be planting six trees there on earth day. Thank you.

Scott Fogarty: I'm scott fogarty, director of friends of trees and I want to begin by saying that friends of trees truly appreciates the public-private partnership that has occurred between our organization and the city of Portland over the years. We work very closely as brighton said with the urban forestry division and without them we wouldn't be able to do what we do. And to that end we truly appreciate the efforts. We have been nationally recognized for this private-public partnership and we hope that this continues to grow and strengthen in the future. You heard earlier three of the goals of the plan and brighton just mentioned the first one, growing and enhancing the forest which we have taken great strides and pride in doing. But the second piece was the public support piece. And I am proud to say we work with over 2500 volunteers who give an average of 20,000 hours to the city of Portland and to friends of trees every year. We held 17 events and 48 of those neighborhoods in Portland. So we are focusing on a lot of neighborhoods that have the greatest need when you look at that first slide, you notice the east side was particularly not green. A lot of white there. So we've worked with over 20 business partners, again, the urban forestry division,

April 16, 2008

metro, many neighborhood associations, and other agencies within the city to accomplish this. And then the third bullet or the third point was that to serve all the residents here in the urban forestry and I like the fact that we're talking about building green infrastructure and growing the green infrastructure and including that in future funding for city projects. As well as educating the public with the true economic value that this green infrastructure provides to the city other than the environmental benefits and the esthetic benefits. I notice while we were sitting there and he put the slides of the heritage trees up it almost merged with the mural up there. It looked like one tree coming all the way up and it's really, really tells the true story about Portland and our urban forest. Which again is recognized nationally. And so to this end, I would just like to touch on country of our major projects, greening the east side. We are focused for the next two years on planting in the east side in those neighborhoods that have the greatest canopy need as well as neighborhoods that have below the median income household. So we are actually trying to make trees affordable for those residents so we can insurance the urban canopy there. As well we have funding from c.b.o. Project, from the big pipe project from the inner east side and I am proud to say we just planted 38 trees in the industrial area, in the inner east side and they are really beautiful and big. If you want to see a great neighborhood that's just gotten 11 mature, large trees, green building supplies, we just planted entirely around their building. So it's a great example of the benefits that we are getting from that. Anyway, thank you very much. That's all I have to say today and I encourage to you come out and plant with us in the future. Thank you.

Potter: Thanks, folks. Friends of trees is a great program and we really appreciate what you folks do for our neighborhoods.

Fogarty: Thanks, mayor.

Potter: Thank you for those six trees in my yard. [laughter]

Saltzman: Move to accept the vote.

Potter: Call the vote.

Leonard: Thank you for your good work. I want to make a special thanks to ed Washington who has been a friend of my family for over 50 years. It's great to -- [laughter] I won't say how much over 50 years. Thank you very much. Aye.

Saltzman: This is all great work and I wanted to thank the commission members, be particularly ed for his long tenure but we have a great commission and they are working well and friends of trees is a great supplementary or auxiliary organization that's really putting trees in the ground literally. I think that one thing that gets me so interested in heritage trees and in the forest canopy is just walking around the city and realizing, and also I guess in better enforcement, preserving trees, is just walking around the city. There's any neighborhoods and find just these show stopping trees. And if you just spend a second looking at them, some of them are just incredible. And it just sometimes pains me to think we have no ability to control their destiny. A private landowner can take this tree down on a whim. So I think somewhere woven into all this is my concern that we establish more of the notion that the trees have rights, too. Trees have rights and that's what we're look at in terms of some of the enforcement policies we have been working on and continued designation of more heritage trees for their protections, where we have building property owners but I do think where we don't have building property owners and start looking at how, those gems that are there that have probably lived hundreds of years before a house was built next to it, how do we protect, what kind of protection do we provide those gems? Those things that those trees that have been here long before us? So that will be something I will continue to work on with the commission in the months ahead and we will certainly not be without controversy, but I know this group's up to tackle that and so am i. So thank you again for your work. Aye.

Potter: I, too, want to thank the commission for your great work. You know, when we tout Portland as a very sustainable city, I think it starts what's in our ground with our trees. Because they certainly help make our environment much better. And it's really a way to beautify a city that

April 16, 2008

doesn't require a lot of expense. And so I really appreciate the work you do and, ed, congratulations on your time as the chair. You are a true community citizen of Portland and we appreciate that. So good luck to you in the future. I look forward to working with you in my eight months and six days. [laughter] aye. [gavel pounded]

Saltzman: The heritage tree is the first reading so we will actually vote on that next week. But I assure you the votes are there. [laughter]

Potter: Please read the 10:00 a.m. Time certain.

Item 479.

Potter: Please come on up, folks. The interbureau task force is an excellent example of government working across bureau and jurisdictional boundaries to resolve crime and livability issues in the entire community. I want to recognize tonya dickens and oliver owe casio for their work in the great program and by reaching out to youth, you play a vital service to our community I also want to thank commissioner Leonard for his support and leadership in this area. It's really important and he's always stepped up to the plate and I appreciate that. So with that, we will turn it over to the committee for your report.

Stephanie Reynolds, Office of Neighborhood Involvement: I'm stephanie reynolds. I am the manager of the crime prevention program with the office of neighborhood involvement. And one of the co-chairs of the interbureau task force.

Jeremy Van Keuren, Mayor Potter's Office: I'm jerry me van cure reason. I am public advocate for mayor Potter's office and co-chair.

Reynolds: We are here today to present the second annual report. The task force was convened by city council in december of 2005 to work in neighborhood areas subject to long-term and complex crime and livability issues, problems that had resisted usual problem solving approaches. The report that we present today reflects the work that we and the ibtf committee have done over the last two years, neighborhoods in the vicinity of northeast failing and garfield and northeast cully and killingsworth. In van the committee added a third project area in the neighborhood of northeast sandy and 122nd. Today we will briefly mention all three and answer any questions the council may have about the report we have submitted.

Van Keuren: One of ibtf's goals is to translate lessons learned during problem solving efforts into larger actions the city might take to the policy level. Through our collaboration in the failing garfield area ibtf worked with the city attorney's office and the police bureau to resurrect the city's nuisance process and has been very successful dealing with owner occupied drug houses. As a result last spring the city attorney's office filed the first case in court in over 10 years which related in the boarding up of a drug property that was a neighborhood nuisance for more than 20 years. At this moment the city is considering filing against two more drug houses, boast of them in the failing garfield area and both of them also blights on the neighborhood for over 20 years. Thanks to collaboration with the police and the attorneys office we now have a viable strategy to remove these problems everywhere in the city and drug dealers are taking notice.

Reynolds: And the cully killingsworth area our largest and most complex area, we noted that single property owners were contributing to the collective misery of whole neighborhood by not maintaining their properties to housing code standards. B.d.s. was proactive in citing them but these owners ignored citations that were not substantial enough to make a difference. Ibtf learned b.s.d. was working on amendments to add tougher penalties for these offenders and supported b.d.s.'s innovations which council passed last month.

Van Keuren: Because of the many industrial sites near cully we follow would the neighborhood a significant problem and that is metal theft. To begin to address metal theft ibtf asked our state delegation to strongly support house bill 3026 in last year's legislative session, which as of january this year requires metal recyclers to use secures cameras and take identification information from sellers. Since metal theft is still clearly a problem ibtf has asked the revenue bureau and police

April 16, 2008

bureau to work with metal recyclers to put rapid system online at their recycling yards to take a thumb print and record it on a database that police can access. We understand stronger measures may be proposed at state level. If that happens we will again ask for state delegation to support those laws.

Reynolds: Riding through the neighborhoods such as northeast sandy and 122nd demonstrates a need for a pop for crime prevention through environmental design. Excuse me. This includes landscape, lighting and construction strategies that reduce opportunities to commit crimes. For example, increasing street lighted, designing defensible spaces and eliminating hiding spots are all part of this. Through improvements the cost little, though these improvements cost little to close to nothing Portland does not have a policy requiring building plants to undergo a review. This is an idea ibtf referred to the mayor's office which has recently hired consultant to work on a policy that would offer builders incentive and possibly requirements to account for this in their building plans. We will hope recommendation will be recommended to city council this fall.

Van Keuren: The city budget proposed yesterday also has a number of packages that we feel will very -- will be very helpful in resolving issues we have observed in the project areas as well as the city as a whole. The most important issue we want to emphasize in our report is the overwhelming need for stable, ongoing programs to engage youth who are -- excuse me -- who are vulnerable to gang. Gang recruitment is high in cully as well as sandy and 122nd area. They don't have other activities so the kids are particularly at risk the to help address the problem ibtf contracted with a service provider called brothers and sisters keepers to reach out to the youth. We will be hearing from them in just a moment. I also wanted to mention the assistant chief on our committee worked with northeast precinct to get the national rate program out there. Rate stands for gang resist stance and education and it's a prevention program aimed at school kids of all ages. Portland's program is now the first spanish grape program in the country and the police are filling the classes as fast as they can schedule them. Parental interest in grape will result in a neighborhood watch and I am not sure there's ever been a neighborhood watch in that part of town so the interest is high and the participation is encouraging. But ibtf's budget does not cover anywhere the need in cully for, and elsewhere so we are hoping you support budget packages for youth programs through parks and recreation, the police activities league, schools family housing and the office of youth violence prevention. Now I want to turn the presentation over to brothers sisters keepers for a moment and the grape program so you can hear from them about some of the youth program initiatives that are taking place.

Potter: Good morning.

Tonya Dickens: Good morning. I have with me kayla law and she's going to speak briefly. But really quick I just want to say thank you for the support and dedication and believing in us to even have a small grant to do something in the cully neighborhood with our latino females. We started off with a very small numbers, especially during the time that we received the grant, it was during the del monte scare and it was a lot of families that were really closed in and did not want to participate in a lot of different things. Because of the young people the few young people we had and the few parents the collaboration it wasn't just us doing it, it was everyone playing a part so even with the parents along with the other young people that we were working with were able to reach out to that neighborhood and really pull some young people in. And we hired latino speaking females, one of the parents were volunteering their time. We didn't have money to really pay anyone. But it was really coming together of the community at that time. And believing in us enough to support the program and it was a very important piece. We went through. It was, you know, that six months, it was a good thing. But the best thing right now is that we still have those young people that woe we worked w even though the dollars have gone away we can no bay say we are done with you. So of course, they participated with us during the spring break activities that we did sponsor there through Multnomah county, working together. So we had over 357 young people

April 16, 2008

participate. Even though we were only supported to have 130. We are definitely overwhelmed but it was going out to the cully neighborhood and having our flyers and in spanish and english. And the kids helped us write the flyers. And translate them. It was really a good experience. And was overwhelming when we had that many kids. We expected 130. We get 357 from all nationalities. It was a really good experience. And we wanted to thank again the council for believing in us enough to give us that and hopefully that we will be able to continue doing the work we do in the community and the groups and outreach, especially when it comes to gang prevention in our community.

Kayla Law: Brothers and sisters keepers is a good program for me because i'm a foster child, and I recently went back with my mom in august of 2007, but that didn't work out at all. And I thank god for brothers and sisters keepers because if it wasn't for them I wouldn't be where I am at right now, back in my foster mom, a more stable home and without their support I wouldn't be where I am at. And it's also good for other teens because during spring break and summer vacation, we take out, they take off the time and they take us to different activities, like skating, swimming, bowling, stuff like that. And I think we could keep it going because it will help more teens and keep them out of the streets. And another thing that we do, we have groups on thursdays and wednesdays with fee maims. And we talk about different things like gangs, prostitution, living at home and stuff like that. And it's a good place to go because you can have someone you want to talk to because you can't just talk to any adult. So brothers and sisters keeper, you can. So I think we should keep it going.

Potter: Thank you very much. What was your name again?

Law: My name is kayla law.

Potter: Kayla?

Law: Uh-huh.

Potter: You did very well, kayla.

Law: Thank you. I'm nervous. Thank you.

Angel Ocasio: I'm teaching the program over at the ortiz center. This is odellia garcia. She is a family services. And it's a six-week program. And it helps families basically strengthen and get together, participate in a program with me. Melissa torres, go ahead.

Odelia Garcia: I am really happy to be here. I work with Multnomah county in therapy. And I have been working there for more than two years. And in the cully neighborhood. It's really excited because I was doing in the beginning, putting the pieces together and how would engage the whole family. And it's really hard but with this program now, the program, finally after two years, it's amazing because we was going there like male group or youth groups or individual therapy. But one of my goals was to have the whole family component discussing because we struck gull a lot with how to work with child is pretty much because we don't mind just to provide like child care, but how really do prevention with the kids, too. So I highly believe in how in her hard working the thing to do is to do like a teen war. It has been incredible. To be in a team with the police because the community has been taking a lot confidence. And i'm very pleased in partnership with the Multnomah county with the police department about how the families feel a lot more integrated, and the fear they have for a lot of situations has been happening there, they feel a lot more comfortable and they trust in the police and they feel like they really can receive help from the police and some different experience than have the police just arrest them, than just to prevent and doing prevention with them. It has been amazing. I can be talking for here for hours because we are really excited about the program and we are going to have our graduation. So we will be, by then, we will talk about it. Then our six weeks in this saturday, so it's pretty exciting.

Melissa Torres: I'm sorry. No speak english. [speaking in spanish] Melissa torres and I am from mexico. I'm sorry. I don't speak english. But I do have five kids. [speaking to spanish] The program has been helping a lot to unify the family. [speaking to spanish] I would like to let you

April 16, 2008

know that this program has been very helpful for us. [speaking in spanish] and I also like to let you know that we can provide a good thing to the community. [speaking in spanish] and with these programs, we allow you are kids to be involved I can the activities. [speaking in spanish] and that will be better for our kids to be doing good things to send rather than be out in the streets. And that's it and thank you.

Ocasio: We also have two of our young people in the program as well. We can bring them forward.

Potter: Angel, I want to tell you how much I respect what you are doing in the cully neighborhood. I think having been a police officer myself, I really have a lot of respect for what you are doing and how you are helping the community to grow stronger and that you see your job more than just enforcement but really helping solving problems and I think that's to be commended. So thank you.

Ocasio: Thank you. Thank you. It's a new side of law enforcement for me. And something that I strongly believe in. And we need to move forward on it definitely.

Potter: Yes.

Garcia: This has been a real matter for our community and kids. It's amazing to see the whole family really involved in the first section. There was like -- I mean i'm saying, the police, the police, the police, and now I mean it's different. It is just amazing.

Potter: Yeah.

Myra Torres: Ok. My name is maria torres. I go to madison high school. I'm 15. And I am involved in theater. I do activities around the school. I'm considered kind of like a leader in my community which I am really proud of. And I don't know. I would just love to keep this program going.

Potter: Thank you.

Louis Escalera: Hi. My name is louise. I attend the leadership and entrepreneurship high school. I have been known as a leader and I have been recognized you yourself, tom Potter, and I really like this program because it's been a great way to bring my family together. Like before everything, we all used to be separated. My dad, he would stay home and just watch tv and -- his stomach and everything. After this program me and my dad we have a special, like what we are going to do? It's not going to do us any good. We are going to go, whatever. Now I see my dad sometimes and how he's been in the family with me, too. Because we have discussions about stuff. And my dad, he's taken like such a big impact in the program that he don't want to miss like one day or nothing from it. He just loves it so much. That brings happiness to me and my family together. We are going to go out and, my dad is like, ok, i'm coming. It's a really good thing. And this grape program has helped us a lot with that and I am really thankful for it. And I just want to keep going with it. Help other families, too, combine the families. And especially the neighborhood that we're in we don't want to break up because of everything in the neighborhood that i'm in, we have actually had lots of stuff apartment in our apartment, actually, when there was kind of a shooting we got a bullet in our house. And after that, everything was crazy. We just, we were scared. We were paranoid for three weeks street. And we didn't know what to do. We thought the police ain't going to do us any good. They're not going to help us. All they want to do I just be out there and stuff. But then coming to this program it's like a different thing. Now we really feel supported by them. When we come we're happy to see them. We are happy to know that they are there for us and we just want other families to know that they're there for them to be help.

Potter: Thank you, luis.

Myra Torres: And will ask well, and my family mass helped a lot. Like my mom, we come more united. We talk more about it. We try figure out what the community is doing now. And it's really good for us to actually my little brothers used to be scared now and my little brothers, no, police, police, I don't want to go there. And now they see angel and they're like, oh, I know him. It's really

April 16, 2008

good to know that we have somebody who is a really good model for me and I try to look up to him because I know he's, he will help me with everything. And so I really think we should keep this going and not stop there.

Potter: Thank you very much. And, angel, your parents obviously named you correctly.

Ocasio: Growing up in brooklyn, it was tough. [laughter]

Potter: I'm glad you're here in Portland. Thank you very much, lieu bees.

Garcia: I want to add one of the amazing programs to embrace the whole family is one of the -- the ones -- they have to help to keep this program, not just which in one time and they disappear. They stay there because there will be a lot of prevention. And I am sure some intervention also. But I think our best is to do prevention with small kids and everybody. Yes. Like it's amazing. It is. I'm very excited and I wanted to say thank you and thank you.

Potter: They're amazing young people. I look forward to seeing how they use their leadership. Thank you very much.

Ocasio: We graduate this coming saturday and I would like to invite you all to attend. The graduation is going to start at 1:00 p.m., I believe, over at the ortiz community center.

Potter: How many will be graduating?

Ocasio: We have six families, a total of approximately 40.

Potter: Wow. That's excellent.

Ocasio: And we also have officer mike parissi from the grape program itself.

Potter: Good morning.

Mike Paresa, Portland Police Bureau: Good morning. I'm mike, i'm the Portland police bureau's grape coordinator. We have on the local side where we get officers into the schools to teach the kids the grape program. Grape program has four components. You heard about the family one that angel is currently doing which is just getting bigger and bigger every day. We are also in the schools. We teach the middle schools, the 13-week curriculum, and the elementary schools a six-week curriculum. And basically it's life skills. What we want to do is our goal is to go the officer into the classroom and let the kids know that we are peep, we are human. You can talk us to. We like to have fun. We're not just enforcers. And it's working. We have kids come up and talk us to. They wave at us. It's good, it's a good program. And it's I think it's really good for our community.

Potter: Thank you for doing that. The grape program is a proven program. It gets results and I appreciate what you folks do to make it happen.

Ocasio: Thank you very much.

Van Keuren: I have more information about brothers and sisters keepers and the grape program that I will distribute to your respective offices along with an invitation to the graduation.

Reynolds: Ok. Another important very apparent need in cully as well as east Portland is for updated infrastructure. Many of the streets in both areas do not have sidewalks and are underserved by parks. So we ask for your support on the cully boulevard improvements package as well as the east Portland plant implementation package so it is not in the budget, ibtf supports safe streets proposal.

Van Keuren: In the failing garfield project street level drug keeling is the most significant challenge this we're facing. Any time of day it's easy to find someone who's buying, selling or using even in broad daylight. We often heard from police, crime prevention and community members that in the service coordination team in the garfield area would go a long way to resolving drug dealing in the area. Service coordinate team will be in failing garfield but the budget fall will help ensure a sustained level of service.

Reynolds: Finally we have noted that there are not enough resources available for survivors of domestic violence particularly in non-english speaking communities. We support the police request for more domestic violence advocates as well as commissioner Saltzman's program for a one-stop

April 16, 2008

domestic violence shelter with the understanding that non-english resources will be made available to persons in the latino community and other ethnic communities.

Van Keuren: We would like to field questions about the report if you have any. If not we hope you found the report informative and we hope you can give it your support. Thank you very much.

Potter: Thank you. I just for one really appreciate what you folks are doing. It's really hardening to see the interbureau work that's going on here and when one method doesn't work we try another. And not enforcement, it's code violation. There's other ways to get to the same goal and I really appreciate what you folks do. And just want you to know that.

Leonard: I just have a question.

Potter: Yes.

Leonard: I, too, appreciate this coordinated effort. I think it's much more impactful, this sum of all the parts rather than just the individuals trying to do the same thing. But I noticed in the 122nd and sandy report, under area taverns, that there's ongoing issues with overserving allegations, prostitution, park lots, I would imagine other issues as well. And, of course, we have a time, place, and manner ordinance. What I am going to use that example to ask a question that's been nagging at me for some time. So when, as you recall, and maybe you don't, jeremy, because you weren't here. I think you remember this when we took that issue on in 19 -- or that in 2003, it was against virus lent opposition from the restaurant association. They actually went to the legislature after we passed it successfully repealed our ordinance in the house and senate and only the governor's good judgment allowed us to stay intact by vetoing that bill. And, of course, what we passed here, gives the city this unique ability to regulate the hours that taverns and places that serve alcohol can operate if they're misbehaving. So I have noticed, for instance, that the restaurant on second and Washington or third and Washington that's having a big go around with the olcc whether they will revoke their license or not, it struck me as a question as to why we hadn't gone in earlier with our time, place, and manner ordinance and said, well, on our side we're going to say you have to close at 95 o'clock on friday nights and saturday nights because that's when the problems begin. That's why we passed it. And then I notice these taverns are ongoing problems. Are there any examples of us using the time, place, and manner ordinance anywhere? And actually causing cooperation where none existed?

Reynolds: Yeah. There are, actually. I wish I had some materials with me or list or something.

Leonard: I was going to ask you to provide that.

Reynolds: I can do. I can do that. Yes. And, in fact, there have been a number of situations where a time, place, manner has come into play and where we've been able to solve problems prior to going to code hearings. So usually when we sit down and have a really serious talk with owners and explain the way the ordinance works and provide them with the advice they need to mitigate the problems around their business we have had a lot of success.

Leonard: Why didn't that happen here in the restaurant downtown?

Reynolds: You are talking about the greek cuisina?

Leonard: Yeah.

Reynolds: I don't know specifically.

Leonard: Can I find out?

Reynolds: Yes.

Leonard: We empowered the police bureau and crime prevention staff. And the only reason i'm asking this here is I had an occasion to have a discussion with I think it was over a year ago, with the police officers assigned to the portion of the bureau that does investigations for olcc and I asked her, so, how often do you use the time, place, and manner ordinance and she said "what is that?" she didn't know what it was.

Reynolds: That is surprising. I will be happy to get that information to you.

April 16, 2008

Leonard: Not only get to it me but i'm hoping to the extent that officers and crime prevention staff don't know that tool exists they do and for instance, where time -- the first thing I look at when I look at this plan we go in and sit down with the taverns and say, look, we either get your cooperation or regulate hours.

Reynolds: We will certainly be sitting down with the owners of those taverns and talking about whatever problems exist and thinking about whatever tools can apply. My staff certainly knows about time, place, and manner and talks with tavern owners about it regularly.

Van Keuren: We will be more than happy to use it if it is necessary in that area as well.

Reynolds: Absolutely.

Leonard: Thanks.

Potter: Other questions? Very good job. Thank you. Thanks for all the folks who came in and testified. I need a motion to accept the report.

Leonard: So moved.

Saltzman: Second.

Potter: Please call the vote.

Leonard: This is a great work. And I think that for years our city has struggled with how to address problem occupancies and what we have recognized in this work and with the other group that meets with officer myers is the synergy by created by having these bureaus work together is way more powerful than each of those bureaus individually. So I am a very big fan of this approach and like the work that's being done.

Saltzman: I, too, am very impressed with collaboration and the results. I've heard the acronym ibtf and really didn't know what it was. And so now I know what it is. I have a better grasp of what you're doing and what I see you are doing is getting real results. I'm proud of that. Keep up the good work. Aye.

Potter: Thanks, folks. Aye. [gavel pounded] we are waiting for commissioner Adams on both the consent agenda and this next item so we will go ahead and take some of those that we can vote on. Please read item 503.

Item 503.

Potter: Second reading. Call the vote.

Leonard: Aye.

Saltzman: Aye.

Potter: Aye. [gavel pounded] please read item 504.

Item 504.

Potter: Second reading, call the vote.

Leonard: Aye. **Saltzman:** Aye. **Potter:** Aye. [gavel pounded] please read item 508.

Item 508.

Potter: Second reading. Call the vote.

Leonard: Well, I said I wasn't going to vote on this but if I don't then a runoff candidate will get nothing.

Saltzman: You will be getting a call.

Leonard: I don't want to have the opposite effect of what I intended to have happen by not participating so I will support this. Aye.

Saltzman: Aye.

Potter: Aye. [gavel pounded]

Leonard: Called a courtesy vote. [laughter]

Potter: Well, the last other remaining ordinances require, are emergency so require a fourth vote. So could you check with commissioner Adams' office to see when he will be available?

Leonard: Maybe we can do interviews with papparazzi, mayor Potter. They are strung up in the audience.

April 16, 2008

Potter: Papparazzi? What classes are these?

Leonard: The what? Yeah, we did. Yeah. Anything else you would like to point out we're not doing correctly?

Potter: Commissioner fdoor, would you like to come up here? [laughter] we will look for that in the newspaper.

Leonard: Yeah. Exactly.

Potter: What was the class that was here with their cameras today?

Leonard: American what school?

Saltzman: French.

Potter: We have a number of them in to talk with us.

Leonard: Hi, guys. [inaudible]

Potter: And we have a few minutes. If some of you would like to come up here and sit in our seats you can see hate feels like so when you become the mayor or city commissioner you can -- [inaudible]

Leonard: We need a fourth vote right now. Maybe we can talk one of them into voting moratorium.

Potter: Anybody want to sit in the mayor's chair you are welcome to.

*****: Make sure they pick up the gavel.

*****: I can see myself. That's that camera thing.

Potter: Whenever I call them to order I bang that a couple times. Go ahead and do it. [gavel pounded]

*****: We are brought to you here by mcdonald's big mac.

*****: Oh, wow, I can hear myself.

*****: What did you say? What did you want to tell me? One, two, three, testing. One, two, three, testing. Hello. May the contestant present himself.

*****: Roll the cartoon. [children making funny noises in the microphone]

*****: We are brought to you here by mcdonald's big mac: [speaking in french]

*****: Hello. [speaking in french]

*****: Je suis le presidente. Je suis le presidente. Voila le presidente des les etats unis.

*****: Hello.

*****: What do you want? Are you talking to me?

Potter: Ok. Yes. Thank you.

[Meeting recessed.]

Potter: We'll resume council. We're going to go to the consent agenda. Commissioner Leonard, did you wish to pull any items?

Leonard: Items 499, 500, and 501.

Potter: Any objections from council? Hearing no objections, those are pulled and returned to commissioner Leonard's office.

Adams: I need to pull that and put an emergency on it.

Potter: Oh, yes. Is that the sewer up on 23rd?

Adams: Yeah. We've got a breaking sewer.

Potter: So 495 has been pulled and requested as an emergency. Any objections?

Moore-Love: Should I read the title?

Potter: Please read the title.

Moore-Love: Do you want to get rid of the rest of the consent first? We have pulled 495, 499, 500, and 501.

Potter: Yes.

April 16, 2008

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye. **Potter:** Aye. Please read item 495.

Item 495.

Potter: Commissioner Adams?

Adams: Mr. Mayor, council, the purpose of adding the emergency is to convey my declaration of an emergency for severely damaged combined sewers in northwest Irving Street between 22nd Avenue and 24th Avenue and Northwest Flanders between 22nd and 23rd. These 10- and 12-inch pipe lines were originally constructed in 1889 and an inspection during the planning of the northwest 23rd Avenue project indicated a large cavity at 24th Avenue and Northwest Irving Street. The sewer has completely collapsed over a 15-foot length and was undermining the cast iron water main above it. This forced the closing of the road to allow for a short section of repair to be completed in November of 2007. However, additional problems that required immediate attention were found at a subsequent video inspection. The design is complete, and it is necessary to complete the repair of these street blocks before additional failures occur.

Potter: The funds are coming from the sewer operating fund?

Adams: Correct.

Potter: Any discussion? Call the vote. Oh, excuse me.

Leonard: Move to adopt the emergency clause.

Adams: Seconded.

Potter: Call the vote.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye. **Potter:** Aye. Now do we vote on the emergency? Ok. Please call the vote.

Adams: Aye. **Leonard:** Aye. **Saltzman:** Aye. **Potter:** Aye. Please read the 10:30 time certain.

Item 480.

Potter: I wasn't present at this hearing and for this appeal. Therefore, I will not be voting on this item. Council has before them findings. I need a motion to adopt the findings to deny the appeal and uphold the hearing officer's decision so amendment.

Leonard: So moved.

Adams: Second.

Potter: Please call the vote.

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

Potter: Please read item 505.

Item 505.

Potter: Commissioner Leonard?

Leonard: This is an issue we discussed previously that the council agreed to set aside the funds for, but basically what it allows for is the current concern that is Salvation Army's West Woman's Shelter at 30 Southwest Second is going to move, and we're going to move it to 11 Northwest Fifth. And the facility at 30 Southwest Second will be the location of the 12 drug treatment beds that we need to be able to take what some describe as project 57 to another level and treat more violent offenders in partnership with Volunteers of America. This ordinance is an emergency ordinance, needs to be an emergency ordinance, and allows us to begin spending the money for the improvements that will allow the women's shelter to be improved and get up and running and also allow the treatment beds to be created. There is, just kind of an editorial comment -- one of the issues in our community that I've discovered and I think Mayor Potter has discovered as well is that, while we may have the will and even the resources to provide treatment for offenders, there aren't beds available in the community to treat these folks. And so we're finding ourselves actually having to construct places, modify existing structures in order to create the beds. This particular facility that will provide the 12 beds actually has the ability to expand to 24 beds. Chairman Wheeler yesterday told him that. We're hoping that the county, who is obviously facing the same issue of not having enough treatment beds, will take advantage of some of the efficiencies created by us doing this work and

April 16, 2008

maybe consider leasing the other 12 beds in this facility. This is a program that is for treatment of alcohol and drugs but also reduces crime in our community, makes our streets safer, and we think it really provides benefits exponentially greater than what the cost is of the program. Thank you. And I have, as you can see, officer meyers and his entourage in the back of the room to answer any questions that you would like answered. Why don't we bring them up, 'cause we were talking about the issue of salvation army and I know you've addressed that. Do you want to come up with them, ty?

Adams: Remember, ty, you're under oath and we can ask you any question we want. [laughter]

Leonard: Can you leave? Yeah. 'Cause that could get me in trouble.

Ty Kovatch, Commissioner Leonard's Office: I have a lot of answers.
[laughter]

Adams: The concerns about the certification of salvation army, we've worked through that?

Jeff Myers, Portland Police Bureau: Yes. Commissioner Adams, jeff meyers with the Portland police bureau. I have the actual benefit package signed by salvation army. I personally went down and acquired that from them, and they meet all the regulations and laws surrounding.

Kovatch: And Jeff bayer, the purchasing agent, is in receipt of it and sent an email on monday saying they're in full compliance with equal benefits ordinance. As we promised. Under oath.

Potter: Very good. You've had some amazing results downtown. I'm really anxious to see how we can apply it to other areas of Portland. And as commissioner Leonard and I have talked -- and I think i've also discussed with you, jeff, about using some funds to create some programs for prostitutes so we can also work with that particular population to get them off the streets of the city.

Myers: Yes, mayor. In pact we're meeting with one group that may be able to put a program together for are that very issue this afternoon at 1:00.

Potter: We'll be starting by 3:00 p.m.?

Myers: I will see if we can make that happen for you.

Potter: If anybody can do it, you can, jeff.

Leonard: Be careful of what you say to him.

Myers: V.o.a., volunteers of america, have been working on a program particularly designed to work with prostitutes and drug addicted prostitutes, so we're going to talk to them about the program today and get some sort of resource material to share with you.

Potter: You've had some amazing ruts. I think the figures you've showed me is a 70% reduction in recidivism, people recommitting crimes, after they've been through this program.

Myers: For the last five years, we've tracked results. And in the last 24 months, we've been able to maintain that 71% reduction of recidivism rates amongst a population of now 426 chronic offenders throughout the downtown, and we've expanded into north precinct and southeast precinct.

Potter: You said that was basically about 2% of the worst offenders in the city of Portland, I mean that they were coming from that particular group of people.

Myers: Anecdotally, what we look at is we're really targeting the 2% that arey 80ing about 80 -- creating about 80% of the crime in these areas, and that's consistent with the criminal histories of the individuals that we've been able to identify through our data runs.

Potter: And for the first 13 weeks of this year, crime has dropped 9%. In some of the areas such as theft and auto theft, it's been significant. And I think a lot of it is due to what you folks are doing. It's just a new approach to how we solve problems. I really think it's a great program. Questions from the commissioners? Was there anyone signed up to testify on this matter?

Moore-Love: No one signed up.

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

Adams: This is fantastic work. I really -- fantastic work. Thanks for working out the equal benefits ordinance compliance. Aye.

April 16, 2008

Leonard: In my career in politics, there's, like, three things I think of that i'm really proud of. This is one of the three things. I just am deeply indebted to you, jeff, and the work and energy you've created and brought to this. We're up here with more resources to provide tools to people like you who have great ideas, and this was an idea that you had, and it's working great. So thanks. Aye.

Saltzman: Great work. Aye.

Potter: Aye. You got it, jeff.

Myers: Thank you.

Potter: Please read item 506.

Item 506.

Potter: Commissioner Saltzman?

Saltzman: Mr. Mayor, this is a contract to a company that will help us in establishing residential solid waste and recycling rates. They'll be coming to council very shortly for approval.

Potter: Questions from the commissioners? I believe we have a sign-up sheet.

Moore-Love: I did not.

Potter: Anybody here who wishes to testify to this matter? It's an emergency. Call the vote.

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

Adams: Maybe, andy, you just want to tell us if you have any desire to testify?

[inaudible]

[laughter]

Potter: The next item is at 6:00 p.m. tonight, andy, so we'll see you there. We're recessed until 6:00 p.m.

At 11:17 a.m., Council recessed.

April 16, 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 16, 2008 6:00 PM

[roll taken]

Potter: I would like to remind folks prior to offering public testimony to city council, the lobbyist must declare which lobbying entity he or she is authorized to present. Please read the 6:00 p.m. Time certain, read them together.

Items 509 and 510.

Potter: Commissioner Adams.

Adams: Thank you, mayor and citizens of Portland. Portland is blessed with 37 inches of rain yearly. This produces 30 billion gallons of storm water runoff each year. Traditional storm water management has come with a huge price tag. We are currently spending \$1.4 billion on the big pipe to keep sewage out of the willamette river. Fortunately, we have moved beyond merely funneling storm water into pipes. Portland is a national leader in green development, practices and stainable storm water management. We are making progress in our efforts with you we need to step up the pace to protect our watersheds, rivers and streams from further degradation as Portland's population grows. To do that we need a fundamental shift towards solutions that provide long-term environmental and financial benefits. I've been working with the bureau of environmental services and community partners to develop what we are going to hear tonight, grey to green. Environmental services director dean marriott is here today to share the details of this important initiative.

Dean Marriott, Director, Bureau of Environmental Services: Thank you very much. Good evening, mayor, members of the council. I'm dean marriott, environmental services director. And as the commissioner said, I am here to talk to you about this grey to green program. It has been evolving and will continue to evolve as it moves forward. As the commissioner indicated before, development, of course, the rain fell on the ground and most of it was absorbed into the ground. Very little of it actually ran off into our surface waters. That's not the case anymore, of course. Post development environment, we've essentially replaced that native soil with asphalt and roof tops. And so we've changed the entire water cycle and dynamic. The total that the commissioner mentioned, 20 billion gallons of symptom water actually is projected to go up by 2040. We expect to add another 5 billion gallons of storm water we will have to manage by then. Our task is quite formidable. Fortunately we have got some experience here locally now in the last few years on a more sustainable approach as to how to do this. We are managing storm water as close to where it falls as possible, recognizing it as a resource instead of a problem. And as a result, cities from around the world literally are asking us for explanations of how we do it and how it works here. And teams of people from around the country and around the world show up in Portland every month to experience what we're, what we have learned. Here's just a few of the challenges and some of the proposed solutions to those problems. Of course, we have a lot of streets in Portland so the storm water that hits those streets runs into catch basins and doesn't disappear. It goes somewhere. It either goes into the sewer system or it goes into local surface water streams such as johnson creek orphan know. A solution for this would be more green streets. We have about 475 green street features similar to what you see in this photograph in Portland. We need a lot more of

April 16, 2008

them. The reason we need a lot more of them are because they are terrific and do wonders. They can reduce peak flow runoff by as much as 90%. They help recharge ground water and they improve water quality. Another challenge, of course, is rooftops. We have got a lot of them in Portland and there are more coming. Rain falls on the rooftop and runs off into the sewer system or into the nearby water body. In the summer these roof tops absorb heat and radiate heat. A solution that's been proven already in Portland are something called ecoroofs or green roofs. That's a vegetated system that grows on the roof. The roof actually is projected to last twice as long as a conventional roof. And up of the benefits are it reduces the volume of storm water leaving the site by as much as half, and the peak volume which is really a problem for us to handle by as much as 90%. We now have in Portland about six acres of green roofs and we hope to have more. A challenge we face, vehicles emitting green house gases. We are all familiar with global warming and the problems that that's causing us. The solution is as simple as planting more trees. And I know this council has heard a lot from the urban forestry folks, and you adopt the just in march a goal to increase the urban tree canopy to 33% coverage. And we think we can help do that. There's an added benefit, about a 10% reduction in storm water just taken up by trees. So there's a terrific environmental benefit. You're all aware of the other benefit, the air pollution improvements and we're lucky in that we've great folks at the office of sustainable development and Portland department of transportation that are helping with alternatives to using private cars. The big challenge we face, nonnative plants, invasive species. And opb is just doing a special here just this month called it's silent invasion," which talks about the problems we face as a society from invasive plant and animal species. They are literally taking over our public and private green spaces. The solution is get out there and restore the area, rip out the invasive species and plant native plants. Give them a chance to survive. It's good for water quality. Good for habitat, and protects the green spaces we have. So far we've been able to remove about 2,000 acres of invasive plant species but there's a great deal more to be done. Another challenge, development that threatens our natural areas. Some of our watersheds are greatly impacted by development that is not done in a sensitive way, and we've made some progress in this area, but certainly a solution is to protect natural areas, some of it with public acquisition. We've acquired dozens of properties since the 1996 flood in the johnson creek area and protected those areas from flooding. We've worked very well with metro, parks, and the Oregon watershed enhancement board to secure other critical properties and as I say more needs to be done. The challenge that may not be all that obvious to a lot of us but we have culverts under some of our roads and streets in Portland that block fish passage. They've elevated like this one the fish literally can't get through. We've identified about 250 of those in Portland in the last few years, we've been able to fix eight of them. As you can see it's a slow process that is quite expensive. But solution, replace them with culverts or passage ways that allow fish to move freely about the water she had. It's clear we need to act. We've been making good progress. I think as I said reflect the well on the city that so many people have come to Portland to find out how we're doing it. But there's still that 5 billion gallons of extra storm water coming our way by the infill development that Portland faces. So we need to actually move more aggressively to stay ahead of that problem. So what's being proposed is a five-year, 50 million grey to green initiative and the next five years targeting adding to our inventory of green infrastructure. 43 acres of ecoroofs, over 900 green streets, planting 83,000 trees, protecting over 400 acres of green space, and replacing an additional eight culverts that block fish passage. We're in the going to do this alone. It's going to require us to continue with the partnerships we've been successfully developing over the last 20 years, and building new ones. Aligning ourselves with organizations and nonprofits and the private sector that we have not yet developed in order to make this happen. The first year starting -- what we are proposing for the first year is starting to july of 2008 is a \$5 million first-year investment. It will allow us to move forward with acquiring or helping to develop three acres of additional ecoroofs, eight new green street projects, help plant about 5,000 more trees in

April 16, 2008

Portland, and continue with our progress on invasive species removal, purchase over 40 acres of critical habitat and restore about 70 additional acres of existing property. So how will we do this? Well, we've been fortunate in the last few months that the interest rate climate actually has been improved somewhat, and we went out for some major revenue bond sales and that will allow us to come forward with a proposed amendment to our budget to add this \$5 million authorization without changing the forecast for rate impact next year. So in January, we were projecting a 5.7 billion bill increase for the typical residential customer. We believe we can, if you agree with us, that we can amend our budget to add this \$5 million first-year initiative and still stay within that target of 5.7% rate increase. In the second year, if as we move forward in years two through five of the program, it would require the impact to ratepayers to go up by a tenth of a percent so the bill increase would have to be 5.8% in years two through five of 110th of a percent shy higher than what we projected in January. That would give us \$40 million from ratepayers and give us five years to raise \$10 million through grants and partnerships with other organizations to hit that \$50 million target for the five-year program. We think it's very achievable and we think the goals are a stretch for us but we do think they can be met. Let me just give you one example of how the new infrastructure is being put to work in Portland. This is a part of southeast Portland which we call the Brooklyn Creek Basin. It rises around Mt. Tabor Park and the Mt. Tabor Reservoirs and moves toward the river between basically Hawthorne and Division. It's two and a half square miles or roughly 2% of the surface area of the city. 7500 people live here. There are hundreds of businesses and other institutions in this area. This area needs infrastructure fixes. Needs sewers are old and in many cases close to failing. We need to get in there and act aggressively. It presents an opportunity for us. Back in 2000 we looked at building a whole new collection system for this area. We priced that out at \$144 million. Then we went back and said, what if we did it with a mix of grey and green infrastructure? Using a lot of the techniques that we have, I have described for you earlier in this presentation. We have now redesigned this program and come up with a combination of grey and green infrastructure with a cost estimate of \$81 million. So just in this one area by using a green infrastructure mixed with grey infrastructure, we can save the ratepayers of Portland about \$63 million and get the job done and get it done right. So there are, of course, many additional benefits from green facilities. As you are all familiar with them, I am sure many of them in your own neighborhoods have seen them. We preserve the capacity of the combined sewer overflow tunnel that we are building now. We reduce peak flow. We reduce that surge of storm water that's so detrimental to our creeks and streams in Portland. We actually improve water quality. We recharge the ground water. We enhance our urban tree canopy which I know is important to Portlanders. We reduce the heat island effect that local heating effect that drives up energy costs. We improve soil conditions. Many of these serve as traffic calming devices in local areas which helps to improve community liveability. And, of course, we improve our wildlife and fish habitat. So in closing I just want to say I think what grey to green presents for us is a question. What do we want our future to look like? I just want to take a moment to not only thank my staff but thank many of the partners that we've worked with over the years and if you concur this is the way to go we'll be building on those relationships in the future that helps us put this program together. Thank you very much.

Adams: Any questions for Dean? In terms of invited testimony, we have three folks. Is that right? I would like to -- I wanted to recognize Dean and the entire B.E.S. staff. We've been working on this for many three years. And if I could have the B.E.S. staff stand up that worked on this project any aspect of this project. Don't make us call you up. Can we have a round of applause for them? [applause] I will have you stand and give her a round of applause. If we could have Bob Salinger come up for some invited testimony and Bob of the Portland Audubon Society and Mike Hawk of the Urban Green Spaces Institute, I want to thank them for their commitment to this. They've been advocating for this longer than I have been in B.E.S. and our watersheds are in much better health or

April 16, 2008

on the way to being much better health because of their support and their energy and a lot of the ideas that you are going to, that you have heard about today started with them or at their urging. So first I would like to mike, come up. He will provide some testimony on behalf of mike houck.

Bob Salinger: Good evening, mayor Potter and members of city council. My maim is bob salinger and I am here on behalf of audubon society. And also on behalf of coalition for a livable future. Both organizations have the pleasure of working with commissioner Adams' staff on this. I particularly want to thank lisa libby for her work. She's done a phenomenal job. I want to thank bureau of environmental services as well. We served on a number of committees over the years really, innumerable committees and their staff is really top notch and does a phenomenal job.

Those committees are very, very well run and very productive. I really appreciate the work that they do. We've had a number of big environmental achievements in Portland over the last several years, passage of the green space bond measure, the system development charges for parks and we have a lot to be proud of. I think in some ways this decision might be the most important and the biggest in terms of really transforming our landscape and building a healthier community for all of our citizens. I think it's worth recounting the history on this for a few seconds because \$50 million is not the result of some sudden inspiration or suddenly hopping on the environmental band wagon.

Rather it's the result of a long and methodical and scientific process that's evolved literally hundreds of community members over the years, scientists, advocates, the business community. We have dozens and dozens really hundreds at this point of pilot projects on the ground. We really I think have the best science that's ever been developed in an urban community on this topic. I've traveled to europe and a number of states giving presentations. I haven't seen anything like we have in Portland and I think most people recognize that, that this really is probably the most scientifically grounded plan that is out there. In 2005 the city took this collective wisdom and consolidated it into the actions for watershed health and I remember testifying in 2005, and saying that we know what to do and we know how to do it. Question is whether we have the political will. And tonight if you support this resolution and we support this very strongly, I think you will demonstrate that we do have the political will. I thought at risk of this sitting on the shelf we have had other plans that were also very good but we haven't gone very far and that was our concern that we really take this plan and converted it to provide the funding and move forward and that's what grey to green does tonight. Audubon believes to be one of the smartest 77s the city will ever make. Traditional approaches do one thing. They put water in something and it's transported somewhere else. They treat water as a problem. We should be treating it as an amenity. This approach will let us achieve multiple objectives. Clean air and clean water, addressing storm water, fish and wildlife habitat. It will drive increased access to nature. It will also reduce green house gases and I think too often we have done a poor job articulating how our natural resources address this global warming. Our focus has more been on the end of the pipe solutions and technological fixes and though things are all very, very important. But our natural capital, our trees, our natural areas, our stream buffers, that will allow us to absorb green house gases as well as adopt to the climate tick changes that are inevitably coming. I think it's a certainly humility in this program and recognizing that no matter how smart we get and how technologically savvy we get there there's nothing we will ever do that will be as effective as our simply planting a tree. Every time I to go a community of gathering and I pass it out, b.e.s. Finally gave me a couple of cases of them so I can give them out. And I always say when you go to council ask them. Doesn't matter what the project is because this calls for implementing green strategies and all projects, ask them if they are implementing it. So people can't understand this. It's too far a removed. What you are doing tonight is delivering hard targets that allow the community to get involved so that every individual homeowner, neighborhood and community group figure out what their piece of the puzzle is and for a group like audubon or c.l.f., this allows us to say we will take on certain pieces and to work collaboratively with the community in a way we have never been able to do before. I am going to end by thanking commissioner

April 16, 2008

Adams for all of his work on this. I think that it's incredibly important step forward. There was a similar plan several years ago that wasn't fully implemented at the time "the Oregonian" wrote, it doesn't take a genius to figure out what to do but it may take some guts. I think it takes a lot of guts to make this change so I really appreciate your effort on this.

Mike Faha: Thank you. I think bob said it all. [laughter] mike houck expresses regrets for not being here. I agreed to come in here in his place. I have a few remarks. On behalf of urban green space institute we do offer our strongest endorsement for this plan. Portland has earned this reputation nationally for green development practices, sustainable storm water management, low-impact development. It's a reputation that's highly deserved. It's been kind of an evolutionary process, though. I would have to say, I look back not only on Portland but Oregon as environmental leaders and the reputation we have nationwide, it goes back to senate bill 100, and the drawing these rings around our cities, call them urban growth boundaries. It was mike houck who in the '80s, that's not enough. We can't just protect farm and forest land beyond our urban growth boundary. We need to look and see what we are going to do inside those urban growth boundaries. Mike put on a series of series at p.s.u. That woke up the professional community and the community at large as to what he was talking about. That natural green spaces even have a place in our cities. I think mike awoke a lot of us up to that. And this has become an evolutionary process of developing green development initiatives that will really support, protect, enhance those green spaces that mike was seeking to preserve 20 years ago. So this I see as an evolutionary process. We have been requiring the development community to do best management practices on private property. This is the city's stepping up and doing what's right on the public infrastructure and on public property. And I just want to endorse what you are doing. I think this is a great effort. Thank you, sam Adams and the city council.

Saltzman: Thank you very --

Adams: Thank you very much. Scott fogarty from friends of trees. While scott is coming up, a lot of folks, I have listened to various reports and read newspaper articles how what malaysia is planning 1 million trees to deal with global warming. And I thought, ok, we will do 2 million trees: In the city of Portland. And then lisa and other members of the informed community told me why what we are suggesting in terms of 33,000 yard trees and 50,000 street trees is actually a better approach and I want to thank you for your partnership on putting this together and maybe explain why the way we are doing it makes a lot more sense.

Scott Fogarty: Sure. Good evening, mayor and council members. It's nice to be back in front you have as I heard earlier, urban forestry has been mentioned a lot today. And we appreciate your paying attention to what urban forest and trees do for the community. Both economically and environmentally. When I was first approached on undertaking sump an endeavor as planting I think initially it was 190,000 trees in five years, I really almost fell over. Other cities do have initiatives such as commissioner Adams just mentioned. But they are not really progressing as fast as they would have liked initially for various reasons. So I cautioned his team that an undertaking, while looking great on paper, in reality, probably wouldn't pan out in the long run finding enough volunteers to do it, finding enough homeowners to do it, finding enough funds to do it seemed a little extreme. So we worked with the team including our friends at Portland audubon and b.e.s. To really roll up our sleeves and figure out what can we could? What is possible over five years? To keep the community building aspect that friends of trees brings to the table as well as to grow a healthy urban forest. Because we can't plant a tree today and then forget about it. We have to be stewards of this forest over time. Otherwise the benefits won't be there. In the long run. And in this day and age, when we recognize the need to remedy the impacts that we've made on our surrounding environment, we inevitably turn back to the natural world for solutions. Like bob was saying we do this more and more because we're reexamining the basic assumptions of environmental health as it relates to our economy and our ecosystem. And by investing today in

April 16, 2008

Portland's green infrastructure, by supporting this initiative, you will and are making an investment that will save millions and possibly billions of dollars to the citizens of this city in infrastructure and ecosystem services and other services in the future. The benefits are varied and are many, as we've heard tonight but the relatively easy to see and I reminded myself of this just a couple of days ago after we had the warm weather, kind of got used to it and then we had the rain again and walking down the street, I noticed that under the trees that had a canopy over the sidewalk the sidewalk was dry and it was right there in front of me. It didn't take any type of science, it didn't take any type of convincing or billions of gallons of water or anything like that. You can just recognize it on your day to day commute to work. And friends of trees is worked with city agencies and other n.g.o.'s on this initiatives and we have helped one another understand this is a doable, meaningful undertaking and to do nit a way that's thoughtful and well thought out and well planned.

The effect of this has to further strengthen the existing public-private partnership that friends of trees and other n.g.o.s have with the city and encourage the city to recognize this partnership and to build on it. We have done this to, by advising on cost and benefits, as commissioner dames just mentioned, with regard to increasing the urban canopy, and building citizen awareness and education about the urban forest and green infrastructure, and energizing citizens to take part in voluntary efforts to help build this green infrastructure. And like the rings on a tree, I like that analogy earlier about the growth rings we were talking about. But in a different way. As they grow with the growth of the tree so do the benefits that they provide to our community. And so as they get older they provide more benefits than a recent city nature estimate that almost four to one dollar benefits on the public trees are returned to the city for a \$5 billion benefit that we receive today for the trees that were planted some time ago. Friends of trees is excited to be part of a growing understanding that good economic sense equals good environmental sense. Grey to green delivers both of these. By helping sustain Portland's reputation as a green city as commissioner Saltzman said this morning and excuse my if I don't get your quote exactly correct but what you said is really great we are growing green at bales level, green infrastructure, the trees and our plants and parks that we have in this city and that's what's recognized across the country. We are not just talking about it. We're doing it at that base green level. And I appreciate your comments this morning. And we together can help find winnable, sustainable solutions to our current challenge that is we heard about earlier. By supporting this initiative you are supporting community building, you are supporting community awareness, you are supporting citizen participation, you are supporting sustaining private-public relationships within the city. You are supporting green infrastructure and most importantly of all you are supporting smart invest for future generations to enjoy in the city. So I thank you very much for giving me this opportunity tonight. I thank b.e.s. For their support of this and all the hard work they have done and I thank commissioner Adams for inviting us for testimony tonight and for your efforts in this matter. Thank you all very much.

Adams: We are going to quickly go over the companion resolution as well. Council calendar item 512 to create a voluntary funding program that provides an opportunity for Portland ratepayers to invest in making Portland green and improving watershed health. I think this idea of -- I know this idea first came up from bob salinger at Portland audubon. I think it came up as part of a conversation we had with commissioner Leonard. So we are putting it the idea to good use here and, dean, if you quickly wake through some of the details.

Marriott: Great. I will. Thank you very much. Dean Marriott Environmental services. The resolution before you this evening which we ask your support, we will be back to concur, we will be back next month with the actual ordinance language of legally authorizing this program to be established. Weld it would allow Portlanders to volunteer to pay a few pennies a month extra for watershed health. We would like to get your approval this evening to move forward. As I said we will bring back the operating language for you to actually act on next month. How it would work is if you agreed, we would set up the process over the summer, do the education outreach and actually

April 16, 2008

begin to have people sign up around labor day. What this would do is they would round up, allow, authorize us to round up their sewer and storm water ranches to the next highest dollar figure and that would, depending on the participation rate, would generate some very meaningful funds to help us achieve our watershed health goals. For instance, if 25% of our customers over time signed up to volunteer to do this, it would add up to \$95,000 a year. If 50% over time participated in this program, it would raise \$190,000 a year. So just to give you an idea, \$190,000 would allow nine green street facilities to be built and it would pay for removing invasive species from 500 acres of Portland land. It really could make a difference. I just want to indicate we would utilize our watershed science advisory group, which is a citizen group, to help us set the priorities for how to spend this money. And that we would pledge to report annually to our stakeholders and shareholders, the folks who volunteer to make these donations so that they know where their donations are going. That would be an important part of the communication. So we hope you will be supportive of this effort and we look forward to your support. Thank you.

Adams: People have signed up and there's green power and now we will have the option for green sewers.

Moore-Love: Five people signed up.

Mark Sytsma: Mr. Mayor and members, commissioners, thanks for the opportunity to come and say a few words about the invasive species component of this green initial timber. I am the chair of environmental science and management department at Portland state and chair of the Oregon invasive species council. Portland as you know is known for sustainability and invasive species are really a clearly sustainable issue sustainability issue in my mind. They are introduced as a result of human trade, travel, commerce, economic activity. That's really the fundamental reason the species are brought to Portland and to Oregon. And so if we want to carry on those activities and have a vibrant economy we have to address this invasive species that are piggy backing on that by vibrant economy we hope to have. So when the species are introduced they could impact our lives and the landscape and many of us live in Portland because we like the landscape, we like the plants and animals that live here and makes Portland different than des moines or kansas city and a lot of the invasive species introductions are really homogenizing our flora and fauna. We are become more and more like every place. Managing invasive species is an important component of sustaining Portland and Oregon in a manner that we appreciate. There are many cost and benefit analysis for invasive species management. And there are almost nearly positive. You almost always get more back for the money you invest in invasive species management. For example, Oregon department of agriculture did a study at six weed species that were recently introduced. It's important to manage these populations when they are small. And those six species the average pay back in terms of money invested in what you actually benefit is \$33. For every dollar you invest in management of invasive species you gain \$33 in benefits. That's pretty good payout and it almost seems to me like a no brain tore take that management approach. Of course, the benefit is best as I mentioned when the population is small so that really points out the value of early detection and rapid response. I was pleased to read the invasive species component of the grey to green has a focus on early detection and rapid response. That's where you get the best benefit and that's where we should be investing our money. So I hope you support this effort. I think it really solidify Portland as sort of a leader in sustainability. And wise environmental management. And it's also has a benefit to the rest. State in that because Portland is the center of economic activity, we those species that are brought here and spread out to the rest of the state. So by Portland being involved it will actually provide a benefit to the rest of the state. It also like to thank commissioner Adams for a summit that he hosted in 2005 on invasive species. That really increased the recognition of the problem in Portland and provide impetus for a lot of the work included in the commission.

April 16, 2008

Adams: I just want to recognize that in terms of the economic analysis, cost and benefit you are one of the leading thinkers in the nation. And I would we are lucky to have you here in the Portland area and helping to lead this effort. Thanks.

Lisa DeBruyckere: Mayor Potter, mechanic of commission, my name is lisa, I am from the Oregon invasive species coordinator. I want to thank you for your leadership, vision, and guidance in the development of the grey to green initiative, particularly as it relates to invasive species. Our council is partnering with numerous federal, state, local, county, and tribal governments as well as nonprofit organizations, academic institutions, and the media to launch a statewide invasive species campaign on april 22 understand with a one-hour documentary from Oregon public broadcasting. This campaign is garnering national attention because of its scope, involvement by so many organizations that cross geopolitical lines and its focus on invasive species. Your own environmental services staff were pivotal in the campaign in many ways but primarily for the development in concert with the nature conservancy and the Oregon association of nurseries to produce a full color booklet called "garden smart Oregon." protecting Oregon from invasive species requires an approach including establishing priorities, finding sources of funding, coordinating, outreach and education, and policy and legislation. These right corner stones to an effective invasive species strategy. Your grey to green project includes these components. You have designed specific goals, benefits and cost. You have ranked species and prioritized focus areas on best existing parts in park habitat. You are coordinating with other entities and businesses and you are suggesting policy changes which is also integral. As mark mentioned for every dollar we spend on prevention, we save at least \$33 in future so it's a pay now or pay later type consent. We also know early detection rapid response is the most effective strategy to keep invasive species at bay. Your grey to green project aligns with the efforts that are occurring statewide on early detection rapid response to create a statewide -- there's currently it nature conservancy is creating a program to create a spate wide network. This effort involves developing several local programs across the state and working with groups and organizations such as yours to adopt and adapt the model. In addition the nature conservancy is working with Oregon department of agriculture and our council to implement a state level e.d.r. program which would include some level of coordination and support with organizations such as yours. In summary or council wants to thank you for your efforts to date in setting the high water mark for what municipalities can do not only for the city of Portland but as an example for what other cities and towns in Oregon and throughout the united states can do. Our council looks forward to continued strong relationship with the city and if there's anything that we can do to help you, please feel free to call on us.

Adams: Thanks. You have been very helpful and before we hear from jim I wanted to introduce -- where's jennifer? This is our invasive species, plant species czar for the city of Portland. She will make sure we are all working together to make sure the plan to remove invasive plant species --

Jim Winkler: Thank you, sam. Mr. Mayor, commissioners, I am delighted to be here to speak in support of this initiative. I think it's crucially for our community. But as I was sitting in the audience listening I thought about a few things I might say. First, I am here to express and my appreciation for and inspiration by dean and that entire b.e.s. team. I've been inspired by their passion, their commitment, and their financial discipline. And it's had certain tangible manifestations for our community. Some time ago we developed a project called the headwaters which we day lated a tributary of tryon creek. Did a number of green streets, a sear reeves storm water planters and eight green roofs. Our efforts were significantly enhanced by the enthusiasm, passion, and commitment of that b.e.s. team and it's so rare that you would find a professional real state developer coming to city council to testify in support of a bureau. I think it's significant that they have the capacity to inspire us to do better and as firms like ours embrace green infrastructure and green development, there's an enormous leverage as our competitors and cohorts decide to do the same thing and look at the way in which it has a certain market. At a result of having been

April 16, 2008

involved in the head waters I was asked to be one of the jurors in the integrating habitat design competition that metro did. What I found significant about it is that we had entries from 17 states and several foreign countries interested in green infrastructure development. I believe there's a megatrend here and that Portland has a national reputation for green development but that's just the beginning, that after you have done a number of green buildings you realize that green infrastructure is really the foundation upon which we really do green development and that the challenges for us to find a way to baltimore means of the environment and the built environment. That we can no longer look at development as an activity that degrades the environment, we have to look at it as an activity that restores the environment and a city that takes a leadership role will inspire its citizens and the business people who are active in that area of endeavor. And so I look at the initiative that you are considering and I think, this is an opportunity to get a fabulous rate of return on a rational economic investment. And I would like to close by thinking, as I did sitting in the audience, that, o. Perhaps 100 years ago there was somebody in the equivalent of the executive director marriott's position who went to the mayor and city council and said, you know, we can save a lot of money if we put everything in one pipe. Today we are looking at another answer. I think these kinds of initiatives will not only give us a much better city, help us recruit the kinds of people we need for the green collar jobs of our future, but really have enormous leverage. Thank you.

Adams: Thank you, jim. And your development is absolutely inspiring. I encourage council to go take a tour.

Moore-Love: The last two are kelly and tom putnam.

Tom Puttman: Good evening. I'm tom putnam. I live here in Portland. I am here representing myself. As a civil engineer, urban planner and leed accredited professional I am a member of Portland Storm water advisory committee. I also advise a number of governmental agencies such as the e.p.a., the u.s. green building council, Oregon department of environmental quality, and the Washington department of ecology on green infrastructure and sustainable storm water and practices. For the last decade I have witnessed firsthand cities and communities Portland struggling with increased regulation, increasing state and local funding, aging infrastructure and significant environmental degradation. Grey to green is good for Portland. As presented to you tonight the benefits of grey to green are numerous and enhance water she had health, improved community, happy fish and wildlife, greater access to green spaces, these benefits alone are just enough to support an initiative like grey to green. However, that in particularly relevant given our current economic reality important question becomes, is grey to green a good investment for Portland? Grey to green represent as paradigm shift in the manage of urban infrastructure systems that emphasizes decentralized green solutions. The economic benefits accrued by Portlanders to our infrastructure system, our local economy and our environment based on the sheave are significant. These benefits include minimizing the cost of new infrastructure in Portland, providing new grey infrastructure to properties in Portland cost the city upwards of \$100,000 per acre. The option of stainable storm water solution on private property could reduce that cost by half. Reducing the cost of infrastructure operations and management, for every gallon of storm water that's kept out of over system the city saves about a penny. On average the city that range in the city 37 inches per year creating roughly 20 billion gallons of storm water annually. Much of which enters our sewer assume. As an average, at a penny per gallon the adoption of green infrastructure greatly reduces that. Green infrastructure offers more affordable infrastructure. Over the decades Portland has invested over \$1.5 billion on our big pipe project and the debt burden associated with the bonding of the project of this magnitude be borne by all Portlanders for decades. The system will be at capacity at 2011. Green infrastructure reduces storm water feeds and enhances property values for all Portland property owners. Green infrastructure also reduces the urban heat. Recent study by the Portland office of sustainable development found that the use of ecoroofs within the central east side industrial area would not only reduce storm water runoff by 20 million gallons a year but could

April 16, 2008

reduce peak energy demand by 6.5%. An annual energy savings to local businesses of \$600,000. And also reducing carbon emissions by 6,000 tons per year. Localized green infrastructure expertise created by green, localized green infrastructure expertise -- a little bit more? Ok. The list of economic benefits truly goes on and on. And the accrual of benefits to watershed infrastructure systems and local economy are the local economy adds up to millions of dollars each year. The price tag of grey to green is not insignificant and should be scrutinized throughout lens of fiscal responsibility. But base on the information that I and others have highlighted tonight, where the watershed manager a. Local business, a homeowner, a great blue heron a. City commissioner, a mayor, grey to green is good for you and grey to green is a wise investment for Portland. Thank you.

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

Potter: Ok. There's no action taken on item 509. Second to 510 is a resolution. Please call the roll.

Adams: Thank you. Sorry. Thank you to all of you that testified and there are many people in the audience who have had input on this and I wanted to thank you as well over the weeks, months and years. In the packet that is available online, when bob talked about the science and the accountability, it's summarized in this 11 by 17 piece of paper. And we break it down in terms of hydrology improvements, habitat, water quality and other benefits and factors for the very specific action that is we seek to take as part of this. Why we are doing this? Ultimately, it is about the environment. Ultimately, all of our watersheds flow to the willamette river. And the more the 37 inches of rain that we get a year can go in the ground, the more it rechannels the ground water, the more ground water, randy as water bureau commissioner, has to pump out of the ground on an emergency basis with the wells. But equally important is the more we recharge the willamette river, which up to 30% of the healthy willamette river needs to be coming up from the ground water below. And especially in important in the summer months. So thanks to everyone. Aye.

Leonard: It is so interesting to me that another generation of city council people and Portlanders thought that the way we you've our city is to cut trees, lay asphalt, great sewer pipes, drain everything into a sewer pipe. Problem solved. And that this generation has discovered that really the better and smarter thing is to not drain everything into pipes, and to not have everything hidden underground, problem solved as opposed to that to allow things to allow runoff to actually run off into these wonderful bioswales. The council is probably tired of hearing this but there is no more dramatic improvement I have seen in any neighborhoods in this city and I have urge any of who you haven't been out to view it than between holgate and powell on 92nd when b.e.s. In cooperation with Portland development commission took a street that had had no sidewalks, had really a very appalachian feel about it, installed sidewalks and bioswales and it magically transformed the street to not just be a more economic friendly street, it is one of the most beautiful streets in the city because of the bioswales. And by adopting these technologies we are not only doing things good for the environment, we are making the city a much nicer place for people to live. And to enjoy. And I just really appreciate sam's focus on this. I knew when I sent bob over to sam's office to pursue this idea further of having a checkoff or some kind of ability for Portlanders to voluntarily support green infrastructure in the city that something would get done, I wasn't -- I am surprised it happened this quick. And I am pleased that, to be able to sit here in such a quick -- with such a quick turn around and vote for something that I think is good for the environment and good for the esthetics of our city. And I think certainly, allows us to pass on to another generation of Portlanders a better Portland than what we inherited. Aye.

Saltzman: Well, on the grey to green initiative, which we are not actually vote on right now, I wanted to say I think it's something that's along overdue and I think the opportunity to refinance our bonds and invest at least half of that amount in green infrastructure is really the type of thing that we could be proud of here in Portland. I want to commend the bureau of environmental services

April 16, 2008

and commissioner Adams for making this happen and giving us tangible benchmarks and projects that we can measure our progress for this investment. On the roundup of bills, I think this will be an interesting experiment. I am curious to know how many will choose to take advantage of that roundup but it's a great goal and I guess above all this is the primacy of once again, recognizing the natural hydrologic cycle. And how it works for this planet, for millions of years, thousands of years, and how we have gone astray in the last 100 years or so, and while we look for ways to restore and mimic natural systems and better connect our built environment to our natural environment. And that's what these initiatives are doing and I applaud them. Aye.

Potter: I want to thank commissioner Adams, dean, folks at b.e.s. and all the good citizens who worked on this project. For myself, I will be one of those folks rounding up my b.e.s. bill. I think it's a great project and I am going to put my money where my vote is and my vote is aye. [gavel pounded] recessed until 2:00 p.m. tomorrow. [gavel pounded]

At 6:59 p.m., Council recessed.

April 17, 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.

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APRIL 17, 2008 2:00 PM

Potter: Prior to offering public testimony to city council, the lobbyist must declare which lobbying entity he or she is authorized to represent. Please read the 2:00 p.m. time certain.

Item 511.

Potter: This is how the meeting will unfold. We'll call up the staff and they'll have 10 minutes. The appellant will have 10 minutes. Supporters of the appellant, and the clerk has a sign-up sheet, will have three minutes each. The principal opponent of the appeal will have 15 minutes, other opponents of the appeal will have three minutes each, finally the appellant will have a 5 minute rebuttal, and then it will be council decision. Please come forward, staff.

Paul van Orden: Paul van Orden the noise control officer for the city with the bureau of development and services. Mayor and commissioners, the appeal before us today was a noise variance application to the noise review board on march 12, 2008. It was for an automotive race. It was one of the four variances that the noise review board is empowered by council to issue. And the board did approve this variance. I'm going to first offer a little historical background on the variances for p.i.r. and then move back into the actual request that came to the noise review board on the 12th. In 1989 city council in a resolution decreed the noise review board was empowered to issue four noise variances for p.i.r. Those variances were limited with specific decibel levels as measured at 50 feet from the raceway and those four are specifically one variance at 110 decibels. Two at 112, and one at 115 decibels. The variance that is being appealed today is the single variance that's at the highest level, 115 decibels. The concept the council had in mind in 1989 when the four variances were approved for review by the noise review board, was to place some ability for the automotive community to have races but also have that balance of having a set number of times these events would occur, and a set decibel level at which they would actually operate to minimize the impact on the community. The variance that's before us is a unique one in the sense that we haven't seen the specific race before. So there's not a history the board was able to turn to specifically at the racetrack, although there were readings that the applicant presented to the board in rerchs to other facilities where these races had occurred. It's a national hot rod association national open drag race. It's specifically limited to a point where it's not the louder cars that have been removed from p.i.r. quite some time ago, such as the alcohol, funny cars, or nitro funny cars that might operate in woodburn or other facilities. So it's not the stereo typical vision that someone might have of the large drag racing cars, it's very similar to what we see currently at p.i.r., it's just a more open race in terms of slightly louder vehicles that are brought in from other areas of the northwest to race for this national qualifying race is how I would classify it. The other element to mention is that with the four variances that are normally on the table for the noise review board, there's always a balance the board tries to find. Among those four races to figure out which race should get which variance. Obviously any promoter would probably come in and say I would look for the 115 variance. So part of the dialogue that normally happens at the noise review board is that the board will not only take into account the variance that's on the table, but potential variances that

April 17, 2008

will come down the stream the board is aware of. In this case one of the concerns that the board did balance out was the historical concept of the champ car races. So the one concept that was a concern as we were reviewing this variance which some of the council members may be aware of was the champ car was potentially coming to the city, but we weren't certain. Part of the balance in issuing this noise variance was working with the management at the racetrack to ensure that we wouldn't negatively impact the city's rapport with the champ car races and luckily when this variance was brought forward to council, the champ car races at this point had disappeared from the list of possible variances that we would review. So that left us with an easier decision process for the city's noise review board. Move forward to the actual march 12th date. The noise review board reviewed the variance. We did have a notable amount of public comment primarily in the form of emails leading up to the actual hearing we had approximately 35 public comments via letters or emails and then still received several leading right up to the council hearing tonight. The majority of the tone of the emails was primarily in opposition of the variance but there was an overwhelming tone of not only asking for the noise review board to potentially deny the variance, but more importantly asking for the city to take positive action on abating noise at the racetrack. All those folks have been filtered into our list of citizens who will be notified of the upcoming hearings on the two-year north Portland noise reduction data collection project that will appear before the noise review board on the 18th of may and is scheduled to come back to council on june 18th. I'm sorry, that was may 14th for the noise review board, and june 18th for city council. And so i'm not sure that's come across any of the council members' desks, but because it's a sensitive issue, partially tied to what we're talking about today, I thought that would be a salient item to mention. The last item to mention about this review is the board received the application, went through the standard approach of asking the applicant several questions, offered opportunity for public comment to the members of the community present, and then came up with the unanimous decision in support of the application that is before us tonight. It was not an unusual variance. I didn't feel I saw any race groups that raised concerns in terms of a different engine mix or different exhaust system we weren't familiar with. It was relatively straightforward. The applicant was clear to us that they were asking for slightly higher than what they needed because there was an element of not having had this race appear at the racetrack and that was from the perspective of the board and from staff. A good approach because we'd rather see the race come in quieter than wind up having an issue where we have to figure out what to do on the day of the race, if it's louder than the prescribed level the board allows. And so move forward to today's date, we have an appellant who -- an appeal that moved forward by a citizen who made testimony at the hearing on the 12th. Members of the board will come forward to offer their comments as representatives of the board.

Potter: Questions? Thank you. Could the appellant please come forward?

Steve Cox: Steve cox, I live in the kenton neighborhood. Good afternoon, gentlemen. Here we are again. More than 30 people turned out -- turned in written and oral testimony to the noise review board meeting last month in august. Our last month for the august drag race. Regardless of the number of testimonies against the variance, the noise review board feels obligated to approve the variance against the track, and we all know this is about more than just one variance race. Racing blogs refer to me as part of the north Portland eight and the staff at p.i.r. so professionally referred to as whiners, but today I am here to represent a new and growing group called livable north Portland. It is not our intent to prevent people from doing something they enjoy or to deny how much money this or any of the variance races may bring to Portland, but to address the larger ongoing problem that has lasted almost 30 years. 30 years. A few years ago I forwarded testimony from mike burton, a former president of north Portland citizens committee and state representative. He told the story of the early days of cart racing at p.i.r. and commissioner jordan's agreement to mitigate the noise if north Portland residents would go along with the racing. Commissioner jordan has left and mayors and commissioners have come and gone, and still nothing has been invested in

April 17, 2008

noise mitigation. Only years of pitting us versus them. No one will touch this hot rod hot potato in a recent email from a community bike leader, he referred to p.i.r. as controversial. At a neighborhood meeting last week, the discussion was prefaced by noting the sensitive and passionate issue of p.i.r. I have tried to see what is so controversial about neighbors wanting to peacefully enjoy their own property. I have said over and over, and I will say again, we are not antiracing, we are pro peaceful, livable neighborhoods. We are merely trying to protect and enjoy our homes and our yards. Our biggest investments, our sacred space, our retreats. How dare we speak out. Did I mention that this has been going on for 30 years? Perhaps the controversy is based in a person's right to expression. I do not deny racing fans the right to their hobby. But what I do not understand is how for 30 years people sitting in those chairs up there have done nothing tangible to reduce the impact of this city-owned facility. Mayor Potter, you gave us such great hope two years ago when you suggested moving the track, and I thank you for those few minutes of enjoyment. But that was quickly shot down, and here we are again, ranting about how much noise we must endure for another season. This is a new drag race we don't even know how much noise is going to be produced. There is an eight-foot plywood wall surrounding p.i.r., while \$2 million was spent to resurface the track. That is the controversy. Perhaps you could twist the knife a little harder. I get over and over from people why did you buy a house near a racetrack? I bought there because it's a great neighborhood with history in a park lined with oak trees, and near light rail. And it's what I could afford as a single person with one income. And my hundred-year-old home was there long before the racetrack. Does it mean because I can't afford a \$260,000 home that I have to put up with noise four to five days a week from april through october, from a city-run facility? A mile away? I will not accept that. Portland is better than that. It is time to correct this problem and look for acoustical solutions and other ways and events to reduce noisy impact on the neighborhoods. Putting the track there to begin with was a poor decision 30 years ago with absolutely no regard for the neighborhood. But both the track and the neighborhoods need to work together with what they've got and make the best of it. It is time to honor the empty promise to mitigate the noise. This shameful pass the buck attitude avoiding the controversy from people sitting in your chairs for 30 years has gone on long enough. The controversy is that Portland is a nationally known city for livability, and one of our parks is allowed to spew toxic levels of noise into neighborhoods all summer long. I know it wasn't you who made the decision to put the track so close to the neighborhood, but will someone please step up and end this vicious cycle and reduce the noise, and enforce noise reduction? According to o.s.u. psychologist dr. Darien fenn, between 25 and 30% of the population is sensitive to sound. 25-30%. I'm going to go out on a limb and suggest that's the big difference between us whiners and those who enjoy the track. There are plenty of statistics from the world health organization about the dangers of constant noise. I know there are people who enjoy the track. But how many people merely tolerate it because it's been there for 30 years in the website friends of p.i.r. lists the mission and objectives. They make plans to promote and expand racing. Nothing is mentioned about the negative impact they have. They claim to have a vested interest in the track and its relationship to those it affects and serves. I am here to remind you that it does not always affect in a positive manner. P.i.r. is anything but a good neighbor. They're inconsiderate. When the city itself cannot be a good neighbor, what kind of example does that set for the community at large? Is that the attitude of one of the nation's most livable cities? North Portland is only getting denser. Within three blocks of my house alone there are 26 new skinny houses and 31-unit condo building will open in a few months. The p.d.c. has great plans for downtown kenton, but this constant noise will negate any of those improvements. All the friends of p.i.r. have done is dig in their feet and say screw you, noise is part of our fun. We're not investing a dime to make it quieter. And they won't until you tell them to. If friends of p.i.r. is so committed as their second objective suggests, to helping prioritize and fund critical north Portland improvements, then direct noise abatements should be their priority. If it costs \$75 for the privilege of driving on

April 17, 2008

this \$25 track, then so be it. We already lost the north Portland trust fund and now there is no compensation for seven months of noise that we must endure. I'm trying to appeal to any truly good sportsmen among the p.i.r. supporters. Do the right thing and address the noise so that you can keep racing in a responsible neighborly, low-impact manner. Would it kill you to you give us one quiet weekend a month, so that on Sunday mornings in august the methodist church in Portsmouth with their windows open didn't have to listen to the buzz of race cars? I have a coworker who was at delta park with their daughter's soccer team last weekend. She couldn't believe how loud it was, and now she understands what I have to go through in my own yard. I know schedules are out and plans have been made for this race in august, but I don't think it's too early to start reducing noise this year or even next year. But we've got to stop this cycle. I know this has been going on for 30 years. I'm asking that you deny all future variances until long-term noise solutions can be put into place and the track can indeed live in harmony with the neighborhood. Let's fix the problem so that we are not here having this conversation in another 10 years. I'm only asking that the promise to mitigate the noise be kept. 30 years is long enough to fight about this. Let's stop it, fix it, and move on with our respective lives, as different as they may be. Thank you.

Potter: Now we have supporters of the appellant. Have any folks signed up for that?

Moore: We have eight people signed up.

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

Susan Landauer: Thank you. My name is susan landauer, and I live in the portsmouth neighborhood. Thank you, mayor Potter, and city commissioners, for listening to our testimonies. However, there are a lot of people who wanted to be here who can't take off work in the daytime to come downtown. I suggest next time we meet at the kenton firehouse on a wednesday evening, when the drag races are running and you can have the experience. This hearing, as far as i'm concerned, is about drag racing -- as obnoxious as the drag races are, I feel that the varianced 110-115 decibel drag races proposed for august 22nd through 24th will be worse. Road races make a loud, continuous, angry, killer mosquito bee sound. Drag races are like a teenager squealing his tires and accelerating very fast for a few seconds. Over and over and over. Loud enough that I have to raise my voice to have a conversation on my own patio. Mark Wigginton, the manager at p.i.r. argued at the noise review board that drag races won't be a long duration of sound over the weekend. Put the seconds and minutes of noise together and it's only a few hours over a three-day weekend, he said. I putter in my garden and know that the quiet will soon be blasted by another short burst of very loud noise. I give up my garden and retreat indoors, or I have to leave home. Portland is becoming world famous for taking a fresh look at old behaviors and moving to earth-friendly humane solutions. North Portland residents and especially the homes near p.i.r. are taking the brunt of these races, and we need relief. Please consider our request and not allow a varianced weekend for drag races in august. Thank you very much.

Peter Teneau: My name is peter teneau. I left off more material than just this testimony and I hope somebody will read it. It supports what i'm saying. Personal perspective. At the root of noise, as nuisance, there is a great lack of awareness regarding perception, the psychological, physiological reaction experienced by the receiver. This varies with the individual. In working toward a solution there must first be an understanding of this followed by an acknowledgment that the problem of p.i.r. noise is real and bears directly on the larger domain of livability and quality of life. P.i.r. conforming to a 65 d.b.a. max legal limit does not adequately address the problem. Constancy, total noise load and many other unacknowledged factors regarding noise propagation and reception generate the kind of reaction that you're hearing today. This is amply supported in many studies that reports contained in and subsequent to the 1995 world health organization compilation entitled "community noise." with the cause of complaint established, a couple of thoughts to address it. One, the commendable initiative taken by commissioner Adams in forming a study group comprised of north Portland residents examined noise from various sources including

April 17, 2008

p.i.r. An accompanying survey indicated 34% within the polling area considered noise from p.i.r. as varied to somewhat serious. More than a few complainers. Although a step in the right direction, the effort of the study group is truncated by premature dissolution. What is needed now is continuation with focus on p.i.r. noise as the leading source of disturbance and the one most amenable to a mitigation strategy. Two, a second contribution was the proposal to attach noise mitigation to future p.i.r. improvements. A good idea and laudable objective. However, after years of waiting for a satisfactory level of abatement, one may understand certain community skepticism without defined goals, specific parameters, and a reordering of priorities like making noise reduction first priority now, then further mitigation, coming with further improvements. The recent track repaving shows how skewed the priorities are. That project yielded no noise mitigation. P.i.r. being a parks function is the city's responsibility. It's enterprise status does not abrogate this responsibility in arguing p.i.r.'s commercial contribution to portland, who benefits and who pays? Is it fair for a few neighborhoods to bear the burden of noise for those well beyond our geographical limits who benefit? Do such commercial benefits trump our much flaunted distinction, city of livability and peaceful neighborhoods? Where is fairness? Where is equity when b.e.s. expends \$12 million for odor abatement, arguably less of a problem to residents, that's responsibility. That's commitment. P.i.r. noise -- I have one more sentence, please.

Potter: Go ahead.

Teneau: P.i.r. noise can be reduced to tolerable limits. What it takes is the will of city leaders, the resources and the creativity of the city and its citizens to commit to forward movement. Thank you.

Nancy Cushwa: Nancy Cushwa. Thank you for the opportunity to speak. Most people have said what I wanted to say, so I'm going to make it for the record that I do oppose granting the p.i.r. variance for the drag races and that I think the noise solutions can be solved with creativity, the group of us working together with p.i.r. and the city, to come up with creative solutions to the noise problem. I don't want the racetrack to go away. It has many valuable assets, and I think it's not -- I think there's an opening here for people to get together to come up with a solution. Thank you.

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

Carole Newvine: I am carol newvine, I live in the portsmouth neighborhood at 4822 n vanderbilt. I support the appeal of the variance to p.i.r. for this race. Just because the champ car races left, why do we have to use their variance? How about a quiet weekend august 22nd-24th? I live in the portsmouth neighborhood and I'm tired of the noise. How can I enjoy my yard and my home in the nice weather with this going on? The race noise drives me nuts, so I stay indoors like a prisoner. And I'm not just referring to the variances race events, it's noisy all summer long. I have lived in the neighborhood since 1983 and contrary to what others say about p.i.r. noise, you never get used to it. Many people say you knew p.i.r. was here before you moved into the neighborhood. This is not true. There was no disclosure at the time I bought my home and there's no disclosure now. If you are not a race fan, most likely you would never concern yourself about the location of p.i.r. If the city wants to continue to operate p.i.r. at its current level of activity, please find a way to make our neighborhoods quiet. Let's find a unique Portland solution to the problem. I'm not opposed to the track, just the noise. Council must be tired of us coming down here before you at every opportunity to complain and we are tired of dragging ourselves down here. Let's start working on a solution. Thanks.

Tim Lyden: Tim Lyden, I live in the kenton neighborhood. I grew up in southern california near an oval track which was .38 of a mile round. The noise from that, we all dealt with, but it was constant noise. It wasn't drag noise, and now I live about a mile and a half from p.i.r. And the amount of noise we receive at our house, which is elevated higher than the majority of houses in kenton neighborhood, is -- was loud enough, is loud enough for us to have moved our master bedroom from a finished attic to the downstairs main level of our house. Last weekend there were

April 17, 2008

motorcycle races and I literally was watching the clock from my office waiting for 10:00 p.m. to hit so the races would stop. We don't need more noise. I oppose the variance requests for august 22nd-24th. We host two events at my house every summer, and each of these events is always surrounded by comments of p.i.r. and people and disbelief over how much noise we have to listen to during our summer weekends when we're trying to be outside enjoying our lives and our paid-for properties. Thank you.

Pam Arden: Pam arden, I live in kenton. I have moved into that house in 1977, so i've been listening to p.i.r. for a good long time. I'm hoping that this race that probably will be given a variance, will not be like the one in 1978 where my windows rattled and wondered what was going on. At that time it was also a drag race. I'm concerned about the drag races at p.i.r. You had testimony that the regular races when had you that loud bee noise kind of -- it's there and you know that it's there, but you try to tune it out. The drag races are another thought entirely. To me the wednesday night drags are a real imposition into our neighborhood. And with you -- when you are at a meeting at a kenton firehouse that night, you have to stop what you're doing because the drag races on wednesday night can be quite noisy and quite imposing. My concern is that this race is not a varianced race on wednesday night. It probably should be. My concern is the august race with a variance is going to be louder than what we have on wednesday nights. If that's the case it's not going to be acceptable in any shape or form. 1989 you had a resolution that said that you have allowed four variances. Just because somebody didn't show up to its the variance this year doesn't necessarily mean that we have to find something to put in that slot. Let's have a quiet weekend for a change. Let's have the opportunity to enjoy our area without the imposing noise of a drag race. I'm really concerned that as much as I heard at the noise review board meeting about how this was not going to be any louder than what's there now, i'm concerned that it will be, because they have a variance allowing it to be. So please give us a chance to have a quiet weekend instead of more noise. Thank you.

Potter: Thanks, folks.

John Nicol: John nicol of kenton. First I wish to express my compassion for fans of p.i.r., who choose to be buffeted by the angry reaction to the raceway. I feel their pain. That being said, we do have a long-standing problem for many residents of north Portland who do recognize the noise for what it is. The complaints and protests are not going to go away, and in fact, they should increase as the high level of education and expectations found in a wave of new people moving to north Portland is brought to bear on the problem. We're here today because the responsibility for dealing with this issue lies with you. P.i.r. is essentially a city of Portland park and must meet the standards expected of the city park. The inadequate noise ordinance to which p.i.r. sought a variance is a city ordinance. We can repeat the scenario here of people complaining and p.i.r. digging in its heels and the council not really dealing with the issue or we can take this moment to establish a proactive past to a solution that benefits all of us, including p.i.r. I'm sure you have read the recent article in Portland's fall -- on Portland's fall from preeminence as america's greenest city. I'm delighted we have been so challenged for the crown. And p.i.r. presents us with a wonderful opportunity for a green response. We all know our present -- why should we be living and entertaining ourselves exclusively in the past? Why aren't we racing electric cars, water-powered cars, solar powered cars? Each new technology offers challenges of weight distribution, of engineering, and ergonomics and noise abatement. And racing truly puts them to the test. New audiences with different and broader interests would be attracted to p.i.r. The science of acoustics is rapidly evolving with no end in sight for this evolution, while p.i.r. has made grudging efforts to control noise in the past, could it reverse this policy and become a laboratory for noise abatement. The ultimate test for acoustical technology and products, p.i.r. may even be able to acquire experimental technology for free. Or new products for an endorsement. P.i.r. could set the standard for green raceways in america and maintain that standard through constant innovation. But let's go to the issue at hand, which is an

April 17, 2008

appeal to the variance granted to p.i.r. Please deny the variance. North Portland is blossoming into something special and I see this summer as crucial to its growth, which is qualitative. New apartment buildings will be completed and available this summer and new restaurants with sidewalk dining meet the relative quiet in order to prosper. We want quality prosperity in north Portland. Chronic noise can blight that prosperity. Let's change the paradigm.

Dr. Darien Fenn: Dr. Darien fenn, a clinical psychologist, i've done extensive reviews of the impact of noise on people. Thank you for this opportunity, and i'd like to raise some concerns that I believe are deserving of your further attention. I believe our current noise code with its reliance on decibel measurement is fundamentally flawed. Having been based on research that was conducted outside the psychological literature and using methods which were weak or inappropriate to human research. Between noise intensities which can be regarded as silence at the low end and severe enough to cause hearing damage at the high end, the impact on people with noise is almost completely mediated by subjective psychological factors with the physical attributes of the sound, however measured, accounting for at most a few percentage points in human response. At the same time, subjectively assessed disturbance by noise is associated with meaningful health consequences. Literature is clear that in the middle band of sound intensity, no meaningful assessment of the impact of noise can be made by relying on decibel measurements. There is no dose response relationship between the volume of noise and its effects on people. Within the same range therefore, noise contour maps are essentially meaningless. These findings cans run counter to conventional wisdom and policy or as noted by a leading researcher in the field, quote, the subjective nature of annoyance still grates on some who regret that people do not respond to noise exactly as do sound level meters, unquote. He concludes the 25 years of research has, quote, demonstrated the futility of attempts to treat community reactions to noise as an exclusively physical process. Further, medical research has shown as much as a third -- as a third of the population is noise sensitive, meaning they are more physiologically reactive to noise in ways that are not a function of hearing sensitivity. On the other end of the scale, please note the fact that about 10% of the population appears to be noise insensitive. People do not -- noise but rather that the effects are cumulative over time so that single moment measurements additionally understate the actual effects. What i'm suggesting is that the use of decibels to guide policy largely creates a smoke screen behind which some people can damage the well being of others and a convenience for law enforcement -- for enforcement that provides only the illusion of objectivity. Reviews of noise related protests show, quote, no support for the notion that environmental critics are chronic complainers whose opinions should be disregarded. Therefore I hope you will listen to the input of citizen who report how they are affected by noise and give no weight to counter arguments based on physical measures. My written remarks include references to these points and i've also included some remarks that I prepared for the noise control task force that offer additional information and suggestions. Thank you.

Potter: Did you wish to give those copies to the council clerk?

Fenn: I will do that.

Potter: Is that all of the folks who signed up?

Moore: All the supporters, yes.

Potter: We'll now hear from the principle opponent of the appeal. You have a total of 15 minutes.

Jocelyn Cox: Thank you. I don't think we'll need that much. Jocelyn cox, i'm the chair of the noise review board. I've been a member since 1990 so I've got a lot of racing under my belt. You heard from the north Portland people, they speak very fairly, very honestly about their problems. We have heard them, many of us on the board have experienced them because we've gone out into the neighborhood during racing and listened. With all of that and the fact we've had I think more than 50 letters in opposition to our granting of the variance, you'll wonder why in the world we have

April 17, 2008

done so. I think that all comes down to the resolution that was passed in 1989 that granted p.i.r. four varianced race events during the year. As you may have heard, and I hope will be hearing in the future when we bring the north portland noise study to you, it's not just the varianced racing. Those varianced races that are the great problem out there it's the entire noise that does emanate from the track. We feel since city council did grant two p.i.r. those four varianced races, we are considering to grant them ourselves having examined the applications that have been made by the promoter or p.i.r. and directly in this case to be sure it is as fair as possible, they will stay within the decibel limits that have been imposed. We ourselves impose certain conditions that we hope will benefit the neighborhood and keep the racing from getting out of hand in any fashion. We require that they monitor carefully at their track what the sound levels will be and go out into the neighborhood in this case and monitor. We hope that all of this will bring more data, not that we need more data, but will bring more data to you over the time. So that was principle our decision.

Vance Yoakum: Vance yoakum, the new person on the board. I started in march of 2006. All I would have to add is that this particular variance is consistent with the other variances that have been issued for events at p.i.r. As far as conditions, monitoring, the handling of complaints, and reporting those to the noise control office. The only other thing I would point out specific to this event is that the vehicles involved are very different from the ones that were banned in 1989. Those vehicles had decibel limits -- decibel emanations, I suppose, up to 135 decibels. So that's considerably louder than the vehicles expected to be at p.i.r. in august. The races are to be over by 6:00 p.m. on friday and 8:00 p.m. on saturday and sunday. So these will not be late-night events. Thanks.

Paul van Orden: Paul van orden, as a further clarification to vance's statements, the races that went away in the late '80s, early '90s, the drag races are physically four times as loud as these this particular variance we would be approving. So the history of the very loud drag races that went away in the late '80s, early '90s were much louder than we're talking about today.

Potter: Several of the appellants stated referenced a report and mr. Tenau said in his written statement that the study group that had been put together by commissioner Adams was truncated by premature dissolution?

*****: [inaudible]

Potter: It was not --

*****: I fully expected [inaudible]

Potter: Sir, I'm really talking to paul.

van Orden: That committee did not meet as often as we had anticipated, so they probably won't have something to add to the commentary of the larger study the consultant will bring forward first to the noise review board and then ultimately the noise review board and the consultant would come to council on june 18th to present -- jointly to council.

Saltzman: Is part of the scope of the noise control task force to look at abatement?

van Orden: A portion of the work that the noise data collection project just coming to a close now, was required to do is offer general concepts on where the city would go with abatement at the myriad of issues that we're looking at, not just the racetrack but also roadway noise, airport noise, and our big one -- and then railroad noise which has become a big issue in the last few years in north portland.

Saltzman: Our noise control task force is looking at the broader picture.

van Orden: Yes.

Saltzman: Throughout portland?

van Orden: Yes.

Yoakum: If I might add I am a member also of the north portland noise review reduction committee. And I'm not aware that that committee has finished yet. I at least haven't been notified by the chair of that committee. So I do expect we will have more meetings.

April 17, 2008

Potter: Could you refresh my memory on the north Portland trust fund?

van Orden: I may misspeak on this. I may need to be corrected by the parks bureau, but I believe this may be the last year that there will be money that's filtering into that fund with some of the changes of the parks operation. That's not correct. Ok. So then --

Potter: Could we get -- who does have the answer? Could you come up, please?

Mark Wigginton: Mark Wigginton I manage p.i.r. The north Portland trust fund was set up as a mitigation fund, funded through proceeds from the four varianced events. It was set up primarily funded by champ car. It was set up at a \$30,000 a year contribution from champ car. With champ car going away, that majority portion goes away, typically other events generate a thousand or 2,000 dollars each year. The fund is fully funded at this point. It's a trust fund and I think it's got \$250,000 in it. So being able to draw money off it won't go away, it's typically been used in the community for nonnoise mitigation projects, tree plantings, other grants in the neighborhood.

Potter: How much money will go out this year?

Wigginton: Probably about \$6,000-8,000. It's attendance based. The formula that was set up, although its not codified in the trust fund was 50 cents a ticket for champ car and it came out to the \$30,000. We expect for this event, maybe 4,000-5,000 people over the weekend paid.

Auerbach: No mark I think he was asking how much money are you paying out of the trust fund.

Wigginton: That's completely controlled by ONI, tom griffin-valade in the north portland neighborhood office.

Potter: And that's a quarter of a million?

Wigginton: I think it is right now.

Potter: Are there any restrictions on the spending other than for north Portland?

Wigginton: I don't know. That's a tom griffin-valade question.

Saltzman: It hasn't gone away?

Wigginton: No. And we'll continue to fund it, just with champ car gone, the majority funding is going away.

Saltzman: But there is \$250,000 balance.

Wigginton: M-hmm.

Potter: Thank you, folks. Do we have a sign hitch up sheet for supporters of the opponents of the appeal?

Moore: We have three people signed up.

Potter: Thanks for being here folks you have 3 minutes.

Ted Carlston: Ted Carlston, northeast Portland. I've been involved in these issues, I was very involved in the '80s. 1989, the last major drag race at p.i.r. was in August of 1985. It was highly billed as the last live race. Between 1975 to 1985, the city reduced noise at p.i.r. by 90%. So when they say nothing has ever been done, lots has been done. I have a task force printout from 1986 I think it is. As far as noise, I live by the Portland airport. The planes fly over my house -- you can read the numbers. One flew over my house and crashed into rocky butte about 20 years ago. So that's 24/7, the only time it was quiet was 9-11. I live with it. I didn't have much choice when I moved to the neighborhood because I was six months old. But I choose to live there. As I grew up I moved away for a few months, moved back and bought a house, fully knowing what I was getting into. So thank you.

John Draneas: My name is John Draneas. Greg Baldwin and I are two of the founders of Friends of p.i.r. We haven't had a formal coming out party yet. We're organized as a 501C3 as an organization whose mission is to support the racetrack and enhance it as best we can. We've been in existence for about a year and a half, we have about 7,000 members, I think. Our last board meeting we decided we would spare you the avalanche of emails and letters from our membership and we have not publicized this, and instead we sent two of us here to speak to you today. We -- early in our existence we made a connection with the north Portland noise task force, the

April 17, 2008

commissioner Adams created. And we had a meeting with tom markgraph, the leader of the group. He got us together with the p.i.r. committee from their study group, and we had some very fruitful conversations. We took the tact of telling them, look, why don't we quit arguing about whether this racetrack is too loud or not, and why don't we just work together and see if we can make it quieter. We pointed out in our concept of trying to solve this problem is that p.i.r. needs an enormous amount of improvements. What you build, where you build it, how you design it and what you build it out of has got to have an effect on how much noise emanates from the racetrack. We suggested we hire consultants to do an acoustical study and formulate a model that can tell us what generates noise from the track and advise us about how to create improvements and where to position them and how to quiet the track down. We challenged the noise study group to pick up half the cost. I accompanied tom markgraph to a meeting with commissioner Adams, who immediately committed to have the city contribute half the cost. We got a proposal from arab americas who greg can tell you more about to do the work. Its \$22,500 for the initial creation of the model and follow-up work, that will give us a tool to work with in order to determine how to make improvements to the track and order to reduce the noise that emanates from it. Commissioner adams isn't here, so I won't speak for him, but I kind of want to know where we should send the invoice for the city's contribution to the noise study group's half of the study and we can get it going. It can get done this summer. They want to come up and do some monitoring and then formulate the report later on this summer and give us all a tool to work with to solve this problem.

Greg Baldwin: Greg baldwin. John described I think very well what is germane to this discussion regarding what we're doing with this model. I would be happy to respond to any questions you may have about the model and how we expect it to be applied. It does relate to a number of the issues raised by the previous speakers. It is different than anything that has been utilized to date at p.i.r., and as a matter of fact it will be unique among race tracks in the world, although arap the engineers were hiring from london are -- and san francisco are doing something that is analogous for racetrack, other than that I believe this would be the only ones I believe -- that are exploring this kind of development of a model to be used as a tool to really understand how to deal with tracks as a noise source, not just the vehicles as the noise source. If you have any questions, I would be happy to respond.

Potter: Questions from the commissioners? Thank you, folks.

Moore: We have one more person. Mark wigginton.

Mark Wigginton: Mark Wigginton, manager at p.i.r. Mostly I came up to see if there were any questions you could ask me. We are the applicant. I took over the track management in 2000 and I heard the same two questions over and over as soon as I got there. When are you bringing back the swap meet and when can we have a big drag race? The swap meet took a couple of years and has become a huge success, and now this is our first attempt at the drag race. The reason we asked for the 115 variance was it was available with the demise of champ car. We fully expected to ask for a 110 variance. We think we can get it in under, that but we wanted to make sure there was head room. We expect to draw 400 or so cars which would mean 2,000 people participants and crew and families and another 2,000 people or so a day. So some impact on restaurant and hotels in north Portland, but mostly I think its support of the drag racing community that comes all the time to the facility.

Saltzman: What are the other three variance events?

Wigginton: This year we have the Portland historics, which is a long-standing vintage sports car race, and that's july 11-13. We have an application in for the mazda grand prix of Portland, which is essentially the support series cars that were booked with the champ car weekend. And that will be a 110 variance request. That would be july 25-7. The nhra opens august 22-24, and the columbia river classic is labor day weekend, and that's another vintage sports car weekend.

April 17, 2008

Potter: Other questions? Thank you. The appellant has an opportunity to rebuttal. Would you like to come back up and make a closing statement? You have 5 minutes.

Cox: There's a couple things, listening to everyone else's testimony, I think clearly dr. Finn's testimony that noise is a very subjective thing, but he clearly provides some information that talks about how damaging it can be. I think i'm living proof, you guys may not believe this, but I used to be a nice person. And I cannot wait for the day that -- I have actually better things to do than this, you know? And I would like to do that. But one of the things I enjoy doing is gardening, and the fact that I can't garden in my own yard is mind boggling and infuriating. I -- in listening to everything else, there's a couple things, I know there's been talk, and there was a reason lecture about privatization of parks. And I shouldn't have gone -- I should have gone, because it sounds like an interesting option. I saw the issue here is that it's such a vicious circle, that the city owns the park and managers the park, and that's who we get to complain to. And that's why we're here. That's why this has been going on for 30 years. If you all can step back and see p.i.r. As separate, and you hold them accountable and to reduce and just to be manageable in a low-impact way, this is Portland. Like there are -- this is not the only racetrack in the country with noise issues. I just had a friend who is in nashville and he brought the paperback, and -- from there, and it same thing is going there with nascar. They were asking them to muffle the cars. There are options here. More bike events. We love monday nights in kenton neighborhood because we can't hear a peep. What about a couple world-class biking events? Portland loves bikes. Do we really need drag racing twice a week every week? Would it kill them to knock one of two of those off a month? There's ways to make this the greenest, lowest impact racing facility in the country, and that is the Portland way. So if there's any way that we can change this 1989 resolution whether it's for variances, now is the time. And to not allow -- not at lou them until there is noise reduction in place. I don't know what that would be, whether it's hush houses, noise walls, i'm not an engineer, but this is 2008. I know there are loud airports all over the world. I think the ones making the noise should be paying to reduce it.

Potter: I think you're a nice guy.

Leonard: I'd like to ask the question of harry. Harry, just remind me, in this hearing, although there's only three of us present, it still requires three votes to pass a motion.

Auerbach: That is correct.

Leonard: Secondly, if a motion fails to overturn the appeal or uphold the noise review board's decision, does it require three votes for their decision to be upheld?

Auerbach: It requires three votes to take any affirmative act. In the absence of an affirmative act, the decision would stand.

Leonard: The noise board decision would stand?

Auerbach: Yes.

Leonard: To overturn the decision requires three votes?

Auerbach: Correct.

Potter: This is council discussion time.

Leonard: I would move to overturn the noise board's decision and uphold the appeal.

Potter: Is in a second? The decision stands.

Auerbach: The motion dies for lack of a second.

Leonard: If no motion passes, the decision stands?

Auerbach: Someone could make a motion to affirm the decision. Somebody voted against it it would still have the effect in leaving the decision in place.

Leonard: I know that's probably the procedure, i'm just disappointed that it takes three votes to overturn the noise board's decision. And I can understand why some of the neighbors who testified said nobody has ever listened or done anything. I have consistently voted against these variances, and I was hoping that today my being here with just two other members would have meant that they

April 17, 2008

needed three votes to uphold the noise board's position because I would have happily killed this variance today with my no vote. Unfortunately it doesn't appear to be the case. But I will repeat what i've said on other no votes. I believe very strongly that a man and woman's home is their castle. It is not a new concept, it is a concept steeped in the history of this country and the countries we emanate from. And I find it just a very reasonable thing to request that in your home you would be safe and secure and not be intruded upon. In this day and age, I think that requesting that you be able to go into your yard to be able to have gatherings at your house, have your windows open, is a reasonable request. I think p.i.r. is in the wrong place. I'm not opposed to the events at p.i.r., I support the events that happened, they're just happening in the wrong place. I supported vigorously when mayor Potter suggested last time we had one of these hearings that we look for another place to put p.i.r. I will just say that though it appears they're going to get their variance today, that we have a couple new people come in on the council and i'm going to work very hard to at one point be in a majority. On this position. And I will tell you that I see it coming. So the folks that are doing the events need to plan accordingly, because tyler eklund the last time I voted no it was like the end of the universe. I did get deluded with emails and visits from folks, and I was polite to them as I could be, but said, you know, i'm sorry. This isn't about racing, it's about being secure and being able to live in their homes fully. And I find that persuasive. And that's the only issue I have. A statement against race car driving, it's not a statement against dragster racing, it is a statement for people who want to be safe in their homes.

Potter: My belief is that I -- the reason I did not vote with commissioner Leonard is that there's a report going to be coming to the board, the noise board in june, was it? And if -- if the noise board and the consultant will be coming to council to make their suggestion, that time -- if I don't sense there's a sub75 change in how the noise level be be is at p.i.r., I would be very pleased to bring it back up again and vote differently. And I guess that's the warning to the noise board. Please get something that really does -- every one of these folks from north Portland, they're willing to work with p.i.r. I think they've got to have something to work with. So I would hope that when it comes back in june that there's something they're able to work with. And also quite frankly, I think if you need some money, it looks like that north Portland trust fund looks pretty fat to make some changes there.

Saltzman: I won't make a motion, since there's clearly not three votes to do one thing. I will say I do oppose the appeal of the variance. I think the larger issue is not withstand ball game p.i.r. and noise and impacts on quality of life. Clearly since 1989 there's been a policy of granting p.i.r. Four variances, and p.i.r. is acting within its rates rights and I think the noise control board read it right. They are acting within their rights to have four variances a year. Whether a subsequent council wants to change that resolution or this council, that's fair game. But I believe p.i.r. is acting within its rights and those rights do have value that accrue to this community. On a larger sense. An economic sense as we. So that's my -- why i'm -- even though there's no motion before us, I would have supported -- I do support opposing the appeal.

Potter: There is no reason to take another motion to -- ok. The matter is closed. Thank you, folks. Please read the 3:00 p.m. time certain.

Item 512.

Potter: We'll have a presentation from chris dearth.

Chris Dearth, Measure 49 Program Manager: Good afternoon. My name is chris dearth. I'm speaking today in my capacity as the city's measure 49 program manager. And i'm bringing to you a claim, or first claim under measure 49 brought by matie baker. She has requested that the council declare her measure 37 claim from just about a year ago as a invested right. I'm going to repeat for you very briefly. The claim, to refresh your memory, you'll probably remember her claim, the claimant is mattie baker. The location is these three address o.s.u. Southeast milwaukie. And her preferred resolution was compensation or waiver of the challenged regulations, and in this case it

April 17, 2008

was the comprehensive plan change which changed their zoning from commercial to residential back in 1980. The property location is in southeast Portland in the brooklyn neighborhood on southeast milwaukie. It's a small commercial establishment there on southeast milwaukie between cora and boise. Several combined commercial buildings. The ownership dated from 1954-1965, it was zoned before you granted her measure 37 claim as r1 residential zone. Which had been changed from the commercial in 1980, as I mentioned. This was the two zonings, first as commercial and then more recently as residential. The council order as a result of the measure 37 claim, you imranned her one or both of these options to allow the claimant to immediately develop the property with uses allowed under the c.g commercial zone. That would have allowed them to develop a commercial use but not transfer that to a subsequent owner. Or to not apply the comprehensive plan designation of r1 to the property and apply a c.g. Designation, and that would allow the claimant to rezone the property to c.g. Through the regular process. And the bakers chose the latter course. So they -- the order -- your council order was signed on april 6th of last year. The bakers applied for a preapril on that, paid their \$2,000 fee just less than a week after that, started the process for a zone change, they undertook a conference on may 10th, filed for a zone map amendment on august 14th, had an amendment hearing on august -- on october 22nd and as I understand it, there was no opposition to the zone change at the time and if you remember correctly, the neighborhood was very much in favor of their zone change when you considered their measure 37 claim. And then the hearings officer approved the zone change on october 24th. That's over a week before the election that changed the measure 37 law. And that's key here. So we consider -- considering a measure 49 claim for vesting, in this case there are five criteria we look at. These are in the ordinance that you passed a couple months ago implementing measure 49. The first one of these is the amount of expenditures as a proportion of the total, and the two aspects of this claim have to do with the zone change. They undertook the city zone change process and expended about \$8800 in city fees to do that. That's 100% of the expenditures to undertake that were spent before the election. And also the second part of this is the renovation of their property that they were undertaking at the same time in anticipation of getting a commercial zone change as a result of the city process, and they spent total 156,000 to do that, to bring their property back up to commercial standards and they spent about 74% of that before the election. And in my view by any standard, that is a substantial part and would qualify them for investing in that aspect. I'll show afew slides of the site so you can see the implo.s they've made. They've done a beautiful job of renovating the property and it's really an asset for the community now. The second aspect for investing that you should consider is the good faith of the owner. Did they undertake these expenditures in good faith, not -- regardless of whether the law may or may not change and jerry baker has stated to me that he did undertake all of these zone change and upgrades to his property in entirely good faith. He believed the -- to allow him to do that and he did not, he tells me, follow the legislative process that was in the process at the time during april, may, june, in the legislature. He didn't follow it and was not aware of the possible changes to measure 37 that may affect his claim in the future. I find no evidence he rushed his process to beat the change in the law. He undertook the process as any reasonable person might have been expected to do. He went through the city process in a very deliberate fashion and happened to conclude that before the measure 37 law was changed in november 6th of 2007. The third criteria you're asked to look at is, did the bakers receive notice of a proposed change in the measure 37 law? Of course there were press accounts of this. It's hard to know whether that counts as notice or not. It's certain that the legislative passage of measure 49 both in the legislature and by the voters was uncertain until it actually took place on november 6th after they received their zone change. And the only official notice that they received was a letter from me in september. We notified all of our claimants to say this perspective change could possibly happen, pay attention. And he did receive that letter from us. So my conclusion is that, yes, he did receive notice of potential changes, but those were potential changes, and nobody could

April 17, 2008

have known whether the voters were going to pass measure 37 -- measure 49 to replace measure 37 until that vote took place in november 6th. Then we look at the nature of improvements. The improvements take two different types here. You grand limb the ability to go through the zone change process, which he did immediately after the council order was signed. And also the building renovation, and that included a new roof, paintings, sand blasting, new windows, removal of asbestos and things like that. So those are the kinds of things you might expect any kind of commercial owner to undertake when they're looking to lease their property out. So my conclusion after discussing this with him is that these improvements would not have been or could not have been construed to use for other allowed purposes. They were undertaken for the specific purposes that yes -- relate to the council in his measure 37 claim. The final aspect that we look at is the contemplated use of -- for the site, what were the changes, were the upgrades made, mere preparation for other kinds of upgrades. And after going out to the site myself, there's no other way to look at it than to say they undertook this to prepare to lease their property as they related that they would under the measure 37 claim. So these weren't mere preparation, these were actually the kinds of uses that they related to the council when you pass their measure 37 claim. So my staff recommendation to you would be to declare the bakers' comprehensive plan and zone changes granted, that you granted under their measure 37 claim as invested under measure 49 and under city ordinance. I'll be happy to answer any questions if you have any.

Potter: Thank you. Chris? Does the claimant wish to make a statement?

Jerry Baker: I'm jerry baker. I'd like to thank chris dearth and the city of Portland staff for their work and their recommendation towards city council. I believe it will give us a chance if we keep this zoning as c.g. to enhance the neighborhood and follow through to add to the community and the neighborhood, and thanks for the city council's time.

Potter: Thank you, mr. Baker. Is there anyone signed up to testify?

Moore: He was all who signed up.

Potter: Do you have a motion to make?

Saltzman: I would move to grant the vesting under measure 37 -- under measure 49 to the bakers.

Leonard: Second.

Potter: This -- we've had a motion to approve the claim, adopt the staff report, and order as the council's decision. It's been moved and seconded. Please call the vote.

Leonard: Aye.

Saltzman: Great work. Aye.

Potter: Aye. [gavel pounded] thank you, folks. We are adjourned until next week. In fact, I don't think there's a council next week.

At 3:25 p.m., Council adjourned.