



CITY OF
PORTLAND, OREGON

OFFICIAL
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **12TH DAY OF NOVEMBER, 2008** AT 9:30 A.M.

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

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

	Disposition:
DUE TO THE ABSENCE OF TWO COUNCIL MEMBERS THE CONSENT AGENDA AND REGULAR AGENDA EMERGENCY ORDINANCES WERE CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM	
COMMUNICATIONS	
1505 Request of Esler L. Bovis to address Council regarding medical experiments (Communication)	PLACED ON FILE
1506 Request of Robert Jesse Hill to address Council regarding refreshing your memory (Communication)	PLACED ON FILE
TIME CERTAINS	
1507 TIME CERTAIN: 9:30 AM – Accept first annual Customer Service Advisory Committee report (Report introduced by Mayor Potter) (Y-3)	ACCEPTED
1508 TIME CERTAIN: 10:00 AM – Accept Expanding Sustainable Development Practices in Portland report and recommendations of the Development Review Advisory Committee (Report introduced by Commissioner Leonard) (Y-3)	ACCEPTED
1509 Accept the Final Report on Impact Assessment and promulgate the Impact Assessment Game as a tool used to review policy prior to implementation (Report introduced by Commissioner Leonard) (Y-3)	ACCEPTED
CONSENT AGENDA – NO DISCUSSION	

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Mayor Tom Potter

<p>1510 Appoint Brad Howton, Stan Tonneson, Martha Bailey, Susan Gress, Margaret Johnson and David Grant to the River Community Advisory Committee for a term to expire October 31, 2011 (Report)</p>	<p style="text-align: center;">CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>
<p>1511 Appoint Thomas Stringfield to the Floating Structures Board of Appeal for a term to expire October 31, 2011 (Report)</p>	<p style="text-align: center;">CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>
Office of Management and Finance – Business Operations	
<p>1512 Accept contract with Fidelity & Deposit Company of Maryland for Fire Station 15, 24 and 43 remodel project as complete, authorize the final payment and release retainage (Report; Contract No. 37513)</p>	<p style="text-align: center;">CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>
<p>*1513 Pay claim of Jeani Crichlow (Ordinance)</p>	<p style="text-align: center;">CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>
<p>1514 Amend contract with PAE Consulting Engineers, Inc. to allow for additional mechanical engineering consultant services (Ordinance; amend Contract No. 34581)</p>	<p style="text-align: center;">CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>
Office of Management and Finance – Financial Services	
<p>1515 Statement of cash and investments September 18, 2008 through October 15, 2008 (Report; Treasurer)</p>	<p style="text-align: center;">CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>
Office of Management and Finance – Human Resources	
<p>*1516 Create and establish an interim compensation rate for the new classification of Utility Locator (Ordinance)</p>	<p style="text-align: center;">CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>
Police Bureau	
<p>*1517 Accept \$50,000 from the Oregon Association Chiefs of Police for a DUII enforcement program grant for officer overtime (Ordinance)</p>	<p style="text-align: center;">CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>
<p>*1518 Accept a \$35,000 Oregon Department of Transportation Multi-Agency Traffic Team enforcement grant for officer overtime (Ordinance)</p>	<p style="text-align: center;">CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>
<p>*1519 Accept \$75,000 from the Oregon Association Chiefs of Police for a Traffic Safety Belt enforcement program grant for officer overtime (Ordinance)</p>	<p style="text-align: center;">CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>
<p>*1520 Accept a \$150,000 grant from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the FY 2009 Gang Resistance Education and Training local program (Ordinance)</p>	<p style="text-align: center;">CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>

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<p>*1521 Accept a \$40,000 Victims of Crime Act grant from the Oregon Department of Justice Crime Victims' Assistance Section for Crisis Response Team personnel expenses (Ordinance)</p>	<p>CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>
<p style="text-align: center;">Commissioner Sam Adams</p> <p style="text-align: center;">Bureau of Environmental Services</p> <p>1522 Authorize the Director of the Bureau of Environmental Services to execute Intergovernmental Agreements with the Northwest Service Academy to support the goals of the Watershed Management Plan (Second Reading Agenda 1482)</p>	<p>CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>
<p style="text-align: center;">Office of Transportation</p> <p>1523 Set a hearing date, 9:30 a.m., Wednesday December 10, 2008, to vacate a portion of SE Knight St and SE 38th Ave (Report; VAC-10002)</p>	<p>CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>
<p style="text-align: center;">Commissioner Nick Fish</p> <p style="text-align: center;">Bureau of Housing and Community Development</p> <p>*1524 Amend an Intergovernmental Agreement with Multnomah County and Housing Authority of Portland by \$534,418 for services and programs to support the city-wide Schools Families Housing Initiative and provide for payment (Ordinance; amend Contract No. 37754)</p>	<p>CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>
<p>*1525 Authorize a subrecipient contract and Intergovernmental Agreement with Clark County Public Health for a maximum of \$99,917 for tenant-based rental assistance and provide for payment (Ordinance)</p>	<p>CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>
<p style="text-align: center;">Fire and Rescue</p> <p>*1526 Authorize procurement of emergency medical supplies to treat patients and other response incidents (Ordinance)</p>	<p>CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>
<p style="text-align: center;">Commissioner Dan Saltzman</p> <p style="text-align: center;">Parks and Recreation</p> <p>1527 Accept a \$150,000 grant from the Metro Nature in Neighborhoods Capital Grants Program to restore the Crystal Springs Creek banks and relocate and re-design a nature-themed play area in Westmoreland Park (Ordinance)</p>	<p>CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>

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<p>1528 Authorize two Intergovernmental Agreements with the Housing Authority of Portland to receive funds for partial renovation of the small gymnasium at University Park Community Center and receive funds to expand programs (Ordinance)</p>	<p align="center">CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>	
<p>1529 Amend Lease Agreement with Sprint Spectrum Realty Company, L.P. and T-Mobile West Corporation for their continued use of Portland Parks and Recreation property above the Vista Ridge Tunnel for wireless communication purposes (Second Reading Agenda 1494; amend Contract No. 50777)</p>	<p align="center">CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>	
<p>1530 Authorize lease with Distant Sun for café space at Director Park (Second Reading Agenda 1495)</p>	<p align="center">CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>	
<p align="center">City Auditor Gary Blackmer</p> <p>*1531 Extend Intergovernmental Agreement with Tri-County Metropolitan Transportation District of Oregon for exclusion hearing services and expand TriMet responsibility to defend challenges to exclusion orders (Ordinance; amend Contract No. 52186)</p>		<p align="center">CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>
<p align="center">REGULAR AGENDA</p> <p>1532 Authorize the Bureau of Housing and Community Development to contract for winter warming centers for families and the medically vulnerable and provide funding to support existing winter shelter (Ordinance introduced by Commissioners Fish and Leonard)</p> <p>Motion to remove the emergency clause: Moved by Commissioner Leonard and seconded by Commissioner Fish. (Y-3)</p>		<p align="center">PASSED TO SECOND READING AS AMENDED NOVEMBER 19, 2008 AT 9:30 AM</p>
<p align="center">Mayor Tom Potter</p> <p>1533 Declare November 12, 2008 to be a day of recognition for Mulugeta Seraw (Proclamation)</p>		<p align="center">PLACED ON FILE</p>
<p>1534 Successful community Gun Turn In event (Presentation)</p>	<p align="center">PLACED ON FILE</p>	
<p align="center">Office of Management and Finance – Purchases</p> <p>1535 Accept bid of 2KG Contractors, Inc. for the Meter Shop Relocation Project Facility Remodel and Seismic Upgrade for \$2,915,000 (Purchasing Report - Bid No. 109193)</p> <p>(Y-3)</p>		<p align="center">ACCEPTED PREPARE CONTRACT</p>

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<p>*1536 Amend contract with SAP Public Services, Inc. to provide post implementation go-live stabilization support services for the Enterprise Business Solution Project (Ordinance; amend Contract No. 37969)</p>	<p>CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>
<p>Portland Development Commission</p> <p>1537 Deny application and rescind termination for Limited Tax Exemption on certain properties (Resolution) (Y-3)</p>	<p>36643</p>
<p>Commissioner Dan Saltzman</p> <p>Parks and Recreation</p> <p>*1538 Authorize Intergovernmental Agreement between the Bureau of Parks and the Portland Development Commission to acquire approximately 4 acres of property in the Gateway Regional Center Urban Renewal District (Ordinance)</p>	<p>CONTINUED TO NOVEMBER 19, 2008 AT 9:30 AM</p>

At 12:23 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **12TH DAY OF NOVEMBER, 2008** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Potter, Presiding; Commissioners Fish and Leonard, 3. Commissioner Adams teleconferenced at 6:50 p.m., 4.

At 6:23 p.m., Council recessed.

At 6:50 p.m., Council reconvened.

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

<p>1539 TIME CERTAIN: 2:00 PM – Adopt and implement the Skidmore/Old Town code amendments and the Skidmore/Old Town Historic District Design Guidelines (Ordinance introduced by Mayor Potter; amend Title 33)</p>	<p>Disposition: CONTINUED TO DECEMBER 18, 2008 AT 2:00 PM TIME CERTAIN</p>
<p>1540 Direct City bureaus to prioritize reuse of artifacts from the Eric Ladd and other cast-iron artifact collections in the Skidmore/Old Town Historic District (Resolution introduced by Mayor Potter)</p>	<p>CONTINUED TO DECEMBER 18, 2008 AT 2:00 PM TIME CERTAIN</p>
<p>*1541 TIME CERTAIN: 4:00 PM – Adopt budget adjustment recommendations and the Minor Supplemental Budget for the FY 2008-09 Fall Budget Adjustment Process and make budget adjustments in various funds (Ordinance introduced by Mayor Potter)</p> <p>Motion to amend exhibit 2 on page 20 Fund 704, Facilities Services Operating Fund, deleting the fund transfer of \$1.75 million; also delete the transfer of \$1.75 million from the General Fund to leave it in the rainy day reserve: Moved by Commissioner Leonard and seconded by Commissioner Fish (Y-4)</p> <p>(Y-4)</p>	<p>182323 AS AMENDED</p>
<p>*1542 Adopt the FY 2008-09 Fall Major Supplemental Budget in the amount of \$511,513 and make budget amendments in two funds (Ordinance introduced by Mayor Potter)</p> <p>(Y-4)</p>	<p>182324</p>
<p>*1543 Adopt a FY 2008-09 Major Supplemental Budget for the Grants Fund (Ordinance introduced by Mayor Potter)</p> <p>(Y-4)</p>	<p>182325</p>
<p>*1544 Adopt a FY 2008-09 Minor Supplemental Budget to make grant-related budget amendments required by the implementation of the Enterprise Business Solution (Ordinance introduced by Mayor Potter)</p> <p>Motion to amend exhibit to conform 1544 with changes made in 1541: Moved by Commissioner Fish and seconded by Commissioner Leonard. (Y-4)</p> <p>(Y-4)</p>	<p>182326 AS AMENDED</p>

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At 7:30 p.m., Council adjourned.

GARY BLACKMER
Auditor of the City of Portland

By Karla Moore-Love
Clerk of the Council

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

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

NOVEMBER 12, 2008 9:30 AM

Potter: we have young folks coming to talk to us about the youth in our community, and we have some folks here with us from new avenues for you, and if you would come up and so we could have your testimony. I want to tell but new avenues for youth. It helps, um, homeless youth reach their potential by offering a continuum of outcome based services that power street life and prevent other youth from becoming homeless. So, with us today is michael landers marleau and demetrius jackson. Any one of you can start and say your name when you speak.

Demetrius Jackson: I'm demetrius jackson. The first question is we're do you live and what is your neighborhood like? I don't have a home we're I sleep on a regular basis but usually I stay on my friend's house on 12nd and burnside. There is a lot of violence out on that end of town and a lot of shootings. I don't like it but I have to deal with it. The second question is how do these issues, or are these issues that affect you, your friend, family or neighbors, my friends are usually a bad influence on me, they are usually trying to get plea to smoke weed and drink beer but those are not the types of things I am into. I like to play basketball, rap, and kick it with friends. The third question I was asked was, what will make your school more successful. When it comes to school I wouldn't change anything, it's fine the way it is but, but we could use a little microphone in the music studio. If it was up to me, that's all I would change. The fourth question I was asked was, what would make your schools and neighbors safer. My answer is if the police would do their job, police target young black males like myself, and like when we were just standing out kicking it. They call us names and say, where's the weed at, or we know you are stealing drugs, but, they wonder why people are scared of the police. Why don't they look at other races like mexicans, asians or caucasians? The last question was, what would you like the mayor to know about you? That I go to school every day and I am trying to make myself a better person so I can be running for mayor one day. [laughter]

*****: I only prepared one answer to one question.

Potter: Would you state your name?

Gavin Workman: Gavin workman, I am, I am with avenues for youth, and I am have all over the northwest, all right. So, I only prepared an answer to one question, and that is how are the youth today? I only have one answer, we are the punctuation at the end of the sentence. It could be exclamation point. It could be a cry of anger, a period, symbolizing the end at which time the force is over and there may not be another paragraph. It could be a coma not an end but a continuation for better or for worse. I, however, as of this moment can only draw one conclusion. Speaking for the youth today, we are a question mark.

Michael Landers-Marlow: I'm michael landers. I'm from youth avenues. I have answered all the questions that I felt comfortable with. I live at the youth center on 17th and alder, and we have a really closed community. Everybody that goes there, you hang out with, basically. We have youth from all walk of life. People from rich, poor families, drug houses. People that just got out of jail, and all our issues mash together to make one big issue. And one of the biggest issues we have is it's really hard to get a job as a homeless youth. I would say that that's the hardest thing to overcome as a homeless youth, and as it is a closed community, we all know about it. This person is trying to get

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a job. They can't get it. In our community, I think the, the best way to make our community safer and more successful is to have more job opportunities specifically designed for people that are already low income that are having problems. Getting off the streets and getting onto their feet, and that would, that would, that would make our community exponentially safer and more successful. And, and about me, i'm 19, I moved up to Portland a year and a half ago, six months after I moved up here, I became homeless, and i've been with new avenues for a year. I just started the process to go to college and now i'm, i'm trying to get on my feet but this one issue is keeping me at the house.

*******:** Ok. I believe that is everything.

Potter: I want to ask you a question, is there employment programs or, or help you --

Landers: They do. New avenues has, has a j.r.t. program, job readiness training, which allows you to work at our branch of ben and jerrys off pioneer courthouse square. But, it's really hard to get employment there because it's a small store. And then outside in has virginia wolf. It is really geared towards getting people into it, and I think that they have got five branches going right now. I could be wrong on that, and my girlfriend just got a job there so it's geared towards that but it's hard to because of how small and how few positions there are.

Potter: And just the general job market out there, do you folks go in or, or submit resumes and talk to businesses or to, to the Oregon department of --

Landers: I do, I have. I have been for six months now. Everybody here hears about them at the same time. And when an employer sees 15 resumes and they have the same address and the same phone numbers, a red flag goes up, and they ask us, you know, we're do you live? And i'm the honest kind of guy, and I am like, I live in the youth shelter, and that's another red flag and they won't hire me. I recently got a job, I have to reapply for it, for the campaign. That was a big job. They didn't care about the living situations, but there aren't many jobs like that. There are a lot of people that applied and didn't get it because of criminal history. I don't think that its, that its -- it helps anything. It doesn't help them to move along and get out of the situation.

Fish: Have any of you had experience with section 8 vouchers issued by the housing authority for, for rental units?

Jackson: Not me.

Potter: Are all of you over 18?

Landers: Yes, sir.

*******:** Ok.

Fish: Is it mr. Jackson? Yes. Mr. Jackson, you indicated that you have political aspirations. Be careful what you wish for, by the way. I wanted to ask you if you were sitting in this chair today and you could do one thing that would address concerns you have about homeless youth in our community, one thing, budget, change in the law --

Jackson: I would change the law. I would hire a lot of police officers that's good because I won't say all the police officers that I ran to have been like all bad, but, but I have a couple.

Fish: You would strengthen public safety?

Jackson: Yeah.

Fish: How about you, sir?

Workman: What would I do? Um, this is something that, that i've given a little thought to, but, but, education seems to me to be the best way to get out of the situation. I'm attempting to attend college but it's very difficult and pricy. I don't know. Something to do with that.

Fish: Furthering your education so you have the skills to get higher wage jobs.

Workman: Yes.

Fish: You, sir?

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Landers: I would further along the education program or, or the work programs of both outside and avenues for youth have. Not only adding more training to it but more programs to go into as a job afterwards.

Fish: You have identified jobs, schools, and public safety as answers to this ongoing societal problem and I thank you for that we have got to focus encore services and basics. We'll not only be helping you but lots of people in our community so I want you to know that, that i, I appreciate the way that you framed that and I think those are the critical issues, particularly as we go into this recession so thank you.

Landers: Thank you.

Potter: Thank you for being here, and thank you for pointing these things out to us. It's also goes over the, the local television network so people in the community will be listening to this, as well, so thank you very much for being here.

Landers: Thank you.

Potter: Let's give these folks a hand. [applause] City council will come to order. Karla, please call the roll.

[roll taken]

Potter: I would like to remind folks, prior to public testimony, a lobbyist must declare which entity they are authorized to represent. The first communication.

Item 1505.

Potter: Please call the next.

Item 1506.

Potter: And you have three minutes.

Robert Jesse Hill: Robert Jesse Hill. Good morning, mr. Chairman and members of the council. Staff and guests, I am hill r. Jesse, the clerk got it a bit wrong. Last year, there were the four measures to propose the change. It's not going. I don't see the time. I don't know we're my three minutes are. One of them was, was a large concern to me, dealing with the structure of, of Portland government, as of express, as I expressed previously my concern is that the size of the council is too small, and, and I believe that there is consensus on that. Unfortunately, of the proposal that was, that was given to the public wasn't sufficient. I believe the council should be at least 35 members big, and perhaps, only 20 is going to be acceptable in the near future. That could be 10 members. Elected at large, positions a-j with four or five districts electing more than one, at one time. Because when you have proportion representation, you can represent minority interests to have to get a majority vote plus one. It's, it's -- the representative is not fair. You need to allow the minority representation and when you elect four or 10 at one time, then you can win with 25% of the vote or 10% of the vote. But, being a commissioned form of government, the legislative branch has to be completely pulled out and made separate from the executive branch. The problem that I have come across is, is that the pamphlet produced by county elections and erik sample is the main liaison for publication, did not include the text of the ordinance that would have the proposed changes that those, those four changes. The state pamphlet had the measure text. The county pamphlet only had a bunch of fours and a bunch of, of againsts, but it did not have the specific text that the public needs to read if a pamphlet is going to be mailed out, and you have all the for and against statements you need the text of the ordinance. My understanding from staff, I haven't been able to talk to andrew. I talked to another andrew that, that the city did not send the ordinances to county elections. And they need to do that in the future, and you need to pay for it. The bulk rate, it's been paid. You get up 12 ounces so adding, you know, five to 10 pages of the measure, is not going to be a lot. This is, i'm going to give you an example of this one. This is from pierce county. It's the first county in the state, in the nation, to use rank choice voting, and they included, on pages 36, a charter amendment, a summary and a for statement, and on page 56, it's, it's just, it takes up one page. You know. Dealing with words and commissions, and here's the text right here on one

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page, so if it's being mailed out to voters and residences, that makes for a better decision, I think you need to put another charter commission together. This was rushed. That's why the league of women voters didn't like it, and you need to do it over, thank you.

Potter: We don't have a quorum for the consent agenda. Do any commissioners wish to pull any items from the consent agenda?

Leonard: Are we going to set it over --

Potter: Until next week.

Leonard: Next week.

Potter: Did you hear that, commissioner? We're not hearing the consent agenda because we don't have enough votes, so, do you wish to pull any items to be heard today?

Fish: No, thank you.

Potter: Commissioner?

Leonard: No.

Potter: We'll move to the 9:30, the consent agenda will be held over until next wednesday at 9:30. Please read the 9:30 a.m. Time Certain.

Item 1507.

Potter: I want to thank the committee. You put a lot of time and effort into this report and I appreciate that. We know that customer service is so important to our community and by being responsive to the community and getting them to stay engaged, we have a better product in the end. I really appreciate the fact that you have taken a thoughtful approach to working towards a culture of customer service making customer service a part of everything that we do. I believe it increases the relevance to the day-to-day work of our employees. I know that customer service is important to the incoming mayor and that today's report gives a great way forward to continue improving service in the years to come, so thank you for your work, and please proceed.

John Dutt, Office of Neighborhood Involvement: I am john, I am with the city of Portland office of neighborhood involvement. I supervisor the city of Portland Multnomah county information referral program, and today, i'm here as the chairperson of the customer service advisory committee.

Jeremy Van Keuren, Mayor Potter's Office: I am jeremy, and I am with mayor Potter's office and I sit on the committee.

Alisa Cour, Bureau of Development Services: I am alisa cour, customer service manager for the bureau of development services.

Dutt: So today, we're here to present our first annual report of our customer service advisory committee. We're going to go through a presentation. Elise will bring you up to speed on we're we came from and what we have done. Jeremy will do the presentation on, on sort of the present, we're at, in terms of going over the report a bit, and then i'm going to talk a bit about the future and ideas that we have. But, before we do that, we wanted to, to ask a couple of rhetorical questions. First of all, should, should the government care about customer service? These are questions that we, we ask people in the bureaus as we've been doing our work with them, and, and usually, that's an immediate yes. That's kind after no brainer, I think, for anybody that, of course we should do customer service, but when you ask why, that's sometimes a bit trickier and there is a lot of answers.

Today, what I would like to, to suggest should be the main reason is, is public trust. Faith in government. I think that right now, in particular, this is a historic time in terms of financially, you know, the outlook isn't that great. There is a lot of government involvement through, through the discussions about economic stimulus and government wanting to lead. However, unfortunately, sometimes the perception of customer service, I think, isn't that positive among, among certain segments of the population. I don't know about you, but it seems to me like, like jokes about government workers are probably second only to jokes about lawyers, so if you work in the city attorney's office, you have got it doubly bad, but, but it really shouldn't be that way. But, unfortunately, I think for a lot of folks, that's kind of how they look at government.

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Fish: As someone who is a recovering lawyer and now a public official, that the jokes, the jokes have great currency until someone needs a lawyer or someone to respond to their needs in the public sector and they, they evaporate quickly.

Dutt: That's true. So, really, it shouldn't be that way because civil government should really be about civil service and, and leadership, government leadership should be about service and putting the needs of others ahead of the needs of the organization, and, and serving the public, so, I just, before we, where he keep that up, I want to stress the importance of that, especially in today's climate. I want to give kudos to, to mayor tom Potter for initiating the i.p.7, which is, as you will learn we're we came from, just that, that commitment and the rest of the council for the support of the customer service advisory committee and the work that we've been doing. The other thing I would like to do before we turn it over to at least, to lisa is to introduce the rest of the committee, many of whom are here, sue, with the revenue p.g.a. Tour, actually, if you could stand up. We have vincent woods with pdot. Michael mills from the ombudsman office, art alexander with the bureau of technology services, and then, I know michael mock with the water bureau, charles stocky from local 189, the president. And michael kaplan is a community member and business consultant with g.k. Ventures, and then jenny scott is our support from the auditor's office. That's the rest of the committee and everybody.

Cour: I'm going to briefly share about the past work of the which are service advisory committee that brings us to today. The customer service advisory committee was created by council resolution 364 in september 2006 as of the recommendations. Early on the customer service advisory committee defined the role as consultant, not regulators and working with bureaus to achieve improvement in the area of customer citi-wide. To initiate our work, the committee defined what we see as the three most important customer service improvement areas, which include one creating a culture of customer service city-wide, and two, soliciting and monitoring customer feedback to improve service, and three, workforce development in the area of customer service skills. Focusing on these was important because we heard in the course of our research and discussion with the bureau, we heard from three bureau that is told us that they did not have customers so, the committee identified that it was vitally important to help bureaus define their roles, when their customers are, whether internal or external, and to also recognize the diversity of services and bureaus that we have in the city. After defining the three key improvement areas, the committee set about serving bureaus about their customer service improvement efforts. And compiled a customer service improvement tool kit, which now lives on the customer service advisory committee's website. The tool kit includes examples of customer improvement areas from bureaus city-wide that can be used as a shared resource, invoke thoughtful ideas, and discussion for advancing customer service ideals and be tailored by bureaus to suit their individual needs. Once the tool kid was if place the committee held a kickoff event in november 2007 that was attended by bureau directors or their designees from each bureau in the city. And the committee explained who we are, what we do about the tool kit, and site teams would be forming, comprised of committee members to act as advisors for individual bureaus, and we also had in-person meetings with many of the bureau's following the kickoff which were helpful, and we gathered information from bureaus to compile the status report that we are presenting to you today, as part of the budgeting process for 2008-2009 budget. And now, i'm going to turn things over to jeremy van current to talk about the current work of the committee. Thank you.

Van Keuren: Thanks. So today we're asking you to accept what is the first annual customer service status report and that's the culmination and collaboration just described. The most important point that I want to make is the report is not a reflection of the quality of customer service that comes from the bureaus but more a ground, excuse me, a ground level assessment and a map of we're bureaus are at progressing towards goals that will improve customer service city-wide. The committee decided the most effective way is a culture of customer service in each bureau. To that

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end we evaluate the progress in three areas that she has already touched on. I'm going to go over those three points. I'm going to give a few examples of what we have seen in the bureaus but even though I'm singling a few bureaus out I want to emphasize that we saw really great work coming out of all of the bureaus that we reviewed. So first to the goal of incorporating customer service elements into the mission and values of each bureau, as well as their strategic plans. We found really good examples of this in development services, and customer service clearly is reflected in the missions and values and goals, and the management expectations, and, and, um, their employee handbook. In fact, they have their own customer service department. The water bureau is also strong on this with an emphasis on customer service and raising the bar campaign. They are conducting organizational development processes to find additional areas for customer service improvement. The second goal is to solicit feedback from customers and to use that to improve service delivery. Cable communications, for example, is currently working on an extensive community outreach process. Police and fire conduct regular community surveying and solicit feedback for focus groups, which was a unique example. The third goal is the inclusion of customer service in developing the city's workforce. The guiding questions here included, is customer service experience considered during recruitment and hiring? Our employees evaluated on their customer service aptitude during the review process, and do employees receive ongoing customer service training? Many bureaus accrue it as part of the hiring process and include it with the evaluations. Is a few bureau, however, have ongoing training for customer service. We have the revenue bureau and the parking enforcement program. So, to finish up this part. I would like to bring your attention to the chart on the second page of the report, should be coming up on the power point now, and to evaluate each bureau we settled on a consumer report style matrix. This will give you the progress towards fostering the culture of customer service. The goal is to accomplish each of these as fully as possible, and I'll turn it over to John to talk about how we work in that direction.

Dutt: The main message here is that there is a range of possibilities. There is a lot of things that can be done. First of all, our committee plans to continue the work that we started. In terms of working with the individual bureaus. We'll be getting more updates in so those will come in February and we can look at those in March. The report that we're, we're presenting to you today is really for, for ending this past June, so there's been work going on. A lot of stuff, there's a lot of half circles in that consumer reports style graphic that we, we came up with. That's because a lot of things are, are in progress. A lot of things have been started, but are not really institutionalized, so we hope to see that progress to continue, and we plan to continue to present ourselves as a resource to the bureaus in that work. A couple other things, though, that have come up that, I think, the committee believes merit some discussion, and at least be on the radar. One is a city-wide customer service survey. One of the recommendations of v.i.p.7 was to look at the s.e.a., the service efforts and accomplishment survey that the auditor's office does to see if there was a way to incorporate customer service questions into that. We had several discussions with the auditor's office about that, and the conclusion on that is that it really wouldn't work but they, they did encourage us to look at doing a dedicated city-wide customer service survey. As you can tell from the report, there is a number of bureaus that do surveys. Most don't. But some do. But even for the ones that, that do that, there's not a lot of uniformity or different surveys so having a city-wide survey would really be a way to, to, um, to, to gauge how well the city as a whole is doing, and, and also, would, would, would necessitate some resources to do that. If you look at the bureau of development services, the fire and police bureau, the three main ones that do a real formal survey, they use an outside contractor. They spend 20 to 30,000 to conduct the surveys. So, you know, right now, we don't have those resources available, but it might be something worth looking at doing a, a city-wide survey that would really give us feedback from the customers. As Jeremy said, our report is really

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not an evaluation of how well any bureau is doing at providing customer service but rather, their efforts in those sort of key areas of, of, of efforts to improve customer service.

Fish: May I just ask a question? If there was a city-wide survey, would it go to, to, to all, all citizens or would it go to, to select cohort? Would it go to people that, that we have screened as people who have had some point of contact with the city at some point? Coming back to them.

Dutt: Right.

Fish: Or would it have a mechanism to screen whether people have had access and then dig deeper?

Dutt: A couple things, one of the things with the service efforts and accomplishment survey that we looked at. We talked to the auditor's office about incorporating into that. One of the big obstacles there was, you know, the response was, well, a lot of the people that take that survey may not have had any, any direct services from the city. And so, I think if we are doing a customer survey, first thing you have to do is identify the customer. So, I think that you would, you know, want to get feedback from folks that have had a direct experience. And, and we have a lot of different types of customers. One of the models that we looked at for surveying customers says, first, you have got it define it, are they consumers or constituents or, or people that are, that are on, on the receiving end of compliance services because you are going to have a very, very wide range of responses depending on what type of customer you are talking about, and you don't want to be comparing apples to oranges, so it's tricky and that's we're we would need to, to work with, with some folks that have some expertise in that area to figure that out because I think that you want to make sure that its meaningful data and that --

Fish: The other thing that I suggest, is I think a continuing challenge is to get people to respond. We have, we have a foreclosure crisis in our community and the banks are saying they will send up to 12, 15 pieces of communication to a customer at risk with information on how to solve the problem and people aren't opening up the mail and responding. We probably all get deluged at dinnertime with people who call and want to do a questionnaire on the phone. I get surveys in the mail and we're all busy, so thinking about a way we're we could encourage people to complete it and send it in and, and maybe even get some reward for doing so, so that we don't get a self selected group of the, of the, maybe the noisiest customers responding. We get a more representative group of, of the cross-section.

Dutt: That came up, as well, in talking to the auditor's office about the survey and the efforts and accomplishment as they had a concern about the length of the survey and their response rates have been dwindling, so that was another big issue for, for that survey and any surveying. So, I don't think that our committee, any of us professed to be experts on surveying so we would really need to be careful of how we go about that and craft that in the best way, but I think, you know, if you look at some of the bureau that is have done successful customer surveying, you know, it's possible, but we would need to, to work with somebody on that. The other sort of future possibility that, that we have talked about as a committee and in working with the bureaus is, is, you know, as the report indicates, there's a, a diversity of things going on. We all know that, you know, our city is famous for, for having, having a lot of bureaus doing different things and that's true. With the customers. Right now, there is, there is a dozen, probably more than that, systems in place in which we, we track our customer service information so, one of the ideas that we have talked about is a centralized city-wide customer manage system. Which would give us a single system to track requests. And we have a lot of different systems across the city, some are more sophisticated than others, and the, the, you know, the tools are out there. The systems are out there. To have something that's more of a centralized system. We're, we're, you know, somebody calls in to request a service, it gets entered into the system and it's tracked. I know I have had the experience of, of doing some research into, into the systems across the country. And, and there is, you know, 50 plus cities that have kind of gone this route and have had a lot of success with that.

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Fish: Commissioner Leonard? You have an enterprise bureau, I don't. So, I'm just curious, your experience with water bureau, would a centralized complaint system, where you call a centralized number and, and water, be preferable than the current system where consumers, customers of the bureau can complain directly to the bureau?

Leonard: It gets to the proposal we've been trying to develop, to develop a 3-1-1 system where you had a centralized call center that took not only complaints, but also, inquiries, and, and we are bringing the report to council rather soon from, from eoec. The we are also looking at the complaint form or the inquiry, if you will, or a format whereby people could, could have a central place that they would go to, to fill out the request for work or whatever might be. One place, it would be referred to the bureau, by the personnel.

Fish: So. Someone had a concern about the water being shut off. They called that number.

Leonard: 3-1-1.

Fish: And that person would, would presumably refer, would contact water to, to get a status report on it?

Leonard: That's right. We would have, havebacks, contact people, and all, all inquiries would go through that one number, 3-1-1.

*******:** Ok.

Dutt: Yeah. It's, yeah, in the backbone of the 3-1-1 programs developed across the country is this customer management system, and, you know, you can imagine it can be a complex system and project to develop, but certainly, there are cities that, that, you know, you call one number to, to take care of your water bill or reserve a park or file a nuisance complaint, whatsoever. So, having the centralized management system in place would, would allow for that single system. It also provides feedback mechanisms. People can receive updates by email or logon the web to find out what happened with their, their, you know, pothole request. The data that's provided by the systems is tremendous for, for being able to track trends, you know, what are people calling about, figuring out ways to improve the delivery and allocate resources, and also, you know, I know one of the themes that we have heard a lot over the last few years is community governance, having this type of a system in place to provide you with real data to base a lot of decisions on and, and policy decisions about, about what are the needs out there in the community. There is a lot of good examples of, of cities that have gone to the systems that have been able to change the way that, that they do things. As commissioner Leonard alluded to, all right, with this centralized customer management system in place, this is the potential for, for a 3-1-1 call center, a single call center. Right now, we have -- I did a list at one point of like 50 hotlines you can call for services across the city. Having that one call to resolve is, to me, you know, a huge step that the city could take in improving customer service, and also, it enables us to have consistent service delivery so that you have one group of folks that are, that are hired and trained to provide a certain level of customer service. I think that there is tremendous benefit to that. The downside is, if you look at the cost of doing something like this, just from what I have seen in other cities do, you are talking about probably \$2 million or more to, to get a system like this in place. Just the customer management system. So, like I said earlier, there is sort of a range of things that can be done. There is no additional cost option of, of continuing the work that we have begun and we'll continue to do that as long as we have, we have the blessing of council, and but, we could also spend \$3 million as a city to, to go to, to a centralized system. But, regardless, the future really depends on, on the continued leadership and support for customer service efforts, to help us create the culture of customer service. That, that, I think, we're seeing a lot of progress. We need that continued support. Now, more than ever, we need servant leadership, and we need to be in the business of customer service. Public, public trust is really essential during these times. We just thank you for your support for this committee. Any questions?

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Fish: I have just a couple -- well, I love the term, servant leadership. My state senator, avel gordly uses that regularly and I think it's a wonderful phrase and aspiration. I see then in the chart you gave us of sort of a progress report rating bureaus. You also list commissioners offices.

*****: Ok.

Fish: Perhaps I am so, so beyond the curve that i'm not listed on this. Is that because, because I wasn't grandfathered in with my predecessor or we need to, to do some work?

Dutt: No. This was a report of, of up until june, so, you were, supper --

Fish: I had just been sworn.

Dutt: You too new, but next time you will definitely --

Fish: What's your next cycle so we can make sure we are up to speed?

Dutt: A yearly report. So basically, the bureaus are required as part of the budget process to submit a status report, there is a one-page template that we devise that's part of the documents, we're they just give us an update on, on what progress that they have made annually.

Fish: So, because I guess I was sworn in june. Could we do a six-month report? Have you come in and just help us make sure our systems are set up?

Dutt: Definitely.

Fish: I have a feeling we could use some help in making sure that we are heading the right direction.

Dutt: And we have really tried to communicate with the bureau directors as well as staff within the bureaus, as well as with the, the commissioners staff so we're always happy to, to, like I said, we really view ourselves as a resource, so our site teams can come out and meet with individuals, within bureaus or commissioners offices, if you have any questions about the report in more detail or about something in there, we would be happy to, to talk about it, and we have ongoing conversations going with a lot of the bureaus.

Fish: We would like to set up a time to have you come in and walk us through. I am not surprised that Portland fire and emergency services has such a good rating. They tend to be very efficient in responding to these but I see for a lot of other bureaus, there are a lot of these partially completed in process have circles with lines through them. At what point does that become a problem? If that starts showing up year after year, does that mean the message is not getting across?

Dutt: Sure, yeah. I mean, I think what we found, again, this is sort of almost a baseline. Like jeremy said, sort of a road map to, shows us we're we are at. And, and I think what you will find in the report, especially if you read the narrative on some of them, you know, the half circle really means that, that a lot of stuff is, is, either are partially completed or in progress, or in the process or in some cases a lack of information. I mean, as late as last week we had new information coming in from some of the bureaus. So, some of it is just, having complete information. Some of it is a lot of bureaus have indicated that they have started to do certain things or it's part of their strategic planning process currently. So, but yeah, we definitely expect, would expect to see more, more, more fulfilling of the circles, more bullets as we progress, and yeah, obviously, if there isn't progress made, the bureaus indicate, is going to be may, that would be that.

Fish: I would hope that the mayor or the, the mayor-elect as part of the, of the instructions to council and to your directors, you have a firm time line for improvement at least. Does that -- I can understand well intentioned people will be making progress towards the goals but, there probably needs to be some hard data where it's expected people have at least six categories. You would want x number with the bullets. Anyway, I found this work very inspiring. Thank you for your hard work and effort.

*****: Thank you.

*****: Thank you.

*****: Questions?

*****: You.

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Potter: Thank you, folks. Do we have a sign in sheet?

Moore-Love: We do but no one signed up.

Potter: Is there anyone here who wishes to address this specific issue? This is a report. Please call the vote. [vote taken]

Fish: I want to thank all the people listed on the csac site team contacts and the presenters for all your hard work. My sense is that, is that at election time, people often talk about customer service and following through on those commitments, but the hard work is, actually, translating that into action. I'm delighted that we have such a comprehensive approach to this issue, and to whomever, whichever one of the three of you said that public trust is linked to how we address this issue, I cannot agree more. We sometimes think that people are moved by the big issues of the day, and I will tell you that's spending the extra two hours at d.m.v. That gets under people's skin. It's not being able to figure out how to fill out the taxes, it's the parking ticket you don't think you should have gotten and you spend a week trying to fix. Most people are, you know, teed off on those things because they are immediate, personal and time consuming. I think you have put us on the path to the right direction and I thank you for your good work. Aye.

Leonard: I, too, appreciate the work and, and it really, um, really is, is the kind of thing that I have focused on since i've been here in 2 on your side as, as alicia would tell you. The bureau of development services really, really, um, starting in 2 on your side embarked on a very comprehensive training program that upped our customer service level to the point now that, that we just consistently get nice comments from people who, who interface to get a building permit. But, having said that, I would challenge any of you in the audience or my colleagues here to open up the phone book and find what you do when you find an abandoned car on the street or, i'm, not what you do but who you call for an abandoned car on street or who you call for an abandoned car on the property. And there are two different numbers and bureaus that deal with that. So, customer service has to also be about, as we alluded to here, the ease of navigating our system. And so, that's why last year, with council's authority, we began embarking on developing this 3-1-1 system, that is this comprehensive call center that, that, um, as was alluded to, would cost some money up front to get going, but we would attempt to try to bring people from other bureaus that are providing those individual services into one centralized place. And in terms of the cost, one of the things that we're working on that I think would be great for customer service is to ignore some of our current political boundaries that citizens don't recognize and only those of us appear to, so for instance, the difference between local, county and Portland. People don't really care. They want to call one place and figure out who to talk to. Frankly, Chicago has reduced all, I think it's Chicago, is that right, Michael? Chicago, the contracts with the Chicago airport. You call 3-1-1 in Chicago and you get service related to the county or city of or the Chicago airport by calling that and all those employees are trained to do that. That's good for the citizens. Mostly it reduces the cost, the start-up cost that was alluded to here earlier so we're, I am giving you a preview of a budgetary item that's going to be coming before us based on some work we're doing at the 9-1-1 center that, I think, will really help extend the, the, the customer service we provide people by making the system easier to navigate, and by that, I mean whether it's metro or Portland or Multnomah county or p.d.x. Aye.

Potter: I really want to thank the committee for their hard work. Internally in the organization, it really is important to create that, that culture of service. And I think that that, some of the front end issue, I really support commissioner Leonard's idea about, about the 3-1-1 because we do have to, to make it easy and customer friendly for our community to be able to dial a single number and then provide objections to them to the appropriate service. And we also have to make sure that our folks in the city employment really do work towards providing customer service. They are there to serve the community and, and to meet the needs of the community. And I think that this is, this is a good effort. Most of the folks that I have contact with in this city, and that I heard about just in the, are

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doing a great job. We have got to make sure it's consistent from bureau to bureau and city-wide. So, thank you folks for sort of being that, that key link in terms of providing us information about how we can make better decisions in that regard, and also, keeping us aware of what our, our requirements are for our community. So thank you. I vote aye. [gavel pounded]

Potter: Please read the 10:00 a.m. Time certain. Did you want to read 1509, as well?

Items 1508 and 1509.

Potter: Mr. Leonard?

Leonard: Anne, do you want to come forward, as well? Anne? Thank you. A year ago this month the council adopted a resolution directing that the bureaus work together to develop a plan for reducing our impact as a city on green house gases. And to remind everyone, the energy used in residential, commercial, and industrial buildings contribute 43% in the united states to, to carbon dioxide emissions and 48% in the u.s. To green house gas emissions, so it's not an insignificant issue to try to figure out how to, to reduce the impact our buildings have on the environment, which doesn't get into the issue of cars or, or any other kind of human activity. The development review advisory committee of what you see, a subcommittee of in front of you, is a group referred to as drac. At the bureau of development services that we, we have engaged on a variety of issues since i've been, been blessed to have the bureau development services, you have seen them here on, on the budget, and, and you have seen them here on a variety of issues, and this is not a, a group that, that is just an advisory group. We, we are in a true partnership with the folks that make up this group, which includes developers and builders and others. And the latest work is probably could be the best example of that. They created the, the drac created a green building subcommittee that, that met two times a month for 10 months to develop the report you all should have in your packet that looks like this. The expanding sustainable development practices in Portland, Oregon. And this report interestingly is the first step in a number of steps in a multi-phase process to develop incentives and to develop benchmarks and a path to constructing in Portland in general. Just all kinds of construction in a way that, that reduces our impact on the environment, reduces our, our impact in making the global warming phenomenon that the world is experiencing less, and so, I want to welcome all of you here and, and tell you how much I appreciate your work. I know it has been difficult, but, but, I think that you are helping us once again as a city set a standard by which other cities look to, to emulate, and none of us here in Portland are confused at what we do individually will change the world but we showed the world how it should behave, and if other cities copied what we did on this issue and others, I think, our impact on the world as a race would be much less and, and would protect the, the environment for future generations to come. So, you played a significant role in that in producing this so far. I know you have more work to do and I want to thank you and look forward to your remarks.

*****: Great.

Simon Tompkinson: My name is simon, and I am the chair of the development review advisory committee. And I would like to introduce the people sitting here. This is our opportunity to update the council on, on the work that we have done for the last two years. And we are going to be interweaving 1508 and 1509 because they are tied together in an intimate way, impact assessment, and green buildings. Because we see ourselves as facilitators with good policy and we want to be able to move things through the city but also through the bureaus that really have an effect. To my left we have steve. He will actually be reviewing the function of the drac with you. Don getties from walz construction will be going through the ftc review, and dennis will be presenting the, the green building report. I will actually do the impact assessment review and also a wrap-up for you, and so we're going to get going here. We have a, a slide show, also, just to get is you guys and the community access to what we're talking about. The development review advisory committee, the city of Portland, was established and formalized in section 3.30.030. And it's administered by the bureau of development services. And it's become a critical resource for development bureaus but

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also the, the design and development community. It was made effective January 7, 2005, and it's comprised of 16 volunteer members representing all aspects of the development community from, from residential builders to, to the port of Portland, to neighborhood groups, design professionals, and also, customers at large. And everyone is welcome to our meetings, and in fact, we have many bureaus that aren't related to, to d.d.s. or the, to be at the meetings because we have a lot of impact on the overall community. And a large part of this has to do with the benefits that we get from, from our members. What you will see here are the 16 members that actually comprise our committee. I am, amend, very honored to serve with these folks, they are the best and brightest from Portland, and I think that you will see that in our report, absolutely stunning piecing of work. Frankly, it's already making impacts nationally because people are starting to talk about it and see it, so we're very excited about that. So, without further adu, I will actually pass it towards Steve.

Steve Heiteen: Good morning. Steven, vice chair of drac. The functions for the drac. Have been, the main parts are the reviewing bureau budgets. Our group focused on the transparency of the development review process, among the various bureau that is we interact with, and increasing the efficiency and customer service, which is something that we were just talking about just before us here. B.d.f. Staff updates the committee on budgets and development review, and anything that's related to, to the development in the city. The bureaus engage in the development review process are parks, o.s.d., very important, you will hear more about that, and water, b.e.s., and pdot. And each year, they, they present us with relevant components about their budgets for, for our review and recommendations so that they can gain our support as they come to you folks with that information. So, drac is supporting the physical initiatives as they come up each year and letting you know what's happening with that. Next, the review of development related fees and the supporting fees, we're there is clear benefits for, for the development community. Great examples that we have are the, the field issuance for remodeling program. Something we have a lot of knowledge with, part of the original pilot program for that, and then also, the major projects group dealing with larger commercial projects, and I know some of the members here have, have had great success with that, so, excellent relationships there with those. We're also reviewing the, the development related programs like public works permitting, and discussions on that are ways to streamline that so things can get done quicker and more efficient and, and a little more synergy between the different bureaus on that. And, and of course, develop a review development related policy, so relative to permits, also, the integration and development of review of the track system, which is a great way for, for people in the community to be able to see what's going on with the stuff that they are working on, where it's at in the process, and the interaction there. The three projects we've been working on this past year and we will continue, and you will get that from each of the folks here, again, as Simon mentioned, he'll be talking about impact assessment and how we've been dealing with that and seeing some ways to really make some inroads there, and, and dawn will take care of the s.d.c.'s, and, and the subcommittee on that, they will give you an update on we're that's going and Dennis will let you know a bit more about some of the more fun stuff with the green building and, and the report that we have for you guys today. So, Simon.

Tompkinson: Yeah. Great. And, and in 2006, we actually saw, saw this junction between how policy was being created for the developing community, but also, then, how the community at large was actually being communicated with. Policies would come over the tran so many and people would take notice, and you get some blow-back from the community in one way or another. An example of that is trees, another example, there is several examples like this. Changes in planning and changes in the development world really affect our neighbors, and one of the strongest voices are the neighborhood associations, and what's interesting though is that there was never a map, let's say, of how to actually integrate those concerns with how policies are being developed. And so, we actually spent a long time looking at, at how, how does the, the, how does the process of developing the policy for the community actually, actually hear and, and directly address the concerns of the

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neighborhoods and the community at large? The subcommittee working with the stakeholders and city staff reviewed several case studies to determine if the impact assessment process was working as intended, and the following questions were asked during this process. Does the assessment provide useful information to decision makers? When they actually need it? Does the impact assessment affect regulatory discipline? Is the assessment prepared and considered at key decision making points? Both possibly for the neighborhoods but also, for the city staff. And, and can an impact assessment be used to assess existing regulations and monitor the effectiveness of a new regulation? This was one of the biggest issues that a lot of the communities and the development community has had, which is what is, what has been an effective feedback to see waist working and not and what's interesting is that in the last three years, we have had the other methods for the city to hear from the development community, has really made a huge difference. Not only in terms of the customer relationships that we have out there, but also, in terms of how, how, how the development community creates a dialogue where the city, and this is transformed our relationship with you, and commissioner Leonard, I have to thank you for your push on this. And then we're seeing also that this is having an effect elsewhere. So, the result of the report has some really key findings. The impact assessment process, unfortunately, was used inconsistently and we would like to see that change. A written impact may not be revisited, as appropriated regulations are revised. In other words, if you have an impact, something changes in the code and we don't go back and actually see, addressing the needs of the community. And, and there are few comments made on the reports, published by, by planning, bureau of planning and, and the development services bureaus. So, again, part of that feedback of how do we get the community to respond? Something commissioner fish was talking about. We have been focused on this literally for the last 2.5 years. How do we get effective communication into the bureaus and out of the bureaus but also, into your offices so that you can hear what we're asking saying, as well? We also found that it was difficult for others who, to evaluate and interpret the, the thinking that leads to the decision making around policy. And that was one of the things that, you know, having consistent documentation in the process was somewhat missing. And so, given that that was the landscape that we found, we needed to find an easy way to actually start a dialogue. Not only within the development community but, but the neighborhoods, as well, because that is we're a lot of the concern has comes from our policies. So, we spent a considerable amount of time thinking through this and we created the impact assessment game. It's a simple way for us to start communicating with the public and the bureaus about what the concerns have been. In the past we had an impact assessment flow chart, which is fairly complicated and frankly, I don't understand it. So, you know, i'm part of the development community. So, there were -- we needed to simplify that process, and the impact assessment gave us a handhold for that. I believe that you have an example of that, in fact, we just had two bureaus request a policy review last week. And it's turning out to be a very simple way for people to, make sure that that, they are communicating with you, with, with the development community, and the community at large. It's become useful, and again, it's just a tool. Not a mandate but a way for us to see what the landscape is looking like. And one example of this is the recent title 29 discussion. Which was, basically, a review of the code to be able to deal with derelict and commercial structures. The building code had absolutely no way to do this. We had derelict housing for neighborhoods and ways to actually deal with and effectively manage the housing. But, not in the residential realm but not the commercial realm. We established a panel to review this, and we had great dialogue where your office, and also, established a way we're the businesses, residences is, and the community could actually get their issues heard, had great dialogue with the small business community and mitigated a lot of the impacts that could have happened with that title 29, actually being instituted the way that the city had it. So again, the, the effort from the city was correct. The implementation just needed to be tweaked to get all the concerns on the table and it became somewhat painless to be honest. Which, which i'm very happy

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about. And in six weeks we resolved major issues so that's one example, and another example, is, is just recently, we're in the planning of the, of the new max trains and some of the other trains, sorry, the trains that we have going on, you know, how are we integrating infrastructure planning with this new transportation planning? On the east side, for instance, and this isn't, you know because we don't know all the information but we heard from the bureau of planning. And the bureau, the water bureau that, that we could have actually put the, the train tracks on the other side of the street without tearing up all the maintenance on the east side. As a planning idea. And was that reviewed or impact seen? We're seeing a major cost increase based on the very simple decision on which side of the road to actually put the, the train light on so those are the things that we like to, to propagate, you know, have lots of questions, and make sure that, that, the impact assessment is on the tip of everyone's tongue so that when bureaus are planning, they are looking at, at what are the inputs and how are the, the budgets going to be affected from decisions they are making. Thank you.

Fish: Can I ask one question on that? Something that over the years that I have heard is that, is that the issue is framed in terms of the bureau of planning does the master planning. The code gets written. And then they are charged with interpreting the code that often is contradictory and ambiguous or what have you so this, out of that, which, which is as early as 2 on your side, I got an earful sort of.

Tompkinson: Yes.

Fish: You might have remembered that. We may have been candidates but, but the, the -- so, I really applaud this effort of, of trying to bring stakeholders together to work through the problems proactively. But I'm just curious in terms of your, the success you had, you said parks, sustainable development, b.d.s. And pdot are the five core bureaus. But I don't see, I don't see bureau of planning. I see Bonnie McKnight, and she is the super woman but she's on it city-wide planning from the citizen's point of view, so how does, how does the bureau of planning intersect with what you are doing?

Tompkinson: Well, what's interesting is that we have a great dialogue with the bureau of planning. I will be sitting on the budget committee as well as the, the b.d.s.'s budget committee so we look at both those things very, very carefully. You are right. There are some, some inconsistencies. We need to solve those. That's part of what the request that we're having with the Portland plan, and the review of the comprehensive plan is, how do we actually get these bureaus with planning to be able to utilize our infrastructure and our development services at critical economic engines for the city? How do we actually get, you know, that dialogue to establish we're, we're not only do we make things work better but how do we leverage it into an economic engine and that is a critical conversation for the next few days. So

Fish: Is it fair to say that your perspective is that your focus is on the impact so you are looking at the bureaus that are impacted by those decisions?

Tompkinson: Yes.

Fish: But you don't need planning as a member of drac because you have good lines of communication and they are assisting you in this process? They don't have to be part of a stakeholder group?

Tompkinson: They are active in the meeting, themselves. Even though it's not necessarily listed as a participant, they are actually, three people from planning and they give us reports so I was a misnomer that they are not involved completely because they are present at every meeting and that's one of the functions of our meetings, so we get direct impact and direct communication from the stakeholder groups that we represent individually to, to each of the bureau heads and, and the representatives.

Leonard: I was going to address this issue that, that you brought up about the inconsistencies in our planning code that, that, in 2 on your side, created a deadlock, and what, what I discovered was, was that the employees at development services, charged with enforcing those codes, when they

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would see inconsistencies, took a very conservative view and would do the most, often times, restrictive thing in order to not get outside of the box. And one of the significant changes in the approach that, that we have, we have, that we have changed through training is to, and the reason you don't hear this as much, as you used to, which is, which is we have to do something about the duplicative codes and something about the conflicting codes, and the employees now view them as options. And they are options that, that are then explored with developers, builders, and the community in terms of what's possible in a project, so, as opposed to viewing them as conflicting and causing problems, they oftentimes can, can be, used in a variety of ways because no project is alike, with another project, I mean, you have different neighborhoods and you have different densities and you have different zonings, and you have different uses, and, and really, sometimes, the code, although it may appear on the face to be conflicting, really, affords us some opportunity to be creative in how we, we apply it so that it fits better into a neighborhood or fits better for the developer. And, and, and so these guys have helped a lot, having us recognize what options might work better.

Fish: That's very helpful, and just on a related note, p.d.c., we think of as the Portland development commission is the implementing agency for a lot of this, so, planning, sends staff people to your drac meetings, what's your intersection with the Portland development commission?

Tompkinson: Um, from the standpoint we're we're actually dealing with policy, itself, not very much. But, you know, we would like to have more. We would like to actually see more implementation and more discourse there. I don't necessarily, i'm not aware of, of those discussions because those are much -- they are above my pay grade, you know. So, I don't know necessarily, you know, what those issues are because we're, we're -- specifically, focused with the bureaus and the concerns and the community's concerns right then. The, the -- what i'm referring to as an economic development sort of conversation is what we're hoping for. We would like to have more of. And so, to answer your question, yes, we would like to have more. No, right now, we don't have much.

Fish: That's helpful, thank you.

Tompkinson: Ok. So we're going to move along to gris building. Yes.

*****: Ok.

*****: Sorry, no problem.

*****: Don getties.

Potter: Don, could you turn that?

*****: I can do that.

Don Geddes: Ok. So, the next topic that we wanted to talk about is we've recently set up another subcommittee that was, had interest in the drac to look at, which is how are the s.e.c.'s evolving and getting set? Is there any oversight to them? So, we set up a subcommittee that is currently in process, so you are not going to get a, a request or report today from us. And as we go through that, what wire finding is as we sit down where, as we sit down with the organizations, you have parks, transportation, b.e.s., and water are the four and then we also sat down and talked with the, the public utility review commission, or review board you, and asked what their process was and their involvement was, and, and we're finding, you know be there are two types of s.d.c.'s, you have those like b.e.s. Which can charge a fee, as can water, and so they are looking back to pay for, for improvements as needed, but you have parks and transportation transportation, which has no income from fees. Other than s.d.c.'s so they have to do it as, you know, they set up projects that they want to do and then they see what they can find based on we're income comes from the development source. So, as we look as a group, we'll be looking to try and figure out, again, from a higher level, really is what we're trying to see, is there any coordination between any of these fees, and an example that I give you would be if planning, as an example, says we want to do a, a town center neighborhood, in any part of the city, is there any focus to using the s.d.c. As part of that or

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are each of these groups doing their own thing, doing their own projects? And an example would be if, if we are trying to do a town center, I know as the contractor, we oftentimes in unimproved streets put a piece of sidewalk in, and that's part of, you know, coming through transportation, that we're being enforcing, we put a sidewalk in to nowhere. You have the sidewalk in front of your building. It goes nowhere because the rest of the street is unimproved and probably will remain that way for a long period of time, if not ever. The reality is, if two blocks away we're trying to do a neighborhood center that needs new sidewalks, needs new corridors to get petersen --ing to pedro corridors, [inaudible] put the money into a pot that's better used, and our question is, is anybody looking at that as a group and we're not sure that they are.

Fish: I think that I see a campaign issue down the road. The sidewalk to nowhere. [laughter]

*****: Yeah.

Fish: On the question of the, of the, of the aggregate effect, that's an issue that we, up here, hear all the time from people, particularly the developers. It's a first cousin of what we hear about, let us know what all the prime ministering issues are, you know, clear guidance from we do renovation but the next thing is, not looking at system development charges as a series of islands, but understanding the aggregate. I love the word, "the aggregate effect," that's what we hear, from developers, and also wanting to know we're, we're, if there is a movement to, to adjust and, and increase one during, during the predevelopment phase. Because these are sensitive.

Geddes: They are very sensitive.

*****: And getting more sensitive at the moment.

Fish: And as we know in the affordable housing arena, these things are getting harder to pencil out, so it's, but it's a certainty we are talking about, it's understanding that the aggregate effect is what you are looking at, not being nickel and dimed by every charge, and if you are successful in, in allowing the customer to see in the aggregate all those charges and to have the folks talking to each other, recognizing that, that the increase won over here, and it could have an unintended effect over here. It could be the straw that breaks the camel's back on some other activity you are trying to encourage. That, I think, would be great progress.

Geddes: So that's our goal is to finish our studies and get back to you with the report similar to the report you will hear next.

*****: It's just a brief update on that.

Dennis Wild: I want to talk to you briefly about the green building report recommendations, and I believe that you all have received this, very easy to read and by the way you will also be getting a summary of the 22 recommendations that are included which was, I don't believe it's included in the packet you got this morning, so that will be forth coming. I wanted to, to start off this morning with one brief anecdotal story that relates to the prior conversation that you had about, you know, feedback loop with the citizenry. There was recently a group of, of visitors from, from the regina saskatchewan including the mayor and commission members and economic development director and others, came to Portland and, and wanting to know, you know, what's the manualic thing in Portland, how we created a strong, livable city and the most important thing that they said, they said you have a beautiful city. You have done remarkable things, but the thing that we find more, more remarkable than anything else and what we haven't seen in any other community that we visited is that, that the public sector and the private sector seem to have the same dialogue going on. You have, you use the same language. You talk about a similar vision, and we don't see that anywhere else. And, and I thought that that was a really remarkable testament to, to the success that we have had as a community. And I think that drac is, you know, is one, one example of, of the efforts of the city to, to build and maintain that dialogue, and that correspondence and to figure out how to continually improve and upgrade the city services. So, with that, I will talk about the green building report as commissioner Leonard said, we started in january of 2007, spent 10 months developing a series of recommendations, and, and, and there were six drac members on the

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committee, and then a number of, a number of representatives from, from, from outside of drac and including, including, you know, the single family home builders, and, and, you know, the homebuilder's associations, boma, and other bureaus of the city, and, so we had broad representation, and general consensus, not complete consensus, but general consensus around the recommendations. We developed the recommendations in six, six categories. And there is a pie chart, won't go into a great bit of detail on that, other than we focused on the areas we're, we we felt the city could, could, could provide, you know, specific instances whether it's education, outreach, financial incentives, regulatory measures, and performance certification, and talk a bit about that, briefly, and technical assistance, and the benchmarking and assessment tools monitoring. So, in those six categories, we came up with 22 recommendations. And we're going to talk about, about three, just to give you an example of, of the, of what's going on. One is, is doing a construction code's audit, and there was a technical advisory group which was created and is still ongoing and, and doing a detailed audit of the building codes, and looking at a national demonstration code that was developed by ashray, the association of, of, of heating and refrigeration engineers, and, and so, that's a comprehensive code that, that tries to -- that attempts to try and take the lead certification process and see how you can codify it. If it's even possible, and so, now the city, we're going through that same process and trying to figure out, you know, what could we legitimately include in the process so that it more accurately reflects, you know, green building standards so that's, that's an ongoing activity that was the result of, of the, a by-product of, of the green building subcommittee. Second one is a green building review committee, looking at alternatives, systems, evaluating non standard data, and, and developing then a recommendation around products and methods that will allow these technologies to be put in place in the city of Portland. So, how do we take innovative ideas and materials and start to anticipate the utilization by allowing the flexibility within the review process. And then finally, the idea much like the narrow lot home strategy that the city has successfully adopted, is seeing if there's a way to have preapproved green plans that could be incorporated, particularly focusing on the single family residential and small scale development category. As I mentioned, it wasn't all unanimous. The one recommendation or series of three recommendations we made around green building performance evaluation and there was some controversy over does the city have the right. All building are inspected once or twice a year. Elevator inspectors come out. Does the city or the public have the same obligation and right in terms of the energy proponents' buildings? Should we audit the energy performance and post it? Maybe we don't mandate performance, but certainly we start to elevate the performance of the building so it becomes a factor in determines of the asset value of that property. Bowman, some others, felt this might be pushing the notion too far, but I would just offer up that governor kulongoski has included some similar ideas in his carbon reduction strategies at the state level. This is not an idea that's dead. I think we just have to figure out how do we work with the building owners' groups to understand their concerns and figure out how to successfully move the ball forward.

Tompkinson: this is really a call for a citywide sustainability policy. Doing it piecemeal will not actually work, because this impacts all aspects of city process. This gets back to the impact assessment. This is why we brought two of these issues together. Green building does actually incur additional cost. It also incurs additional maintenance fees and all sorts of other things. However, the benefit that needs to be measured by the community, and we all need to agree this is the direction we want to go in. One of the things that had come up in the impact assessment was are there other ways to get things done? We need to have alternatives to regulation. Regulation is very important. It actually protects the public -- protects the public sphere. We definitely are not issuing a mandate against that. There are maybe other ways for us to drive development and innovation within our development community, and we would like to explore ideas with you. We'd like to see different ways to actually get that done. We see the development services community and what you

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guys do as a city as a viable economic engine with the shift in the economy causing concern. We did an informal poll of our members, and we are actually seeing a little shutdown of the development community. We are already seeing shortfalls in the bureaus in terms of what's showing up, and we want to put a warning out there for the next three to six months. It's going to be dire, because a lot of the projects have literally stopped in their tracks. There's no lending going on. We want to alert you to personal experience. My office has literally shut down except for maintenance contracts, so there are some real concerns in terms of what's going on in the community at large in the development. This is why we see this was a leading policy agenda to come up in the next few years.

Leonard: You're talking about the Portland plan.

Tompkinson: The Portland plan. It is critical that we start looking at how infrastructure and economic development can be integrated into a economic policy that utilizes the development services as not an afterthought but as a forward-moving entity that is constantly in dialogue with the city. The other aspect is that there's a strategic vision missing when we have the bureaus in different camps. So this is also a request that you, as commissioners and the mayor, really look at how to integrate policy of these development bureaus so that this economic engine can actually work correctly. That's why planning is critical in terms of what we do in the development committee. Changes in fees, changes in how the total aggregate cost of development shows up is something that is on our radar and will be critical in the next few years. I want to invite you to our meetings every month. It is open dialogue, and we're always there. I'm available and many of us are available for dialogue outside it.

Leonard: Thank you, Stewart. Nice presentation. Thank you to all of you. This is really good work.

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

Moore-Love: No one signed up.

Leonard: I just want to acknowledge, while these guys are here, that this is really a refreshing group of people to work with. They've used this group as a way to move forward develop and standards and never to block doing the right thing, whether it's increasing fees or increasing standards. I just want you to know I'm very cognizant of that, cherish that, and I just think it's really a great example of how we can work well with the private sector. You've been a really great, progressive, proactive group.

*******:** It's scary that we've actually endorsed fee increases.

Leonard: I know.

*******:** [laughter]

Leonard: But greatly appreciated. Which proves to me, if you give good smart people all the information, they make 90% of the time the same decisions over and over. I really appreciate that.

Fish: I learned a lot today, and Kate Allen, who's the housing policy coordinator with the city of Portland, actually over the weekend read this report cover to cover, and I have her marked-up copy and her cover memo, and there's just a ton of good stuff for us. As the person in charge of affordable housing community, there's so much here. One thing I wanted to dispel is affordable housing developers or for-profit developers all have great concerns about this market. You're saying there's an enormous decrease in activity, applying for permits. There's tremendous consequences to this global economic crisis that's affecting us at home, but what's encouraging to me is you're using terms like cost benefit to evaluate things. You're talking about aggregate impact. And, in addition, you're talking about pilot projects, a chance to perhaps convince some skepticking out there, both our affordable and for-profit developers that actually increasing efficiency doesn't necessarily break the bank and that there are some techniques. It's a way to bring people into the fold. We know at government, we can always, as the default, drop the hammer and

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regulate, and we technically have that power. People get to see for themselves that these things maybe aren't as onerous as they thought, use pilot projects rather than mandates. I think recommendation 11 that you put only the slide is particularly important, but I also want to just say that, from the affordable housing side of the ledger, what you're talking about is reducing energy costs for residents. That's very important. You're talking about improving indoor air quality for children and at-risk people in buildings, and you're talking about reducing operating costs through the use of durable, sustainable solutions. It's just an absolute win/win across the board, and again sometimes the pushback we get is some people, in a time of economic crisis where costs really matter more than ever, are worried about imposing new costs. And I think your focus on cost benefit, your insistence or your desire that we have an aggregate picture of how all these affect people and your recommendation that we use pilots to bring people into the fold to show them that we can actually enhance efficiency standards without breaking the bank is hugely beneficial to this ongoing debate. I want to thank each of you for the time you've put into this, because I think you give us the promise of moving the ball but doing so where we bring everyone together and that, for the long-term, I think is very beneficial.

Tompkinson: One thing. Maybe you're hearing throughout the presentation actually what we're trying to say, which is right now is not the time for small chemically dependents. Right now is not the time for contraction of how the community can be banded together to actually create something new. 30 years ago, we had a similar contraction and came out with the comprehensive plan. This is a huge opportunity actually, and we are moving into a zone where people have to be brighter, have to be smarter, and have to listen. And we want to, as a body that represents the community -- want to actually be the voice for that and move things forward, so I really thank you.

Potter: Thank you, folks. Anyone signed up to testify on this?

Moore-Love: No one signed up.

Potter: Please call the vote on 1508.

Fish: Aye.

Leonard: Aye. I also want to point out ann hill has been the dynamo behind a lot of the development, including overseeing our biodiesel programs. Thank you, ann. I want to acknowledge your great work on this. Aye.

Potter: I really want to thank this group and commissioner Leonard for your leadership on this. I'm not sure most folks would recognize how really big this is, but it's in addition to reducing our carbon footprint. It's a different way of doing business by the city with the community, particularly the development community, and I think this effort is spectacular, and it will have some long-term results, and the results, I believe, in addition to reducing our carbon footprint, are around how we solve problems in this city. This is a problem-solving document on how you get together and utilize, even in a difficult time like this, the opportunities that are inherent within the current economic climate. So really do want to thank you folks for a tremendous job, a great presentation and document. I vote aye. Please call the vote on 1509.

Fish: The only other observation i'm going to make is that I wonder if, given the positive work that's been done here, we should change the acronym. Something about drak that doesn't seem as welcoming.

Leonard: The darker side of the personality.

Fish: What's the word?

Leonard: Dracula?

*******:** The dark lord.

Fish: For all the reasons that I mayor stated and I stated before, i'm pleased to vote aye.

Leonard: Aye.

Potter: Aye. We'll move to the regular agenda. Did you have a recommendation on -- could you please read 1532?

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Item 1532.

Fish: Mayor, because two of our colleagues are not present today, I would respectfully propose that we amend this so it is not an emergency ordinance but just a regular ordinance so that we have a presentation today but the matter be set over to the next meeting for a vote.

Leonard: Second.

Potter: Call the vote on the amendment.

Fish: Aye. **Leonard:** Aye. **Potter:** Aye. Commissioner fish?

Fish: I'm very pleased to co-sponsor this ordinance with commissioner Leonard. City of Portland has a very ambitious 10-year plan to end homelessness. It is based on a model that says, if we provide someone with a decent place to live and services long-term, some of our most vulnerable people, including chronically homeless people, can have a chance to rebuild their lives. It is at the core of our housing strategy as a city -- and this council has, on a number of occasions, reaffirmed that the 10-year plan is in fact our strategy. As I learned recently, our 10-year plan is the envy of the country, and we really have a lot of progress which we can be proud of in terms of moving chronically homeless people off the street into housing. Recently we conducted something called a vulnerability index survey, working with a nationally renowned group called common ground. We actually did a survey of homeless adults living on the street. With the consent of all the participants, which meant we got written consent, we took their photograph and filled out a -- asked them to help us fill out a questionnaire. We used volunteers who were especially trained. Approximately 600 people were surveyed, and we learned some very disturbing things. We learned that 47% that, what the common ground people call cohort but the sample -- 47% are at enhanced risk of dying on the streets over the next seven years. And the way they determine most vulnerable person m.v.p. Status is they look at the kinds of health conditions people have and make some reasonable projections. One of the statistics that I thought caught us all by surprise was that, when we compare Portland to other major cities where the common ground has conducted a similar survey, we have the highest percentage within people surveyed of folks that have three or more life-threatening illnesses bundled together. That means that there are, within the most vulnerable group on the street, people that, for example, kidney failure, h.i.v. Aids, and some other life-threatening disease. I think it's important to observe that 22% of the most vulnerable group, slightly more than one in five, are veterans. Of those veterans, an alarming number said they were not receiving services from the veterans' administration. Either we're not aware of services, we're not receiving services or have been unable to obtain services. And when we presented the report to the community, it prompted me and others to observe that there are men and women who wore the uniform of this country who are at greatest risk of dying on the street of the country they defended than in the battlefields in which they served, which I think we all acknowledge is a national disgrace. As I said recently in an article that appeared in the newspaper, I noted that Portland has a real opportunity here to demonstrate that, as adults, we recognize the difference between our own views about the war and the justness of any particular war and that deep moral commitment that we nonetheless have to people who have served and who have come back with the ravages of war and she'd to be reintegrated into our community, I have great confidence that, in Portland, we can make that distinction, that we can have strong views about the war -- and many of us are solidly against this war -- but that we can have the highest record and respect for the people who wore the uniform and have come back and have now suffered because of their service. We are trying to keep faith with our 10-year plan to end homelessness, which is the best model that, in my opinion, has ever been devised for how to deal with chronic homelessness. But at the same time, we need to break a logjam in this community, shelters to deal with people when there's no other option. I'm not going to stand here or sit here as the housing commissioner and extol the great virtues of shelters -- virtues of shelters. As caring people, though, with the economy going into the toilet and more and more families on the streets, how can we not act to strengthen the social safety net to provide at least a

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warming center or safe place as an interim station on the path we're all committed to which is getting people a home with services. In partnering with commissioner Leonard today, I think we are making a very profound statement to our community. The housing community is saying that we could be both for the 10-year plan and we're fully committed to it and at the same time recognize we should have some safety net for people on the foreseeable future until those units are built and until those people have long-term places to live. I am pleased to join with my colleague to support this ordinance which will take money sequestered from the last round of sunset -- this is not money being taken out of bureau of housing and community development budget. This is not money being diverted from any current homeless program. This is money that's part of a surplus that was set aside as a reserve, which is to be tapped to open two warming centers. And the notion of warming centers is that, during the bulk of the day, it's a place where people can go and escape the streets and find a meal and place to stay warm for people literally. It may very well save lives. This is a partnership that extends to Multnomah county. The warming center concept that we're presenting to council today has a contribution from the county which recognizes its role even during tough budget times. So I'm pleased to co-sponsor this ordinance with commissioner Leonard, and I'd like to introduce Nora Berry from DHCD to lead us in a presentation on this proposal. Leora?

Liora Berry: My name is Liora Berry. I want to speak in support of the \$242,000 ordinance that is before you today. This would allow us to open the seasonal warming centers. What we've learned in the past two years from the opening of the severe weather shelters, which are different because those only operate for maybe 10 or 20 evenings during the course of a season and only happen during very specific weather criteria -- these seasonal warming centers would operate on a night by night basis from either 7:00 at night or 8:00 at night until 7:00 or 8:00 in the morning and be functioning on a regular basis. One site would be for families, the other would be primarily for adults, including pregnant women, young youths who are maybe under 18 or around the 18 to 21 mark as well as medically vulnerable adults and other adults out on the street. You referenced the medical vulnerability survey, and what we found, I think, that was very surprising was out of 302 vulnerable people, 91 reported that they had a history of exposure related illnesses, frostbite or hypothermia. We're very, very wet, and sometimes the coldness escapes some of us that are housed, but it's obviously affecting the health and well-being of people sleeping on our streets. These funds would be leveraged by an additional \$100,000 that the county has prioritized which they unfortunately had to be able to obtain through cuts to their existing services. They are now turning away families or homeless. All our shelters are operating at full capacity. We've improved most of our shelters and services over the past few years, and this season our winter shelters are also greatly improved with on-site social services to help people move from the shelters into permanent housing. But still there's a gap. We know the youth system shelter is also at capacity, and we needed to do something different this season to make sure that there were places for people to go inside to get warm and get away from the cold and wet season. So the county staff were here earlier today and had to leave. They weren't able to stay for the whole time, but they wanted me to state their appreciation for your hopeful support of this project and how deeply supportive they are of there, evidenced not just by their funding commitment but that they are working with us to identify buildings where we could have the two sites working at. We also have two providers tentatively identified that would provide the service, and so it's really a matter of making sure we have the funding and then moving forward into hopefully opening them within 30 days after we know what the final decision is. We have almost 700 individual health questions and information entered into the system right now, and that is a lot of people in a very short amount of time that have completed a 45-question survey. Overall, we found over 30 people that have in-stage renal disease that are sleeping on our streets. We have 133-plus people with heart conditions. We have people with obviously very serious health problems, and these warming centers will allow them again to come inside. While it's not a full-service model and doesn't provide daytime services and is just a mat on

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the floor, it's still a place for people to come in and be safer. We also had a large percentage of people, I think over 45%, that reported that they had been the victim of a violent attack since sleeping on the streets. Again, this is really basic safety off the streets. This is also part of a larger winter shelter model that we have. This isn't the be all and end all of what we think needs to be provided or what we do provide. At the county and city, we operate and want to maintain the existing day shelter services operations. We've made recent improvements, as I said, to the adult winter shelter as well as the family winter shelter. We're going to expand the hours of operation of 211 info which will allow evening and weekend access for people trying to find out where to go and how to get there and if there's room to be able to get that information. Also the county will continue to provide for people severely in medical need and the ability to further expand weather shelters with a more tight criteria than we've done in previous years. We'll still be looking at red cross being our partner during the times where it's really, really cold or we have ice storms. Any questions?

Potter: Very good presentation. Thank you.

Commander Dave Benson, Bureau of Police: Good morning, mayor. My name is dave benson. I'm the commander of the tactical operations. I was an original committee member leading to the plan to end homelessness. I'm somewhat versed on this issue. I applaud commissioner fish and commissioner Leonard for bringing this forward and leora, because this is critically important for our community. It is a very practical matter. All the vulnerable people we can get off the streets reduces victimization, reduces the amount of time the police bureau has to be involved with these people, either assisting them as victims of crimes or in some minority of cases some these nokes get pretty desperate being out only the streets and commit crimes and we have to introduce them or reintroduce them to the criminal justice system, and quite frankly that is not the best position for them. Again, I applaud this, and I think it is, although a very temporary measure, a band-aid approach and the long range is certainly a permanent housing, I think it's an important step. Thank you.

Potter: Did anybody sign up to testify on this issue?

Moore-Love: No one signed up.

Leonard: I recognize that we're going to have to set this over for a vote on a second hearing, so i'd like to say a couple things. Commissioner fish was exactly right. This is really a significant change in how we've approached folks that have been put in a place where they have literally no place to go and no place to sleep, and oftentimes, honestly through no fault their own, due to mental illnesses and choices they've made, drug addiction and alcoholism. And since i've been here, there has been a tension between the 10-year plan to end homelessness, which I do support, and this effort that really was spearheaded by the police bureau to find places for people to be at night rather than vulnerable out in the street, and I would be really remiss if I didn't acknowledge the work of sergeant meting and bill senate, and I don't see our guy, jeff meyer, out here, but certainly nobody who understands or has been involved in this issue cannot acknowledge jeff's focus on trying to address people that have been left out in the street who then become victims of crime often times. One of my regrets is that I don't get to work with these guys closer. They're not just good police officers. These are stellar human beings who easily could come to work and put in their eight hours or 10 hours and go home and call it a day and be good cops, but that's not what they do. I in some ways find myself identifying a lot with them in their effort on this issue, and I think they have been received oftentimes, as i'm received, rather brusque and uncaring about folks in the bureaucracy, but that heightens a real understands of the finality of human life and the cruelty that life can bring to the most vulnerable people, and it sometimes manifests itself in our behaviors as being brusque or uncaring about how people feel, but it's in an effort to try to protect the most vulnerable and become impatient as you realize you can't get there as quickly as people need help. This is a tremendous achievement, I think, by commissioner fish. This is not something that, notwithstanding my desires, came about until commissioner fish joined the council, and I certainly need to acknowledge

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and say how much that I appreciate it and also on behalf of the people whose lives I believe this is solving. It brings a dignity to people who may not be health-wise threatened of losing their life by sleeping under a bridge, but they deserve better. They deserve our efforts of which you have brought our focus on by bringing this resolution today. So, to me, this is really a significant day that won't get a lot attention because the people who are helping are often the people others in our community try to avoid looking at or talking to, certainly being talked to by them. I would encourage everybody to try to embrace the cops that come in to talk to you as trying to help people even though sometimes it may come across as a little pushy. It's really more of an effort of trying to help the very same people. It means a lot to me. And you've earned some credits with me that you can cash in at your will in the future by being so thoughtful and creative today, and I want to recognize it and appreciate it very much.

Fish: Mr. Leonard, thank you for those remarks. In addition to the people you singled out, I'd like to thank Leora Berry and Sally Erickson, the two very talented full-time staff people at the Bureau of Housing Development who are working on homelessness issues. Mary Lee, our colleague at the County, Commissioner Wheeler, who has shown an interest in this. Commissioner Leonard, you, our friends at the Police Bureau. I also want to just close by noting that on election night our president-elect defined patriotism as a renewed spirit of caring for each other and for redoubling our efforts to help our neighbors. This Council, during this economic downturn, has been very clear in wanting us to step up and be much more bold in how we deal with the crisis that we find in housing, and we will be moving shortly on a resource access center and seeking Council approval so we can start building that in August of next year. We're working with the Veterans Administration to try to fix some problems with vouchers. We're working with the Portland Development Commission to try to move a development in South Waterfront. We have an ambitious foreclosure relief package that we're working on. The message I want the public to hear is that this Council is very engaged with dealing with this emergency, and today is, in presenting this consideration for a warming center, we are offering a bridge that will provide a gap -- boy, I'm --

Leonard: We know what you mean.

*****: [laughter]

Fish: Is there someone who can help me translate this into English? Ledge Len you're going to fill a gap.

Fish: We will fill a gap. Thank you. And our long-term vision, as everyone has mentioned, ties honor and fund the 10-year plan, but this will provide a necessary safety net. I thank you for your presentations and good work, and we'll be voting on this next week.

Potter: Thank you, folks, very much. I think this is a much more practical and humane way to solve a problem that it was very obvious to a lot of people, but I really appreciate your leadership on that issue. Thank you, folks. Goes to a second reading next Wednesday. Please read item 1533.

Item 1533.

Potter: I'd like to call up Lisa Johnson, Randy Blasik, Emily Godfrey, and Norm Costa. We're here today to honor the life of Mulugeta Seraw. He was brutally murdered by some skinheads, and since then his death has had a tremendous impact on the city of Portland. Hundreds of community members have held vigils to honor Mulugeta Seraw and also defend ourselves from the senseless violence that led to his death. I want to read a proclamation to the memory of Mulugeta Sera with, and to his son, also to the community members who work tirelessly to make our city a more inclusive and welcoming place. Then I'll turn it over to the Coalition Against Hate Crimes. Whereas the late Mulugeta Seraw, a student at Portland Community College, was murdered in a brutal hate crime the night of November 12th, 1988, in Southeast Portland, 20 years following his murder the city of Portland has proudly become a city that treasures the rich diversity of this residence, including immigrants, sexual minorities, religious and ethnic groups who are essential to building a vibrant community. Whereas the city code states that the city of Portland is committed to

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improving the lives of all of its residents and strives to eliminate all forms of discrimination because such discrimination poses a threat to the health, safety, and welfare of the residents of Portland, whereas on January 16th, 2008, Portland city council adopted an ordinance creating an office of human relations and council appointed a human rights commission working to eliminate bigotry and discrimination and whereas the city of Portland is taking appropriate measures to address hate crimes and the Portland police bureau investigating all bias-motivated crimes, Portland has become a more vigilant, resilient, and proactive city where every human being is welcome to live, work, play, and worship in a safe environment. Now therefore, I, Tom Potter, mayor of the city of Portland, the city of roses, do hereby declare November 12th, 2008, to be a day of recognition for Mulugeta Seraw in honoring his memory and working to limit hate crimes in our city.

Maria Lisa Johnson, Director, Office of Human Relations: My name is Maria Lisa Johnson. I'm the director of the office of human relations and also the director of the Portland human rights commission. As we come together to remember the life of Mulugeta Seraw, we're at the dawn of a new era. No one can deny the promise of a new type of presidency, and no one can take back the pride of especially our African-American colleagues at seeing themselves reflected in the highest office. And yet in our bordering states, ballot measures passed that hurt the basic rights of immigrants, gays, lesbians, transgendered, and bisexual people. Massive layoffs of immigrants are in response to ballot measure 5190 and to the south in California proposition 8 passed a ban of gay marriage. Have we made progress in the last 20 years? Most certainly. And there's still work to be accomplished particularly in this economic downturn. When legislation sanctions inequity and institutions sanction injustice, they grant permission to scapegoat immigrants, gays, people of color, and people such as Mulugeta Seraw. Let this be a promise to your son, Mr. Seraw, that we have not forgotten, that we are of moving forward to a deep commitment to challenge our injustices and build peace and greater understanding. Thank you. I was going to introduce Emily Godfrey, but she had to leave, and there were others from the coalition against hate crimes that also had to leave, but she left her testimony which she asked me to read for you. It says good morning, Mayor Potter and commissioners. My name is Emily God Freed. I'm the executive director of the Oregon Area Jewish Committee, a human rights and advocacy organization, an affiliate of the oldest human rights organization in the United States. I'm a proud member of the new city of Portland human rights commission. Today we remember the sad death of Mulugeta Seraw who was killed in Portland 20 years ago solely because his skin was black. We can make sure no more horrible crimes will happen in our community. For nearly 10 years, the coalition against hate crimes has convened meetings of community advocates and law enforcement professionals, religious leaders, educators, election officials, and simply interested stings that talk about the violence that can occur when others hate simply because of a color of a skin, religious or sexual identity. The coalition has encouraged reports of hate crimes, education on issues of diversity, and conversations between groups who don't often feel comfortable communicating. More recently our city has been graced, thanks to all of you. With a reemerging and revitalized human rights program. I am excited about what we will be able to accomplish in the next few months and beyond. The success of our work will rely on the breadth and depth of the background of the human rights commissioners and their dedication to this important work. It will happen because of the commitment shown by the city by providing us with an excellent staff to help us move forward. On this day, when we remember the brutal murder and the pain it brought to our community, I would like to share a way our cities came together to do the right thing. In late 2004, several of us learned that racist skinheads were planning to hold a rally in Gabriel Park in southwest Portland during the first weekend in January, 2005. This location was chosen specifically because of its proximity to several Jewish institutions and synagogues. It was not only the Jewish community who was concerned. Many other neighborhood and community leaders had heard the same news. A meeting was held at the Multnomah Center, attended by the director of the southwest neighborhood incorporated and many others. It was

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decided that a separate, positive, and unifying event should be held at the same time as the skinhead rally. We would hold it at the Multnomah center just a few block as way from gabriel park. This would serve to focus community efforts on building community rather than hate. During the first few weeks that we had to plan the event, our small planning group put together a public awareness campaign to help neighbors express the idea that hate was not welcome in the community. A poster and flyer were created with the motto neighbors together against hate. Thousands of copies were printed, paid for by a donation from the Portland trail blazers and distributed in the southwest neighborhood newsletter. People were asked to display the posters in their windows. We also had about 150 lawn signs with the same logo and motto distributed in the neighborhood. Nearly 30 organizations joined the effort as supporters, sponsoring organizations including local churches, advocacy groups, neighborhood organizations and many more. The january 8th program included presentations from a number of local leaders. It was mayor tom Potter's first week in office and would be one of his first public appearances as mayor. Two state senators and several representatives were also on the program along with students, musicians, and activists. All of the Portland city commissioners attended the event along with many other community leaders. I was lucky enough to be the emcee for the event. We were expecting a few hundred people to attend. Instead the Multnomah center was filled to capacity with over 1000 people spilling into the halls and standing near open doors outside the auditorium. The lawn signs and posters remained up in the neighborhood for weeks following the event. People felt good about being part of an active, caring I and diverse community. Only two skinheads showed up at the rally in gabriel park. You're not required to complete the work, but neither are you free to desist from trying. All of us in this room and throughout the city of Portland know that it takes deliberate and consistent work to fight against hate. We know the work is still far from complete. At this time, when we remember a sad occasion in our history and celebrate where we have come since that date, though the work is hard, none of us are at liberty to refrain from making the city safe from hate and intolerance.

Dr. Randy Blazak: My name is dr. Randy blazik. I'm the chair of the Oregon coalition against hate crimes. 20 years ago today, while mulugeta seraw was having his skull bashed, I was a young graduate student studying a group of skinheads in orlando, florida. In those 20 years, we've learned a lot about the impact of hate crimes. One of the things that people say to me is that, well, aren't all crimes hate crimes? We can say, based on the research that we have, that they are not the same as normal crimes, that hate crimes are in fact a form of terrorism. They are meant too send messages to large numbers of members of the community. Hate crimes tend to be more violent. Mr. Seraw was brutally beaten by three young men with baseball bat. Those who survive hate crimes are more likely to need plastic surgery to recover. They suffer longer in terms of psychological impacts, depressed, suicidal, and that's because they can't change the color of their skin or their sexual orientation or their immigrant status or shouldn't have to change their religion. We know hate crime victims are likely to change their behavior, withdraw, maybe even move. We had a case in medford of a couple that had k.k.k. burnt into their lawn, and they decided it was best to move away from medford. We know the target group is impacted. If there is an antigay attack in Portland tonight, whether the victim was gay or not, the members of that community will all experience an increase in anxiety. We saw this is especially after the 9/11 attacks. People experienced an increase in antiand fear that they might be the next victims. People start to wonder which side folks are on. Do the people in my neighborhood hood support the people who attacked me or my family or are they on my side? Maybe most significantly, with regard to this proclamation, a city or a town can be stigmatized. Who cannot think of the town of jasper, texas, without thinking of the brutal dragging death of james burt 10 years ago. Who cannot think of laramie, wyoming, without thinking of the brutal murder of matthew shepherd. As the chair of the coalition against hate crimes, I get calls every year and emails from people who are thinking about moving to Portland, Oregon, and have heard about this case. They've heard about it on cable news programs that sort of cover is. There's

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a show called "city confidential" that spotlighted this crime. And people want to know if they can feel safe in the city of Portland, Oregon, because of this case of skinheads and violence. I sort of have to serve as a one-man chamber of commerce talking about how the city of Portland values diversity. It mentions the city's long-standing support of the coalition against hate crimes, including the participation of the Portland police bureau and also the importance of having a dedicated detective who not only is in charge of finding out what crimes are hate crimes, what crimes are just hate incidents and what crimes don't qualify under Oregon statutes but also sending a message to the community that we take these offenses very seriously. In the wake of Mr. Seraw's death, we've come a long way in terms of taking these issues seriously. I would like to send a message that the city is concerned about these things, and we aren't turning away from these issues. We're taking them head on. I'd now like Norm Costa to speak as part of the coalition.

Norm Costas: Mayor Potter started community policing. He started the community roundtables. And because of that, the Portland police bureau has interacted with the coalition that our city is known for its diversity. And also you took over new avenues for you after you left the police bureau which really helped. I've been involved -- one other thing. I also am on the board of the gay and lesbian groups, president of veterans for human rights. I work strongly with the gay community. Just as an aside that veterans for human rights was contacted by the D.A., and we have -- in dialogue with them, with their human resource department, some veterans have asked for help. They have actually come out and said they are gay to the V.A., and they are considering using veterans for human rights as a resource. One of our members of the investigate trans for human rights is a pastor. He's also on the board of the welcoming congregations, and he would be willing to send them to the faith-based place of their choice and other things that we can actually help, and I certainly will be talking to Commissioner Fish about this. For my past year as working with the Portland police bureau and first with the sexual minority roundtable, I started in 1994 and became very active in it and in the coalition from 1999. The Portland police department actually assigned two full-time bias crime detectives but it soon became apparent they only needed one to work with the bias clients. The first detective I met with was Detective David Yamasaki. He was probably one of the nicest persons I -- nicest persons I ever worked with. His memorial service is next Wednesday. He was so pleasant and nice to everybody he met. He would make people feel week. My work with him was in the gay community at that time. People did not really trust law enforcement, and so I would take people through I.D. And everything else and help them through the process to do what we could then. Now that we have a state law about discrimination against us, that really does help. I also worked with Brian Gross, the next bias crime detective I worked with, and he and I gave many presentations to the community of what legally constituted a bias crime. One of the things that Detective Gross did one time, because I got involved with the roundtable, we had meetings away from the justice center, meetings at outside in, the sexual minority youth resource center, and the Janice youth programs. We got a call about a gay African-American youth that was threatened with violence from two skinheads and given racial slurs. He wanted some help. I set up a meeting with Detective Gross at a neutral coffee shop. The result of the meeting was that the skinheads spent overnight in jail because of being a danger to the young African-American man. But later the two skinheads were caught on videotape in another incident, and this youth agreed to testify, and they got a longer sentence. This is what I call great community policing when you get people that get involved with the police bureau, trust the police bureau, and are willing to come forward and put people away who are breaking the law in this instance. Commander Rosie Sizer of Central Precinct was on the commission at that time, and she was great in helping us. In 2001, we had a hate crime in Washington County, Lonnie Ocuero, and Lori Buckwalter of the transcommunity asked me to do something about that, and I called Mayor Katz' office. Mayor Katz' office helped with Pioneer Courthouse Square, Parents. Pete Flag also helped and several other agencies, Basic Rights Oregon. I was with the Pride Board then and the coalition of hate crimes. We

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put on a vigil at pioneer courthouse square. The community that lonnie was associated with, asian-pacific islanders, never did trust police too much. And at that vigil, chief pa reese see and chief coker showed up in uniform, and then that community started cooperating with law enforcement in Washington county. These are things that are really important to community. I want to thank two people from mayor Potter's office. Rhea rivio and carmen rivio. Maria really helped us put on our conference. She has been a great help. The office has always been open. Carmen is just so nice and starting what we're here today about. And so you have really wonderful people, and you've left a wonderful legacy. Thank you.

Potter: Just a correction. Carmen rubio now works for commissioner fish.

Costas: Oh, wow: All right.

Fish: Which is one of the singular reasons why the mayor is no longer talking to me.

*****: [laughter]

Potter: Thank you. No vote required. Please read item 1534.

Item 1534.

Potter: Please come forward, folks. Or try keep you so long. When I heard about this, I was so impressed with what happened. On november 1st of this year, the lents neighborhood association, with the Portland police bureau, "ceasefire Oregon", kp tv, the office of neighborhood involvement, initiated a gun turn-in event that was so impressive, the results. 424 firearms were turned in, and this is the kind of event, I think, that makes our community safer. It brings up the whole issue around getting rid of our guns, and I really truly appreciate the work that "ceasefire Oregon" has done on this issue.

Shawn Albert: My name is shawn albert. The cease-fire education foundation received its start because three women in the mitt 1990s were concerned about the rising rate of gun violence across our country. One founder had heard about a gun turn-in in boston. Our founders were quick to develop a partnership with the ecumenical industries of Oregon and began to talk to police chief tom Potter about the possibility of a gun turn-in taking part in Portland. In may, 1994, the first turn-in was held in Portland. We collected 600 guns that year. Ever year since, the cease-fire education association has conducted a gun turn-in. 15 years later, a total of 7155 guns that voluntarily and permanently been removed from circulation. Today we are proud that we offer the only annual and longest-running gun turn-in in the united states. Our organization has experimented with the event over the years. Initially there were several sites in the Portland area. We expanded to eugene, added medford and so on. For years, the event occurred on back-to-back saturdays. In 1998, only a couple days before our turn-in was scheduled, the thurston high school shooting occurred. We collected a record number of guns in the wake of that tragedy with the largest amount coming from lane county. For a few years after september 11th, the numbers of guns collected declined. Like many organizations, september has an impact on our fundraising abilities. In 2006, we retooled the guns to be turned in by neighborhoods and have since staged in concordia, st. Johns, and most recently lents. We know our guns come from literally all over. People turn in their weapons for many reasons. Our anonymous nonscientific survey indicates the turn-in provides an outlet for most homes to rid themselves of the last firearm in the house. There are services and agencies who provide for disposal of computers, cellphones, toxic chemicals, and paint. We are in the business of disposing of unwanted and deadly weapons. The program clearly serves the public need. Up to this year, with every gun turn-in, we have held a press conference, purchased ads, and met with editorial boards and ran public service announcements. The local media has largely been supportive of our efforts. These coordinated media events provide an opportunity to educate the public and raise awareness about firearm safety and storage. This year we considered and added a new partner to the event. Kp tv offered to provide exclusive television support leading up to and during the gun turn-in. Kp tv fox 12 viewers heard different stories from gun victims and how a gun changed their lives. Without a doubt, this generated high numbers in the turn-in. We offer \$50 in exchange for

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each weapon. This year we raised the exchange to \$75. Our organization pays for this with virtually no discounts from the suppliers. Chicago and New York from time to time hold gun turn-ins and offer \$100 and \$200 for guns respectively. New York held a turn-in last October offering 200 dollars per weapon and received 500 guns. Lengths turned in 424 guns, costing more than \$22,000. \$22,000 of cease-fire education foundation largely raised from individual private donations in Oregon using our signature event, the gun turn-in, as our pitch. Oregonians support the event and realize the value and service it provides to our neighbors and public safety officers. That's a little bit after snapshot history our event, and I'd like to introduce Corey Hanson.

Corey Hanson: Fox 12 is a local news station that is known to cover crime, and we do that because it's what our viewers tell us is one of the more important issues to them. But they also want to know what crime solutions are happening to make them safe, and that is why we as a station have really made it a priority to sponsor events that promote public safety. We've done document shredding, which helps reduce i.d. thefts. We've done car seat checkpoints in order to help make sure children are safe in cars. About a year ago, we made our first attempt to organize a gun turn-in. We had no idea what to expect, how it was put together, and that's why we turned to "ceasefire Oregon". Today we came up with a media plan to bring awareness to the community about the upcoming event. In every single one of our newscasts, we ran a little full screen that explained to people when the gun turn-in was. That was 40 different times we mentioned it leading up to the event. We placed it on our website. During our 10:00 news, we took it a little deeper. We decided to talk to the real people impacted by gun violence and the real people working to end it. Some people were members of the neighborhood association for Lents, a former prostitute who had been shot at, and we also talked to the police bureau about the heat program. On the day of the event, we had a crew bringing live reports from the actual event turn-in itself. At 7:00 a.m. -- now, I have to admit there was concern that starting the gun turn-in at 7:00 a.m. would not be beneficial to the end result. People were worried though I would want to get up that early to come turn in a gun, and I'm happy to say at 7:00 a.m. there was a line more than a dozen people. The reach of our message through the television drew people from all over. In fact some people came from Seaside and Salem just to turn in their guns. Unfortunately they were turned away, but it is just an example of impact a television station can have on promoting public safety and the efforts to improve it.

Mary Thompkins: I'm Mary Thompkins, the crime prevention coordinator for northeast Portland, also a board member of "ceasefire Oregon". My job was the project coordinator for the gun turn-in. I helped to facilitate these meetings with cease-fire, KP TV, and the Lents association community members. We were very instrumental in making sure we brought all the parties together so that everybody had a vested interest in educating the community, promoting the campaign as well as preparing ourselves for the gun turn-in. Portland police bureau is one of our major partners. We're going to introduce sergeant sessions and commander crews.

Potter: Thank you, folks.

Sgt. Tim Sessions, Bureau of Police: I'm sergeant Tim Sessions, a uniformed patrol sergeant. My other job ties work as the liaison with the Portland police bureau with "ceasefire Oregon" and have been doing this the last four years. Part of my job is to not only attend their meetings to answer any legal questions or give them some advice so that they can actually put this program on but to actually go and visit the site where they want these gun programs to take place to make sure it's adequate for them not only for parking but it's a safe environment. I also organize who is the staff, other police officers, and also organize the east precinct cadet program where they come and actually do the hard work of literally writing down the information for the guns so the accountability is done in a manner that they can trace those guns so they can be checked, so they can be destroyed, because they have very strict regulations at the Portland police bureau's property room. We were literally taken by surprise, the Portland police bureau, when we arrived. They were going to arrive 45 minutes early to set up the mobile command center to get tables out, and here's all these

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people already there waiting to turn in their guns. I can honestly say that day it was a pleasure to get a sore back. We didn't get a break until the end, till we literally had to start turning people away because there was such long lines of people wanting to turn their guns in. It got to the end where there were no more certificates, even i.o.u.s that people just wanted to turn in their guns. They didn't want them anymore, and we readily received them. I can honestly say that, because of the organization of this is the whole reason why this is such a success, and credit goes to box news and "ceasefire Oregon" for this. We're just the tools that make sure this is a safe environment and that it's a truly organized environment so that it can happen again.

Commander Mike Crebs: Good morning. I'm Mike Crebs, the commander of east precinct. My job is to try to keep east precinct safe. Many times these unwanted guns fall into the hands of criminals. Also some these guns are discharged as people will pick up a gunner not familiar with operating. I want to thank them for that, because it's pretty common to have accidental discharges. We had a woman call us about two days before the gun turn-in. Her husband had passed away about a year before, and she was afraid to touch the gun. She called sergeant Scrubs at east precinct, and he drove to her home and obtained the gun and found out that the gun was loaded with one in the chamber. That could have been a tragedy if somebody would have come over there, a young child, a grandchild, grabbing onto that gun. She took it in the next couple days over to the gun turn-in and received \$75. I think it's a great program. It makes it safer for the citizens of the east precinct and the city of Portland. I want to thank them.

Potter: Sergeant sessions, how are the guns destroyed?

Sessions: The property room personnel told me that they're literally cut up. They do the work. They have saws, and they literally cut them up, and then they take the metal parts, if you will, to a foundry.

Potter: Never to be seen again.

Sessions: Never to be seen again.

Potter: Thank you, folks. Excellent job. Presentation only. We'll move on to item 1535.

Item 1535.

Christine Moody, Bureau of Purchases: Good morning. My name is Christine Moody, and I'm the purchasing manager for the bureau of purchasing. Before you is a purchasing agent record recommending an award on a bid for the meter shop relocation project for the water bureau to a local firm, 2kg contractors, in the amount of \$2,915,000, which is 6% below the engineer's estimate. The water bureau, along with our bureau, identified 15 divisions of work for potential minority women in emerging small business participation. Participation for this project represents 3.5% of the identified contracting dollars. I am going to turn it back over to council. If there's any questions regarding the selection process or the project manager is here nor technical questions.

Potter: Questions from the commissioners? Thank you very much. Did we have a sign-up sheet on this?

Moore-Love: I did not.

Potter: Anyone who wishes to testify to the specific issue? Please call the vote.

Fish: I commend you for your outreach efforts and the final outcome. Pleased to vote aye.

Leonard: Aye.

Potter: Aye. Thank you. Please read item 1536.

Item 1536.

Potter: This is an emergency vote. Requires at least four council members. Are we going to set this over or get the testimony on this and then vote on it next week?

Moore-Love: I did not think commissioner Adams would be available to vote on this today, so I think they're ok with setting it over to next week.

Potter: We'll set it over to next week then. Please read item 1537.

Item 1537.

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Shelly Haack: Good afternoon. My name is shelly haack, and I manage the neighborhood housing program with Portland development commission which is a section that administers the limited tax exemption programs on behalf of the city. I'm here to ask for action on two items. One is to deny the limited tax abatement application for 3756 dash 07 and the other is to rescind the termination of limited tax exemption number 348707. On september 18th, council acted on the termination and denial of a variety of limited tax abatements for ownership projects. One of the properties that was recommended for denial was limited tax abatement 375607. And council directed staff to perform additional research and have additional conversations with the applicants on that property, and we have since had those discussions, provided a memo of the findings to the city attorney's office, and the recommendation after that additional research is that the application be denied and the city attorney's office has concurred with that -- concurred with that recommendation. Tax abatement 3487 dash 07, the reason for the termination is the application was inadvertent included on a list of active terminations. The owner of the property was on active duty. As a result, his mail was being sent to an address other than the property address, one of the triggers that we used to conduct further investigation as to whether the property remains owner occupied. Ultimately the error was a clerical error on the part of p.d.c. We failed to remove that application from the list of termination, and so we're here today to ask for your help in correcting that or and reinstating or rescinding the termination of the abatement so we can notify the county tax assessor to continue with that abatement.

Potter: Questions from the commissioners?

Fish: No. But I just want to commit, shelly, great work as always. One thing that I would urge us to do in the if you had is to the extent you may be coming back to us in the future asking us to approve an a basement -- here you're asking us to rescind an action taken in error that's a housekeeping matter, and we're denying another for the reason stated in the ordinance. I would urge you to reach out to the county assessor and to find out in advance of our deliberations if the assessor's office has any issue with the abatement.

Haack: And on the particular abatement that we are asking for the rescission of the termination, we have had conversations with the county assessor's office. They've had some clerical issues on this particular count as well, so they are in full support of the rescission of the termination.

Fish: Appreciate that. Good work.

Potter: Anyone signed up to testify on this matter?

Moore-Love: No one signed up.

Potter: Anyone who wishes to testify to this specific irk? Please call the vote.

Fish: I'm going to vote aye. The applicant, what we list at l.p.a. 3756 dash 07 had a chance to testify at a prior hearing. I will say that clearly she gave some very compelling testimony about the circumstances that caused her not to be the initial owner, and I think council deserves some credit for engaging her on those issues and directing staff to do some follow-up work. But while this outcome may appear harsh to some, she was not the initial owner, and we have some very clear guidelines we need to follow. But I do know that staff went the extra mile to see whether there was some way she may fit win our cry tira. I'm satisfied, after reviewing your report, that she does not, and therefore i'll vote aye.

Leonard: Aye.

Potter: Aye. Please read item 1538.

Item 1538.

Potter: Emergency vote. We don't have sufficient council members to vote on this issue, and it will be held recover to next week. Did you folks want to speak on this issue?

*****: Yes.

Steve Planchon, Portland Parks and Recreation: My name is steve planchon.

Justin Douglas, Portland Development Commission: Justin douglas.

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Planchon: Very quickly, at your request, we brought back a revised ordinance that simply allows us to proceed with the cooperative agreement between p.d.c. And parks to negotiate the acquisition. Requires council approval of the final conditions, and we are going out for a new appraisal that the final price will be based on, and we're here for questions if you have any.

Fish: The concern raised when you were last here was about the appraisal. The ordinance before us, in paragraph 7, states that p.d.c. will obtain a new appraisal of the property. Will this be an appraisal issued by a new appraiser?

Planchon: Yes.

Douglas: That's correct.

Fish: Independent appraiser.

Douglas: That's right. Objective current market conditions, not a review of the past appraisal.

Fish: I'm very pleased at how promptly you responded to that concern. From the terms of the ordinance, it looks like it may also be a benefit for taxpayers. I appreciate your work.

Potter: This is set over for a vote till next wednesday. We're recessed until 2:00 p.m.

At 12:23 p.m., Council recessed.

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

NOVEMBER 12, 2008 2:00 PM

Potter: Welcome to the Portland city council. [gavel pounded] please call roll.
[roll call]

Potter: Please read the 2:00 p.m. Time certain. And please read 1539 and 1540 together.

Items 1539 and 1540.

Potter: We're going to have a staff presentation, approximately 15 minutes in length. And then there will be some invited testimony, then we'll open it up to the public testimony. Gil?

Gil Kelley, Director, Bureau of Planning: Thanks, mayor. Good afternoon, gil kelley, director of planning. With me are carl lile, the planning bureau project manager for this effort, and rick michaelson, who has been a consultant to the bureau on this project. You'll recognize rick from other activities. He has been both a member and chair in fact of the planning commission as well as the member of the landmarks commission in the past. He's no longer a member of either body. So he's working with us as a consultant on this project. I'm going to be very brief and turn it over to carl. We in general try to bring things to you wrapped up in a bow, and this one is not. You have two city prominent commissioners coming to you and they'll testify as part of the invited testimony with very different positions on the fundamental question here, which is whether or not to allow additional height and f.a.r. on five so-called opportunity sites in the ankeny/skidmore/old town area. At the end of today's hearing, and you'll hear lots of testimony by a number of parties, we would like some indication from you as to any work you would like us to do between now and the time we return back to you. Depending on the nature and volume of testimony, we may want to suggest at the end of today's meeting that you leave that hearing open in case they are -- there are amendments or revisions that you'd like us to work on at the close of today's session. Suffice it to say, in addition to a split opinion between two of your advisory bodies, we have also heard very recently in writing from a number of prominent preservation groups, some of which are national in scope, and we have heard from a number of the members of the development community, and that testimony will be in front of you today. Again, you'll probably hear about a number of potential middle ground solutions on how much additional height and how much additional f.a.r. And whether that should come exclusively from benefits accruing to the historic nature of the district, which is what the planning commission has proposed. Or whether that should come from some -- in some part or whole part from a housing bonuses. But that's really a second question. The first question is whether or not you suggest as a matter of policy that we do allow height and f.a.r. On these five opportunity sites. With that sort of framework i'm going to turn it over to carl, and we're happy to answer questions at the end, or if you prefer, at the end of testimony. Thanks.

Karl Lisle, Bureau of Planning: Thanks, gil. So what we'd like to do is rick will actually give us background on the project, how we got to this point. We'll talk about the actual pieces that are proposed, new design guidelines for the district --
[inaudible]

Potter: What were you watching? [laughter]

Kelley: Just in case you didn't think the hearing was going to be entertaining enough.

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Lisle: Right after the hip hop hour we're going to talk about code changes and the cost iron resolution. And the final piece we'd like to give a little bit more information on the controversial issues of the height opportunity sites, which we know you'll be hearing about in testimony.

Rick Michaelson: Thank you. I'm Rick Michaelson, I've been the consultant helping our team, helping the planning bureau on this project. The work before you is one of the implementation measures that grew out of the Ankeny/Burnside study that was completed in 2006. A series of recommendations for re-variety liesing the district. Among them were finding a new location for Saturday market, funding certain projects in the district, Mercy Corps and White Stag block have been funded. P.D.C. has put about \$20 million into helping develop this district. The purpose of this project is to revise the framework and the design guidelines to make it easier for private developers to fill in the blanks, to begin to turn some of the parking lots into buildings, and to create a more vital character in the area. Our work started about a year ago, November. We had a series of workshops for the public, and we had a citizen working group that met with us three times. Since June of this year we've been working with the Landmarks Commission and the Planning Commission to help form their proposals and recommendations. Skidmore/Old Town is very important. It's listed as a National Historic Landmark District in 1977, which means it really is a national value and interest. It's where the city started. And it has an exceptional collection of Italianate cast-iron buildings. 18% is non-contributing buildings, primarily built a little after the period of significance, but still are relatively old. And 29% of the district is surface parking. This shows what the district looked like in about 1930 before we had the demolition for Harbor Drive and the infill parking lots development in the district. By far the Italian art building style is the predominant one. You'll hear people call them cast-iron or Italian art. By now half of the Italian art buildings have been lost and reduced to parking lots, or Waterfront Park took out some of them. I can see quite clearly what's been lost in the district and why we're working so hard to fill in the blanks. The purpose of our project is to try to revitalize the district with new development while enhancing the historic character and protecting its historic buildings. I want to emphasize the protection of the historic buildings is the prime importance to who participated in this process. We've developed a five-piece strategy. First was a transfer of the unused development capacity from the historic buildings elsewhere. To limit those only that really had a particular relationship to the historic character or housing of the neighborhood rather than the whole list that's used throughout the city. I have a security patch upgrade coming on. Then to give some ability to get added height and density on the edges of the district to promote development there, use that development to help participate in the improvement of the rest of the district. We also needed to update the historic design guidelines to more accurately reflect the character of the district. Finally we had a lot of discussion about our very valuable cast-iron collection and ways to reuse that collection. The proposed design guidelines, the existing guideline were adopted in 1987. As you can see, they exist in a form that predates word processing. So they're not any place close to the present format and the present method of illustrations that we typically do in our design guidelines now. They also provide almost no guidance for new construction. They're developed at a time when renovating the existing buildings and making renovation were the prime issue. Proposed guideline is about 87 pages long but only a small portion is being adopted as a regulatory procedure. The design guideline language becomes the approval criteria for making decisions on design of the district. The rest of the document is background examples, things -- ways to give advice to the development community to try to make the project fill in the design guidelines. The first section is an introduction which clearly tells how to use the document, what its importance is and where some of this stuff came from. I really want to call your attention to chapter 2, the history and character of the **district**. This is a really good section. Nicholas and Liza contributed to this section and it's worth reading. It gives you a sense of why this area is so important. Third chapter is the guidelines. We've broken them up in four sections. General guidelines apply to every project. A set for alterations. A set for

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addition and a set for new construction. We've done two interesting things. We've directed additions that are bigger than the typical building in the district should use the new construction guidelines. The other emphasis the landmarks commission made is on the Italian art character. That's the prime character, and we ought to be doing -- urging people to model their buildings or their -- the inspired by the cast-iron buildings when developing new ones. The rest of this is the code amendment changes.

Lisle: Responding to the strategy slide, we have a series of code changes that are intended to implement that strategy. One would be allowing f.a.r. transfers within the district from any contributing buildings. Currently they're allowed from historic landmark properties, but the majority of the historic properties within the historic district are not landmark properties, they're contributing structures. That would be a new tool available to those structures. And we would be able to transfer them from those red structures in this map to the blue structures or blue sites, sites without contributing structures still within the district. We didn't want to send this outside the district because this project was so focus order just that district boundary. We also believe send can much of the unused development potential outside the district won't help us get to the goal of a more vibrant livelier district in the long run. And we need to keep that development potential within the district. Another is recrafting the f.a.r. bonus system. Creating a new district improvement fund, f.a.r. bonus for use within the historic district. Developers can pay into that fund to access bonus f.a.r. Maintaining housing bonuses as they are for use below 75 feet, we're coming to that nuance in a moment, and eliminating the other f.a.r. bonuses that currently might apply in the district. There's a whole list of them. There's 18 or so. The point of that move is to try and target the use of that good tool, one of the few tools we have through zoning, which is the bonus f.a.r., to the -- to mechanisms that clearly benefit the historic character of the district. So the fund that can be used for historic projects within the district and the transfer, which is the next piece. So actually it's not the next piece, it's the additional height and f.a.r. This is the controversial piece we're going to hear about from probably 90% of the people testifying today. This is the idea that within the district there may be some sites, there are some sites, five sites particularly at the edge of the district that are surface parking lots or noncontributing structures where additional height and f.a.r. Could go. And that could serve both as an incentive and sort of an enticement to get development interest up on those blocks and improve development feasibility, but if it's linked to a transfer program or to the bonus fund program, it can be a way to improve the whole district and help fund other projects in the district. So the proposal is to singh out those five sites in yellow, and to suggest that above 75 feet and up to 130 feet on four of them and 100 feet on one, the f.a.r. Above 75 feet can be used but only if it's from transferred historic buildings in the district or purchased from the district improvement fund. So that -- and the cast-iron resolution a. Separate agenda item that we're discussing together, really came from landmarks commission, where we were trying to figure out a way to reuse cast-iron weren't district and encourage its reuse. Skidmore/old town's cast-iron buildings are one of the finest collection in the nation, certainly the west coast, and as rick said, we're talking about the sort of high victorian style structures with the arches, and all the cast-iron elements. Many cast-iron artifacts were rescued during the demolition period. And p.d.c. have control over quite a large collection of several hundred artifacts. There's a much interest to -- in trying to get them reused within the district. There's a lot more that could be done, and there's a real interest in trying to see if whole facades could be rebuilt on some of the surface parking lots as they redevelop, using the cast-iron elements. It would require all reasonable efforts be made to include cast-iron artifacts in city redevelopment projects, and any projects that the city or its offices are participating in financially. And the fund could be used to help make those projects work. If we did the district improvement fund.

Fish: Would city financial participation include a tax abatement?

Lisle: You know, I think it could. We could clarify that.

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Kelley: It's not proposed as part of this package, but that's something we could look at.

Fish: So this packet anticipates a financial contribution as opposed to an abatement tool?

Kelley: No, this is saying if the city is going to do a project of its own in the district, for example, it could do that. Carl was also referring to the fund, should you allow for higher heights and the way to get higher heights or f.a.r. would be in part at least to buy into an historic preservation fund, and that fund which might be administered by the city, for example, could be used as well.

Lisle: This is targeted toward new construction, which wouldn't typically be eligible for the historic tax abatement, but it could be a tool we would use in the future for new development within the district. And then so this is the section where I wanted to highlight a few of the things we're going to hear a lot b those are the controversial issues regarding edge opportunity sites, places where we suggest you could -- on the edge of a district you could build additional height. Height is the first thing. As Gil said, that's the first question that council in terms of direction that we need, if you want to pursue this idea there's other questions to look at. If you don't, many of these other questions go away.

Potter: A question about the edge opportunity site. Are these the definition of it, or are those the characteristics you want to provide to those areas?

Lisle: It's five specific sites that are mapped out that we'll see in a minute and --

Potter: How do you define that?

Lisle: How do we select the sites?

Potter: How are they designated edge opportunity sites?

Lisle: They're actually sites, they are parcels or half blocks that are mapped on a zoning code map. You have one of those sites you're proposing to develop or you don't. And they were selected by looking at all the redevelopment sites in the district and doing some 3d modeling and coming to the conclusion that on many of those redevelopment sites in the core of the district, height above 75 feet would be detrimental.

Kelley: Let me answer in a slightly different way. This would not be left to interpretation. Your action should you decide to pursue this direction, would actually include the map designation, so there would be five and no more, and that map would be an official part of your action. So it wouldn't be left to interpretation about what sites we were talking about.

Potter: Thank you.

Lisle: Additional f.a.r., which is currently proposed to be allowed on four of the five opportunity sites that would go with the height, residential bonus use above 75 feet, we left it in place for use below 75 feet within the district. But not allowed it for use above. Conflicts between the guidelines and the zoning code, so these two pieces, the zoning code coming to you as recommended from the planning commission, the design guidelines coming to you as recommended from the landmarks commission, those commissions are in disagreement with the height opportunity site. However, we end up going on this, we may need to go back and make sure they're more compatible. This last bullet is implications to the landmark status. We received a letter from the national park service on Monday afternoon that came as a surprise to us, but essentially said that they're uncomfortable with this idea of height and they want to work with us to see what that meant and make sure it wasn't going to be a potential limitation to the status of the district as a national landmark. So that is a new follow-up piece if you wanted to continue with this project, we would need to follow up with that. So on the height we've got a series of 3d model views to help understand what is proposed and how they fit. Within the district. So this is a sort of -- the district as built today in the 3d model, the brown buildings are the historic structures, the outline of the historic district boundary is on this map as well. You can see the fire station in the middle. And the surface parking lots are also clear. With the existing entitlement envelope, existing height limits in the district, all those orange boxes are essentially building up the surface parking lots within the district. As Rick said there's 29% of the district is surface parking lot. Build up to the 75-foot height

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limit and lot line. Outside the district you see what shadowed in the height envelopes of the rest of downtown. Then the addition of the red box, the five red boxes, those are the additional height envelopes that are proposed by this zoning project. So on those five sites, this zoning package would allow through using the transfer, for using the district improvement fund, would allow those sites to build up to 130 feet after on -- at or near the edges.

Leonard: Is that all of them or four of them and one --

Lisle: That is -- five of them, one is to 100 feet. So the one in the top middle is in chinatown, and as you see the shadowed in box to the left of it in chinatown, right here, the reason planning commission wanted us to hold that site to 100 feet was that it -- in the skidmore/old town district, but also within the chinatown new japantown historic district, and the height limit in the adjacent part of that district is 100 feet. So we were uncomfortable without looking into the height limits and the rationale behind hundred-foot height limit and chinatown --

Leonard: What's the height of the natural gas building across the street?

Lisle: That's 180 feet. About 180-foot building. Half inside the district and half outside the district. These two sites on the northern edge are proposed to be 130 feet. This one in chinatown 100 feet and these two southern sites 130 feet. So looking from the burnside Britain, this is the district as built today with the brown historic buildings, the gas building. With the 75-foot height envelopes in the district and the taller ones outside, and the addition of the red boxes which represent the additional height proposed throughout zoning package. And then we've got a few views from street level, so looking north on northwest first from just after you come out from under the burnside bridge, a photograph there, and then this is the 3d model view of that with you see the gas build can peeking up over one of the historic buildings in the district, and then with the entitlements as currently allowed outside the district and the inside, 75 feet, and then with the additional red above. So that's one view, and we have another view looking south on southwest second avenue, so this is south from Ankeny street where the street makes the jog, this is the photo view. And we have the district as currently built with the brown historic buildings and then the district with current entitlements, these are the 75-foot envelopes inside the district and the much taller ones downtown immediately outside. And then with the proposed additional height above those two opportunity sites on second. And then back to the district overuse. A similar look was done at all the surface parking lots to pick these five, and it was clearly the -- additional height which has been proposed was pretty rapidly dismissed as something we didn't want to do. On these five edge opportunity sites we thought there was some potential to pursue it. Another issue is how much f.a.r. To allow on these opportunity sites. The height limits are going up so should the f.a.r. Good housekeeping too? If you live at seven-to-one, the maximum you could get to currently, there's quite a bit of room to play around with the upper massing of the building, which was the key thing that planning commission wanted us to make sure there was enough room to be able to sculpt the building and move the mass around. So at seven-to-one there's a lot to push down those down through the analysis, and Rick did these sketches, to sort of show given one particular set of assumptions for a building, if you push those down to the absolute minimum we might be comfortable with in terms of stepbacks, you get just a little over eight. And then at nine-to-one clearly there's not enough left. You're going to fill the entire envelope up to 130 feet. And that's something planning commission felt strongly we wanted to avoid. That's why the recommendation is four maximum of eight-to-one on four of the sites that have 130 feet height limits and on the one that was held to 100 because of its situation in chinatown, they wanted to stay with seven-to-one for the same reason, because the height limit assist -- height limit is lower, you'd fill it more quick limit so the residential bonus above 75 feet, we'll hear about that. Currently f.a.r. Above 75 feet on those height opportunity sites would only be allowed through the historic transfer or payment into the district improvement fund. You're going to hear people suggesting we should allow the residential bonus to also be use audit bob vila 75 feet. We can consider that, the reason we didn't want to do

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that, we're trying to tie as closely as possible the benefit of the larger buildings of the edge of the district to the historic preservation goals of the whole district. We felt those tools made that connection most clear. There's also one other piece to mention here, to get from seven-to-one to re-y-to-one, at least one-to-one must come from the historic transfer. That positive benefit from the district in terms of coming from an historic building, and thereby helping preserve that building. Also it has a transportation relationship to not wanting to increase the overall amount of development potential within the district without get can into transportation studies. So that's what that's about. And then finally on the conflict between design guidelines, in you -- if we pursue the idea of extra height on these edge opportunity sites, we need to go back to the design guidelines and have another look at the proposed edit. If we choose not to follow the -- pursue the additional height, then the guidelines are probably fine. So what we'd like you to do today is listen to the testimony, consider the issues that I just highlighted, and there he are again, and give us specific direction as gil said about what you'd like us to do in terms of follow-up, and then if there is follow-up, and it's clear that's where we want to go, we should continue this hearing and set a time certain date a month or so out to consider amendments. If.

Kelley: If there are no questions of staff we do have some invited testimony we would suggest. Come on up if you have that list.

Potter: I do.

Fish: Can we take a few questions or would you prefer to wait?

Potter: Go ahead.

Fish: First of all, thank you for the presentation, and particularly the visual piece. It's very helpful to see what this might look like. Gil, one of the arguments, maybe the prime argument for the additional height and f.a.r. is that it would serve as a catalyst for development. Excuse my voice, I think I have what has stricken sam as well. So what evidence do we have in the record that this would in fact abcatalyst for development?

Kelley: Well, I think this notion goes back to the ankeny/skidmore plan document that rick and carl referred to that was a plan done between planning and p.d.c. a couple of years ago, at least. And through those discussions it was clear that with the urban renewal district retiring in that part of town, and with some good projects and some momentum underway in terms of investments that had been committed at that point, including the university of Oregon, mercy corps and others, the waterfront park, farmers market and so forth, saturday market, excuse me, that that momentum ought to continue. And probably a range of things would be needed to -- for private development to continue that momentum on its own. This is of course before the recent financial crisis. One of those would be relaxation of the height restrictions. It was felt by that committee at the time, and so this is pursuing that notion. The planning commission did hear testimony from the development community, in fact, they were presented with at least in one case a project pro forma analysis that showed the the additional height and floor area ratio would make that project workable. Every project is unique and you can challenge these, clught basis of the land itself, but the planning commission did receive testimony on that. As part of the planning project we have not done an in-depth additional work on the financial aspects. We did ask rick to look at that, who has a development background, and they want to add on to my answer here, so suffice it to say we came down on, yes, it would be helpful, it's probably by itself not sufficient to make projects work or not work. There are a number of other factors that play into it.

Michaelson: I think one of the reasons as carl mentioned before, we are linking this increased density to the historic improvement fund is so there would be direct payoff from these larger projects to do other things in the district.

Fish: I understand, that but if we increase the height and f.a.r., we're increasing the value of the land. The premise s. It's supposed to induce some kind of activity. Do you have a forecast within the next x number of years --

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Kelley: It's hard to do that. We always caution against making judgments about the physical form of the city based on the economics of a project today or tomorrow. We can take a rough guess, which is what we've done here. The other factor that plays into the district is most of the sites, four of the five of them are surface parking lots, which are very safe investment, big revenue generators, low risk. And something is probably needed that is equally or more compelling to convert those uses.

Fish: So gil, could you comment? We have -- a letter in our packet that argues that property owners that are using the vacant land for parking garages are actually going to make more money maintaining them as parking garages than developing the land.

Kelley: I think the argument was made during the planning commission hearings that it may not be an effect on the parking rates or parking reviews, but the value their land will increase, and that doesn't necessarily translate into developing. It will cause some of the landowners to wait longer to develop than the current height limits because they'll wait for the market to catch up to those larger building envelopes. We clearly heard that disputed from the other side from the developer side of the table.

Potter: It says there's been no demonstration that with new construction designs that that would promote development. Asking the question looking back over the last 10 years, what has been the major development? Has it been our buildings -- taller buildings or taking the historic building and maintaining them and building them out, for instance, like the university of Oregon did?

Kelley: In diswhren has not been a lot of development, period, in the district. That's the first thing to understand. What has been done has been taking the lower building profile and rehabilitating existing historic buildings, or in one case mercy corps adding on to that in a similar scale. One thing that came up in the testimony is that those were largely done with public subsidy, and public subsidy is pretty scarce, particularly with the urban renewal district expiring. And I think that's what helped the planning commission sort of decide, maybe we ought to take a risk on some larger envelopes here, because those projects will largely object their one going forward without public subsidy.

Potter: Is that the driving force behind this? In the letter the planning commission sent out, they said it was all about the -- the planning commission stresses the relationship area of floor area-to-height is critical, and their conclusion is that this needs to happen. And you're saying that it's about trying to attract development.

Kelley: I think they -- yeah. In the first case they were -- primarily they felt it was a reasonable risk and a benefit to the district overall to allow some bigger buildings on these few sites to help the district. Because they felt there was some compelling evidence that this would help with new development sites to increase the f.a.r. What their caution was as Carl tried to describe with those pictures, not capping the height at 1:30, but filling it all up with maximum f.a.r. Gives you no ability left to sort of sculpt those buildings and have the upper floors step back, for example, to allow the base of the building to read more like the historic scale in the district. So that was their caution, don't load up the f.a.r. Or you kind of lose the compatibility with the existing district in the bargain. I think they were clear, and I think this was a unanimous vote that they felt that on these five sites you should raise the height and f.a.r. limits. We have three commissioners here to testify.

Fish: We have letters from the United States Department of Interior and the Historic Preservation, you said one or both came in late in the game. Have you done a preliminary assessment as to whether the code changes that are being proposed would in fact impair our --

Kelley: There's not a bright line test so we take this letter seriously. We're going to want to talk with them after this meeting.

Lisle: We got the letter on Monday afternoon and we had a conference call with staff from the National Park Service who wrote letter this morning to sort of try and get a better understanding of that. And they clearly are concerned about the proposal of extra height. I'm not entirely sure that

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they understand the full package of both code proposals and the role of the design guidelines, so I think it's clear they're open for discussion with us, but they go into that discussion with reservations about the extra height. Pyrotechnic questions? Ok. We're going to call up from the landmarks commission, brian and carrie, and michelle, howard, and an drai.

Carrie Richter: My name is carrie, i'm the vice chair of the Portland historic landmark commission. With me stood brian emerik. As you know, the historic landmarks commission's mission is to provide leadership and expertise on maintaining and enhancing Portland's historic and architectural heritage. That is mandated by our city coa.d our landmarks commission is pleased to forward to you the skidmore/old town historic design guidelines for approval. We are proud of the collaborative effort and spirited debate that went into the creation of this important document, including discussions with the neighborhood, community, and various city agencies. The guidelines fulfill two missions. They giver clear direction regarding design, scale, materials, and proportions, that will best guide applicants eliminating the ambiguity of the previous 1984 design guideline sets. Second, they provide a strong economic development tool by establishing a high standard of congruent historic design that ensures the vision of the whole district is strengthened over time. These guidelines are consistent with what was envisioned by the ankeny/burnside framework plan in that they, quote, showcase the district's unique character and preserve the character defining elements throughout use of cast-iron.

Brian Emrick: I'm brian, an architect in the landmarks commission. I'm going to talk briefly about the land marks findings on skidmore/old town and why the cast-iron is architecturally significant. The skidmore/old town district is where the city of Portland began. Many it's truly one of the most special places in our city. Featuring signature works of architecture, the skidmore fountain and unique streets, not found anywhere else in the city. In order to acknowledge celebrate and protect its collection of cast-iron buildings, the district was listed in the national register of historic places in 1975 and designated a national historic landmark in 1977 by the u.s. Department of the interior. One of only two such designated landmarks in the city of Portland and the only one that encompasses the scale of an entire neighborhood. We believe the skidmore/old town historic district can become a key cultural attraction, show indication its one-of-a-kind collection of cast-iron architecture and telling the story of our city. These guidelines provide the framework for that to happen. The sheer size of our collection of cast-iron building are among the largest in the united states and it's an enduring monument to the importance of Portland as a center of influence for the development of the pacific northwest. The era of building signified Portland's transformation from a frontier outpost to world class city. Names of our early leaders we still recognize today are memorialized here in the city they built to support their empire. These local fortunes later became the heritage of the city as our merchants and investors dominated the pacific northwest for the next half century. What makes this district unique is the widespread use of cast-iron in the primary building facades. The advent of cast-iron signal as new era that coincided with Portland's rise to power. Stronger than masonry, cast-iron allows for more transparent facades, which were especially employed on the ground floors of the buildings. Being essentially a precast parks, it made elaborate details and transportation to job sites more economic call. Half the buildings in the district were demolished, the district is still among the largest collection of cast-iron in the nation. San francisco was destroyed bite great earthquake in 1906. Throughout aid of visionary citizen, many parts of the building were salvaged and stored for an uncertain future. Now they provide a phenomenal pattern library to bring well documented structures back to life from the -- known as the eric ladd cast-iron collection, it's been purchased bite city with the mandate to benefit the public in the highest best use. This place is of significant lar expors makes its preservation, protection, and enhancement a corey priority for our commission and the city we represent. They encourage the reuse of an amazing resource the city possesses.

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Richter: In closing, we know that our design guidelines don't discuss the five opportunity sites, but we would like to talk a little bit about the landmark commission's position on that proposal. I know staff has suggested the guidelines would need to be revised if the five opportunity sites were the additional height is approved. I think that is incorrect. The guidelines do not prohibit the height. They require compatibility in design, and in fact, I think could be accommodated theoretically under the exist can guidelines. We feel that the scale of the structures and the proposed economic benefits they bring to the district is far outweighed by the potential damage they inflict. The character of the entire district is what makes it valuable both aesthetically and economically and one of the key defining features is the small urban scale and pedestrian environment currently maintained in the district. Brian provided some color photographs that I would like for you to take a look at. They show two of the proposed opportunity sites, and historic buildings, and what's in this photo, it shows the building is 130 feet, so that gives you a sense of what these smaller three and four-story structures will look like when they're endedevloped bite taller quote unquote opportunity sites. In addition to detract from character of the district, these sites run likely to provide the economic stimulus the neighborhood seeks. They are on the edge of the district. And will not rise to the level of economic stimulus and vibrancy that a collective vision based on guidelines provides. The landmarks commission recognize there's are numerous sites for potential redevelopment in the district. Sites currently used for surface parking. That presents challenges to the district's continuity and character. However, the commission believes that the city's first duty is to do no harm to the character of the historic district and to preserve and enhance the quality of the district historic structures and scale. The vitality and future success of this neighborhood is directly related to reinforcement of a cohesive historic identity and not blurring the perception of the district. Rezoning the property now is inconsistent with what was envisioned in the burnside/ankeny plan, which says, quote -- when updating the central city plan, the city should explore transfer of development rights as a means to protect and enhance the character of the district. This suggests to me that it should occur when updating the central city plan which the city is in the process of doing. Another reason to delay is that we don't know yet how significant the redevelopment of the current buildings in the area will work to ignite and energize redevelopment in the area. We don't know what the university of Oregon redevelopment project will bring. We don't know what mercy corps and moving saturday market will bring. We ought to give it time to figure that out, or realize those benefits. Further delaying any decision about height and density into the central city plan will allow for a coordinated look at height. As it relates to development incentive citywide, as well as to provide time and the opportunity for the various review boards. The planning commission, the design review commission to come up with a coordinated and cohesive response to the situation. Rather than plunge down five opportunity sites, the commission asks you adopt the guideline and taibility height restrictions and opportunity site discussion for incolleagues in the central city plan.

Potter: I wanted to ask the same question that was asked of the planning commission about why this would create opportunity for economic development by maintaining the historic character and scale. As opposed to to what the recommendations are for opportunity assessments obviously the planning commission had a different take on what constitutes, what would generate economic development. How do you folks view economic development in terms of retaining the historical --

Emrick: I think the skidmore/old town historic district is a singular place, and we were trying to strengthen that with the guidelines so when you step into that district there's a feeling that you have arrived somewhere. That's actually the value of the district, that it is a unique place. Strengthening those values, the buildings there and the scale and it's actually a smaller building pattern. Most of the lots were smaller, it's more of an organic grass-roots kind of building pattern. And that has a unique character to it, and that's what brings the value of the district, we would argue.

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Leonard: I'm struggling to understand how these five sites that are built on the periphery of the district impact the sense that you're describing.

Emrick: I think you can see in the first exhibit that Carrie point out with the forestry building, one of the five sites is directly behind McCormick & Schmick's. You can see there's -- I think this is actually a positive thing. The boundaries of the district are delineated by large buildings and generally scale is one of the most defining features of the old town district. If we start eroding that scale by pulling buildings inside of the district that are similar in height, I think you start losing the boundaries and the sense of the edge of the district and you're basically shrinking the district.

Leonard: I'm wondering if some of that might be confused with the look of that particular building, if the building was designed more appropriate to the district, which I would argue that federal building is not. Does that change any of that?

Emrick: I think it helps, and that's one of the areas for further exploration, whether there's perhaps the five opportunity sites, more of a compromise. You heard Carl talk about different f.a.r.s. At some point I think it's awfully hard to hide a 130-foot-tall building no matter what you do to make it look nice. The four-story level at some point it's the size that it is. Most of these sites are half block sites, so that forestry building when you're looking at it there is actually you're seeing a half block look at that, and that's similar in scale to what you would see with the newer developments they're proposing.

Fish: If I could follow up on that, this is for either Carrie or Brian. The design guidelines appear to limit the type of materials that can be used on building exteriors to stone or brick. Some of the property owners who have appealed to us have proposed that they use -- be allowed to use, quote, appropriate metal finishes. And I'd like to ask you whether you view metal finishes of any kind as appropriate within a national historic district.

Emrick: I don't think that's true that they limit it to stone and brick. One of the primary things we're trying to encourage is cast-iron, which is indeed metal. What we're trying to do is with the guidelines is actually rather than in the past and in the 1987 guidelines new buildings or additions to buildings were thought as trying to do no harm with the building, it's a bland building, let the others recognizing we have so missing teeth in the district, our approach was more proactive in that we're trying to draw inspiration from the original character defining cast-iron buildings. We're talking about perhaps being able to rebuild some of them with the cast-iron collection. But new buildings clearly be built in a manner that's consistent and compatible with the existing building, but it doesn't rule out metal finishes.

Fish: You said that you viewed the proposal and the opportunity sites as unlikely to create the economic stimulus that sort of prompted this proposal. I ask you a similar question about what evidence is there to -- that this will serve as a catalyst and what kind of prediction could he make, and he cautioned against that. Let me ask you the reverse question. Why do you think it's unlikely that this will create any kind of economic stimulus?

Richter: Because it's on the edge. It's not going to incite development in the center. We want to create an historic district that is cast-iron replication or design that starts at Skidmore Fountain and goes out. And these -- that's what the University of Oregon does, Saturday Market, that's where the people are going to be. And we want a place where people come and look around and see something different. And they want to learn more. And if these opportunity sites are built at a higher height, you don't look around and say there's something special here. And I'm not a developer, I'm a lawyer, so I'm sure there will be people who can then question better than I can from an economic standpoint.

Leonard: How does the Northwest Natural Gas building not have that effect currently?

Richter: It does.

Leonard: So how do you rationalize that's happened on property similarly located on the edge of the district?

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Emrick: Were you asking whether the natural gas building contributes?

Leonard: In the current state of the district you have the northwest natural gas building. And I'm asking how does that not create the negative impact on the feel of the district, and you said it does, and so -- but then how for consistency sake given that's on the edge of the district, do we not allow the same kind of thing on the edge of the district? I'm supposing the reason that was allowed at the time it was allowed is it's not in the district, it's on the edge of the district.

Emrick: I think what do you is you bring that boundary in tighter. If you develop the natural gas building does exist on the edge of the district, and you effectively shrink the district. There's two opportunity sites across the street from the natural gas building. Those are two of the proposed sites. And essentially you shrink district by bringing that closer in. I would say.

Richter: I think the natural gas building right now is a boundary, because you look at that and say, you're not in the district there, but when you stand on the other side of the street you feel like you are in the district. There's no reason to erode the district further.

Emrick: I'd also say the natural gas building and the fourth street building are good examples, there's not a feeling around those buildings that the district has been revitalized. There's not a lot going on around the base of the natural --

Leonard: Is that because of the height or the design?

Emrick: I would argue it's a little bit of both. I think the height is a little bit of an alienating factor. But there's not a lot of retail activity going on the ground floor eye level.

Richter: If I could add one more component to this, I think the opposite commissioner fish, the opposite is also true. What evidence have we seen a building at 130 feet can be designed to be compatible if a 130-foot building will be an incentive and ignite the district, you're assuming it can be made compatible because the forestry building is not. Or the gas building is not. I would suggest in one of the issues I made during the -- made an issue is that we need to see the compatible building at 130 feet.

Fish: Don't have you an insurance policy --

Richter: That's why the guidelines are written the way they are. So we would have the town review these buildings. But I think the planning commission -- the landmark decision would have had more comfort had we had a building in front of us that we could have viewed and said ok, I see it can be done.

Fish: I'd like to you put a different hat on for a second. I understand the position of the organization. I also understand what your mission is in terms of preservation. Of the five sites, are there any sites you find more objectionable than others?

Emrick: Personally, I would say the two southern sites are more objectionable. They're closer within what feels more like the heart of the district. We've got the natural gas building, and the city parking lot on the north edge of the district. That's my personal sense, they would do less damage. But I think in a perfect world none of those necessarily benefit the district architecturally if they're developed to the 130 feet.

Potter: You know, I should have asked the planning commission this, the planning bureau, but do you know when they said they would have to rewrite portions of the new guidelines that what that means in terms, if we were to approve the five sites and they said they had to come back and revisit the actual guidelines I think they're speaking to -- the guidelines are written with the entire district in mind, which is 20 blocks. And the five opportunity sites really only comprise a little over two blocks. So we're talking about the guidelines are written for the 90%. If we're going to talk about the special sites, rather than diluting down the entire document, which is applying to the district, there probably needs to be an appendix or some sort of special section that would address how we might want to see the sites developed and with setbacks or whatever mechanisms that we can to try to ensure compatibility as much as we can. And use those as thought zone sites so we talk about them separately without diluting down the entire framework of the guidelines.

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Potter: Further questions?

Emrick: Thank you.

Potter: The planning commission. Would you speak, please state your name for the record.

Michelle Rudd: Michelle rudd with the planning commission. Thank you for the opportunity to be here today. We joined with the land mark commission in appreciating the jewel that this area is. One of the joys of serving on the planning commission, I think it gives all of us the opportunity to learn more about just the pockets of wonderful within the city, and the assets that we have. And so the challenge for us, what we heard listening to all the testimony, was how to best help this area reach its potential, both protecting the historic resource and providing the energy and vitality that the community and the city as a whole is looking for in this location. When we looked at this, and it was a lot of discussion, and a lot of balancing of how do we find a way to make these sites -- these opportunity sites if we go up in the f.a.r. and the height compatible with the historic nature of the district. I think one -- some of the focus of the discussion so far today have been whether or not if we get economic development there, it will help the district. And I think in terms of the transfer of development rights shall creating a funding mechanism for people to improve the structures within the core that give it much of its benefit. And in terms of limiting where the transfer development happens, you're providing an influx of people and concentration in energy there where you'll have more people walking around and as a result, I think you -- we can't guarantee what's going to happen, but that -- it is possible that you'll see more development of the historic and contributing structures there. Looking at the balancing between how much f.a.r. and how much height, we believe that with the carefully considered design guideline, it's possible to create structures that are higher and are sensitively related to the environment and have an appropriate and reasonable feeling as a -- at the pedestrian level on the street. I think at its core we think that with these five opportunity sites the city is -- the staff has proposed and the planning commission has support add scalpel approach. That this isn't a hatchet. One of the things I asked when I came to this, you can't do an x on the other side of this line, but I want to know the line is in the correct position. What we heard testimony about was that 20 years ago when the historic district was established, there was debate about where the boundaries of the district should actually be, and it wasn't crystal clear that the line should be drawn where they are. And also that if the district were created today it's likely these sites wouldn't even be within the district. I can say personally that gave me more comfort with allowing more to happen on the sites. We've also heard about the risk of eroding the district. But I think that with the constraints that we're proposing, with the design guidelines, the f.a.r. Limited and the height limited to work together and allow setbacks that you can allow this without going down the slippery slope. You can allow something and not have the entire district fall. And so that's why we're supportive of the recommendation and supported it in this form.

Howard Shapiro: My name is howard shapiro, i'm a planning commission as -- commissioner as well. The resolutions game to you with unanimous support of the planning commission, but I want you to know that that wasn't without a great deal of conversation and some reservation on the part of a substantial number of us in terms of will this be successful. We heard a lot of testimony pro and con about attempts they've made in this district before to revitalize and isn't succeeded for one reason or another. Where we came down eventually unanimously is that we all want to see development there. And I would characterize it differently as life and livability. We would like to see more liveliness taking place in that district, and we believe fundamentally that development will encourage that. There was conversation earlier on about whether 130-foot buildings could be iconic enough or persuasive enough to change the district that. Depends on architectural excellence and some intelligent design, which we have a great abundance of in this community. So I would look to that community if you pass this along to help create a district including some of the wonderful iron work that remains available to us that is iconic, but also accommodates economic development in

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the terms of height. As I say, we heard a lot of testimony that was skeptical of whether this would work or not. And we remain hopeful but skeptical. So it was important to the three of us to come before you today and say it wasn't just an automatic easy issue. It was something we wrestled with very sincerely. I personally had a conversation with one of the people involved in this, and I'm convinced he and his organization will bring forth an interesting building. We'll have to wait and see about that. But at this point we as a commission are comfortable putting before you the notion that we should create life and liveliness in this community and we believe this concept is the way to make it work. Finally I'll just say that we did have a code hearing with the design commissioner our sister organization. It's pleasant to have disagreements between city organizations of citizens that are trying to work together. They're sincere in their concerns. I believe we're sincere in ours. It's up to you guys to figure out the compromise, but at the end of the day we do want to see half lived in, and we're impatient to see it happen.

Andre Baugh: Thank you. My name is Andre Baugh, Portland planning commissioner. And follow up on Howard's comments, my issue is, and really is pretty central, how do you measure success in this district? We've had 30 years of history of incentives, different options and trying to get development to occur and ignite this district. But what is the measure by which this city, city council, you, will look and say, what's passed today is going to work as Howard mentioned, as Michelle has talked about, there's been compelling testimony before us as a planning commissioner that three developers performas have all nod their heads and said yes if this passes, generally we think we can do something with it. We think we can go forward and develop this. On these opportunity sites. I guess at this point now is to say, from my standpoint, how do you measure that? It's short-term. It's not another 30 years to allow that lay there and we look at it 30 years down the road. It may be five years at the most, maybe in two years, but if there's not a development, let's come back and take a look at this and maybe height and f.a.r. And all of the things are not the tools, or you need more tools. But how do you get a vibrant community in this district short-term? We've been that for a long time, and we may need more tools, we may need less tools, but let's not let it lay there for a long period of time. Thank you.

Fish: I just want people who are watching this on t.v. to know that as much of a treat for them -- for us as it is to them to listen to these high-level panels of very thoughtful citizens. And we appreciate your time and your testimony. Andre, the question of balance has been raised by your panel. Were there other options that you considered which might have created a different kind of funding mechanism which you viewed as inferior to this mechanism? Of the five opportunity sites?

Baugh: I don't believe so.

Rudd: I think as planning commissioners our toolbox is somewhat limited. There was testimony concerning other perhaps taxing strategies that could be pursued that aren't available to us. Part of what I would say in terms of the financing, we know that the tax increment financing has gone away. Things have started to happen in the district. But there is the concern that if we don't do more we could lose that momentum and not have continued motion forward.

Baugh: We were presented with other -- part of the balance here is that with the f.a.r. and the height, we were going to be able to generate money to preserve an historic district. And get money back into that. And that's kind of the balance that was presented. That same answer I don't think is long-term. I think it's a short-term, but that's the mechanism was height and f.a.r. to give you an option to create revenue to support a historic district to get -- to help it grow too.

Fish: Howard, you talked about creating livability and liveliness, and dynamic urban fabric. So why not as some have suggested, just allow for the transfer of the rights outside the district and build up along the perimeter rather than within the district in the designated opportunity sites?

Shapiro: Maybe the beauty of the plan, in my opinion. Because it keeps the energy of the district within the district and keeps all of the funds dedicated to it within the geographic boundaries. If I understand your question. I think that this district as has been said before, this is going to be

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redundant, is probably the jewel of the city. It's the most important ingredient that we have in terms of history and memory of how this community evolved, and so how it develops and the way it develops is very, very important, and so to answer your question, I think it's very important that we keep the funding, the energy, and the enthusiasm of the district within it.

Fish: Ms. Rudd, if I may, taking, if I may, how would you measure success in 10 or 15 years under this proposal?

Rudd: Conversion of at least some of the opportunity sites to nonparking uses. Something that has people in the district active and having generated resources so that those historic and contributing sites within the district have been able to better -- better reach their potential, that they've been restored, that cast-iron has been added, and you really have a sense of place when you walk into the district.

Fish: I get last question for anyone who chooses to field it is, how inconsistent are your judgment, the design guidelines which were adopted, and you are -- your proposal? It's been suggested to us that there would have to be a fundamental fit -- fairly substantial effort of either recasting or reconciliation.

Shapiro: I'm not sure I quite follow you. Ask that another way. I'm not sure I understand the question.

Fish: So the action taken by landmarks and some of the guidelines that they've adopted versus your -- the proposal that's before us from planning, are they compatible, or are they at odds?

Shapiro: They're at odds.

Fish: In terms of the design guidelines.

Baugh: Yeah. Well, I can't speak to design.

Shapiro: I would say specifically technically I would leave that to staff in terms of the compatibility. But I would say as a general philosophy, I think the question of whether or not the as Howard said, whether or not you could design something compatible in that neighborhood if, whatever the guidelines are, I think there's the talent in town to do that, and if there's not, we ought to get the talent that it has done, been done in other cities. It's, how do you make that compromise and what are they? Technically I can't tell you the compatibility is there.

Rudd: And I would add, compatibility with the upping that we are talking about the edge, and it's different to have 130-foot structure at the edge than in the core next to an historic structure. So we think that compatibility can be achieved with the right language. And design.

Baugh: Let me just say finally, it just occurred to me to make this connection, it's very important, this Portland plan we've been talking about, this whole idea to give the city a different look in 20 years has begun. It isn't far off it's something out there, it's begun. And this work we're considering today will be part of it. As we consider old town-chinatown -- the skidmore/old town, we have to look at how it's going to make the macro city look. It's important that we balance what we have with what we want to make the city work.

Leonard: Are there any examples you know of, I'm thinking in walking downtown I've certainly seen buildings of at least around 130 feet in height that are historic that may not be in the historic district, but are of the type you're describing. They're 130 feet larger, but historic that would be examples of the kind of buildings you'd like to see designed? Are there any that you know of that you used as a model in coming up with this?

Rudd: I don't think any of the structures get that big. My memory from the testimony was roughly 60 to 75 feet was how high the buildings got during that period. But that's my memory.

Shapiro: The flat iron building.

Baugh: It doesn't happen to be here, but it's a nice idea. Just as a final shot, it's intuitively seductive that -- to imagine that within the city, the people that are here, that we can't come up with some very unique and outstanding compatible structures that work for the historic landmarks commission that

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work for us and work for the city. I'm very -- i'm very convinced that talent is here, I think we should tap it and we'll allow it to be part of this whole 20-year framework we're dealing with.

Fish: I hear you saying let them build it, but let's hold them to the highest possible standards to compatibility and use the design guidelines to get there without creating barriers.

Baugh: If they don't, let's go back and revisit other options.

Potter: Thank you, folks. Before we hear from the Portland development commission, have one of our folks to testify has to leave soon, mary, could you come forward and give your testimony, please?

Mary Oberst: Thank you, mr. Mayor, for your consideration. Members of the city council. My name is mary oberst i'm the first lady of the state fair Oregon. I'm also the Oregon advisor to the national trust for historic preservation. The trust mission is helping people protect, enhance, expep joy the places that matter to them. My role as an advisor is to be the national trust eyes and ears in Oregon. I'm here today to ask you to protect the integrity of the skidmore/old town national historic landmark district and the unique collection of cast-iron building there'sn the national historic landmark designation means skidmore/old town is nationally significant. Thus your constituents in this decision-making process are not only the citizens of Oregon, but also every other Oregonian and indeed every citizen of the united states. You have received and I hope you've read the national trust letter of november 4th. That letter in essence supports the proposed design guidelines and cast-iron resolution and opposes the proposed zoning code guidelines. I want to highlight today just one of the issues raised in that letter. The proposed zoning code guidelines allow new buildings to be 130 feet tall, when the buildings in the rest of the district are juls 4240-60 feet tall. To allow this out of scale new development is to diminish the historical integrity of the district and of the individual buildings. I want you to take an imaginary walk with me through that district. I'm sure you know it well. Linger at one of those cast-iron buildings and trace the intricacies with your fingers. Then just look behind you at the facade across the street. And tip your head up to see how the second and third stories appeal. And just create a cohesive landscape. Now, imagine that experience again. But dominated by 130-foot-tall new buildings, and you can see you have lost the experience. Portland's collection of cast-iron buildings, as you've heard, is unique in Oregon and in the united states. The economic revitalization of the district is valuable, to be sure, but so is preserving the city's historic treasures. The development plans are important, to be sure, but so is the opportunity for all of us as the national trust says, to enjoy the places that matter to us. And this place matters. The skidmore/old town national historic landmark district needs something other than very tall buildings encroaching out. It needs your vision. This is your opportunity to think big, but not tall. Think about creating a strategy to restore those buildings. Think about restoration as a green building technique. And provide incentives for that green building restoration. Think about the idea that new development that is compatible with those old buildings, and a -- is a valuable public purpose and provide incentives for compatible development. And last, think about what Oregon will lose if you don't think about those things. Thank you.

Potter: Thank you.

Fish: Mary, if I could, just a point of privilege, as the current vice chair of the Oregon cultural trust, I don't think we've ever had a first lady who's been a greater champion of the arts, heritage, and culture in this state.

Oberst: Thank you.

Fish: You not only have spoken out, but you and your husband have convened days of culture in salem, have brought attention to these issues, have helped the cultural trust move forward. And I just would be remiss if I didn't say that we are extremely grateful for your advocacy work on behalf of all of us.

Oberst: Thank you very much commissioner Fish. Thank you mr. mayor.

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Lou Bowers: Good afternoon mayor and commissioners. My name is Lou Bowers and I am the central city division manager for pdc. I have some written testimony from Bruce Warner that I will hand out at the end. First I just want to reiterate a little bit of the history of pdc and the op did participate in this study which was described earlier by rick michaelson. In 2006 the pdc board adopted this development framework as the guiding policy for implementation and funding priorities. There are a range of actions in here that have been described, including public improvements, waterfront park is currently under construction as you know, updating the zone guidelines, creating incentives, as well as stimulating redevelopment of certain key sites within the district. As part of this study we did some significant economic analysis by Johnson gardner and economics and planning systems on the feasibility of redeveloping existing surface parking lots with new housing, office, and retail. Their analysis shows there's a gap in all of the pro formas of all of these different uses. Depending on the use, the gap can run to \$50,000 for workforce housing or give a developer a negative return of 2-4% given the existing entitlements. The cost results in greater risks and lower returns than the existing parking does. So we get caught in a little bit of a stalemate. The small lot size and current height limits create a scenario where the current parking is the best use. The economics work best for parking. Because of the constraints on development and the current economics, the parking lots have failed to redevelop in the last decades. However, we've had some success in the district. The mercy corps project, the white stag building and all of these required public investment, through new market tax credits with an investment of \$25 million we've generated \$400 million in other investment in the district. Most in renovation or a combination of new construction and renovation. We haven't had new construction on the surface parking lot which I think is what this debate is really about. It's also important to note that p.d.c. Did pay for the new historic guidelines and we see it as a package and a balance. The mission statement for the project is to create a vital and vibrant district that retains and reinforces the history and character of the area. As you're aware, the downtown waterfront urban renewal area has terminated and it's not possible in the immediate future to use tax increment as a source of public financing. So without some additional tool, I believe the economics are clear. We'll stay where we are now with surface parking lots. As we phase out urban renewal, we need to think what are other tools to provide incentives. I believe the package that's being presented to you is an example of some replacement tools through the f.a.r., through the bonus that will both stimulate redevelopment and create funding to rehab the existing historic buildings. I see this as sort of a post urban renewal strategy that we're experimenting with. For me that's an important perspective on it. It's also important that the f.a.r. Without the additional height, you've seen the arguments, I think the buildings get too blocky. Without that, the economic feasibility, I think it's fairly clear to say there will not be economic redevelopment. The economics just don't work. If you do, and commissioner Fish has asked this, if you do make the change, can I tell you the development going to happen? No, I can tell you it's a necessary but probably not the only condition necessary. You will have several building owners and developers who will testify later and I you can ask them and what we can do is create balance. Surface fill and strengthening the historic district. Those who work closely with developers, if you want any development in this district, you need to provide certainty and that leads to if you choose to go with the additional height you may want to tweak the guidelines to make sure she refer to those buildings that are offered this additional benefit. So there's as much certainty as possible. I'm confident with the architects and guidelines that the planning landmarks commission would enforce, we can come up with Portland based models that will be economically viable and beneficial to the district. I'll hand out the testimony unless there are other questions.

Fish: I made my first trip the other day to the white stag building for a conference and it's a beautiful building, beautiful renovation. Beautiful public spaces. It's a triumph and we've seen the design for the hacker building and mercy corps and that's going to be a tremendous addition. But

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we've heard from prior people that these proposed changes, the height and f.a.r. would destroy the historical integrity of this district. Would you speak to that?

Bowers: My basic -- I have confidence in the creative potential of our design community and I believe that at 130, with sufficient setbacks and design guidelines, we could have a very historic -- dynamic district that would have more vitality it has now -- vitality. I think we can find a way to make it work.

Potter: Five years ago, would you have predicted the university of Oregon and mercy corps be in the buildings they occupy.

Bowers: Three years ago, probably not five, but three years ago as we started to work on it, I think it became more and more plausible and that was in part of this study and I think they'll say that is correct the vision this study created for how the entire area could be revitalized and the commitment of public resources that gave them the confidence to move into an area that many would call dicey and they were willing to go, particularly the university of Oregon, as an pioneer and mercy corps followed quickly in the smith blocks based on our ability to plan and give confidence that this was going to be a improved district and that confidence, is again, that momentum is what we'd like to build on.

Potter: I'm curious, you've mentioned twice now that the infusion of public funds is what helped create these -- the interest in restoring the white stag building. Is it implied if these five sites were to be developed, there'd be no public funds involved?

Bowers: Given the end of the downtown waterfront urban renewal district, there would be no urban renewal funds available. At this point, there aren't many other tools available so I see this as an attempt on the part of the bureau of planning to come up with post urban renewal tools, a different basket of incentives we can use in place of them. And so there's no money in p.d.c.'s budget for any of these five sites. Our money that be committed and I don't anticipate -- the commission can change, but I don't anticipate that changing unless some major site bellies up.

Potter: Done? Thank you. Our last invited testimony is from the old town, chinatown neighborhood association. The visions joint land use commission. Patrick and paul.

Patrick Gortmaker: Good afternoon, mr. Mr. Mayor and commissioners. My name is paul, with a committee made up of the neighborhood association for old town and chinatown and the visions committee. So before we move forward with our proposals to both the zoning code and the design guidelines, I want to say, just it's important that I reiterate that our group working for so long on this project going back to the ankeny burnside framework, hasn't taken lightly the treasure of this national historic district. The critical decision for this district is today and this district as you've heard needs all of the incentives brought to bear to continue the economic momentum we've been experiencing over the last three years, and prior to that. The success of the mercy corps and Portland saturday market and waterfront and the white stag building with the university of Oregon, enormous successes. Prior to that, of course, we had success with storefront renovations and the p.d.c. Grant money for store fronts and we had the union gospel mission do an expansion and very successful renovation of their existing structure. But a year and a half ago, we were sent away as part of the ankeny burnside framework to look at all available opportunities on the surface parks lots which were 16 and we whittled it down to five. And it seems here we're focused not so much on the enhancement of the historic resources and the districts. I sat through the 2004 process of the historic resource code amendments and understanding the importance of the preservation of those resources are. What we don't agree on is how new development will fit in the context of those historic resources and ultimately the economic vitality of the district. We're not talking any longer on these five opportunity sites. About theoretical development. You'll hear later today from the five opportunity sites about very specific pro formas, and we're moving from theoretical to real proposals for development when we talk about consideration of additional height and f.a.r. We'd

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like to spend a few moments about our proposal specific to the zoning code amendments and the design guidelines.

Paul Verhoeven: Good afternoon, mr. Mayor and commissioners. Paul, i'm executive director of Portland Saturday Market and co-chair with Patrick of the Old Town Chinatown Neighborhood Association. I appreciate this opportunity to talk to you, and the first part of our testimony, we'll talk about some of the things that we see as would help with these considerations before you. We support the planning plan for the additional height on the five opportunity sites that we feel that in fairness to the owners of the properties in the district on these, that they should all be equal and looking at 130 feet on all five of the sites, rather than 130 on four with only 100 on the one on -- closer to Chinatown. We also support a little increase greater than planning recommends for the f.a.r. in order to get the projects really off the ground. I think you'll hear from the developers later, but really, to make these feasible, we need f.a.r. up to 5.5 -- excuse me, 8.1 -- 8.5 to 1. You have to bear with me. I've got a little bit of the bug that's sweeping the city. 130 feet and 8.5 to 1 for the f.a.r. supported this position. For the five opportunity sites that have currently been put before you. Another thing that hasn't been touched on much today, but I want to emphasize, one of the key goals of the neighborhood groups is to increase the homeownership and kind of the balance of housing in the neighborhood. The neighborhood traditionally has been challenged by a predominance of low-income housing. These opportunity sites give us an opportunity to put housing into the district at the 60% or above that will help bring balance and I think some stability to the neighborhood. Currently, 29% of the district is made up of surface parking lots. I think that's something that really needs to be talked about. We've heard from the Landmarks Commission that it's hard to height a 130 building in the neighborhood. I put to you, it's equally hard to hide a surface parking lot. So I think the question before you really is which is better for the long term survival and growth of this district? Without the benefit of the u.r.a. Tip funding which you heard about from p.d.c. And others and combined with the general downturn in the economic climate, I fear without these opportunity sites and the tools give to develop these we'll see a continuation of the stagnation that will continue to erode the historic character.

Gortmaker: The design guidelines that we would like to talk about they are the -- the roadmap to a successful preservation enhancement of the resources in the district and it's over 75 pages now, it's a wonderful enhancement and protection for the district. However, we do feel that there is that disconnect for new development within the district given the planning commission's recommendations and ours, and so what we would like to put forward is specific addendums -- i'm sorry, specific amendments to the current design guidelines which we feel not only will clarify this apparent disconnect between additional height and f.a.r. On the five opportunity sites, but does take care of other -- what we feel are inconsistencies in the current design guidelines for setbacks, orientation, type of construction and materials. The goal was to make the best set of guidelines as possible and we have achieved enormous steps in making them almost perfect and we'd like to put forth these recommendations in regard to the design guidelines. We need to create that certainty. We're closer to certainty as we go through a design review process but without specific language addressing the additional height for new development on those opportunity sites what we do is set up to appeals and potentially to the Land Use Board of Appeals. So we're not changing any specific guidelines in the existing draft document. What we are doing is adding clarifying language to background information and -- and examples of how to achieve them. You will not find any changes to design guidelines in those recommendations and we put them out for you.

Fish: Have you had a chance to share this document with planning?

Gortmaker: Yes, they have seen this document.

Fish: Ok. We'll raise that -- I don't think they've had a chance to respond to it.

Lisle: I --

Fish: I'm talking about this document.

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Gortmaker: Yes, there are no changes to that document.

Verhoeven: Going on to our closing, here, you'll see later today, testimony, real analysis and design models by property owners and stakeholders in an attempt to move forward in the feasibility.

Three years ago, we were asked to look at every opportunity to help ensure this district survives -- or thrives. And we're going through a minor renaissance in the district and it's a combination of things. We had the pearl building and the pressure pushing into old town finally and we had the tip money available and we're looking at an opportunity that you've asked a number of people whether these projects would be catalytic. And I think the fact that these property owners are going to be here today to talk to you about these sites is -- demonstrates the fact that the mercy corps and the u of o projects have already been catalytic. Five years ago, these property owners wouldn't be here asking you for 130 feet. They wouldn't have been building on old town, period. And I think there is the momentum. I think it's super-important to the livability and the viability of the district that we build on it. Don't let it slip away, because the district sat for the first 20 years of this historic district with little or no change and we really fear that is corrosive and more damaging than to build on these opportunity sites.

Gortmaker: And we also feel what would be damaging is stopping that momentum by tying this opportunity up in the Portland plan. Nothing could be a worse outcome than having it fall back into the continued study and potentially two years as the Portland plan update. The time is now. We feel the changes that we've recommended are good ones and you know, we, in the district, we're all stewards of this national treasure and so we feel the recommendations we've put forth are sound and we -- we'll take any questions and thank you for this opportunity.

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

Gortmaker: Thank you.

Potter: You're on the edge of your seat, do you want to come back up.

Kelley: May I approach, your honor? [laughter] I wanted to clarify one point. Lest we have left an impression in the staff presentation that may have caused greater concern than it needed to and that has to do with perceived mismatch between the design guidelines which we created and the landmarks review board has gone over and refined and done a great job with. Between that and the additional height and f.a.r., that's within the planning commission recommendation, we don't think this amounts to wholesale or even major changes to the guidelines. They're probably something along the testimony you've just heard although we wouldn't vouch for that proposal 100%. We saw an earlier version last week. Basically, what we think should be involved should you go that direction would be adding to the background and examples sections of the guidelines, not so much changing the rule, but the current guidelines are pretty much silent on additional height above -- and f.a.r. above the 75-foot level. So if you go that direction, we'd at least want the guidelines to have examples, as you were asking, how might you do that, successfully and simply clarifying in the background if you go that direction, that the council has decided on five sites, additional height may have occur and may be warranted. So that that's clear in the guidelines. And that's really the extent of it. Thanks. I thought that might help testifiers so they weren't confused on it.

Potter: How many folks signed up to testify?

Moore-Love: We have 42 people left.

Potter: 42 people? [laughter] we're going to limit testimony to two minutes, and -- if you hear somebody say the exact same thing you were going to say, you really don't have to come up and testify if you feel compelled not to.

Leonard: I've heard you say that for four years and i've never heard anyone take you up on that offer.

[laughter]

Potter: Shows the hopeful side of my nature. Please call the first three.

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Cathy Galbraith: I'm the executive director of the bosco -- we're a local partner for the historic trust preservation and in favor of the guidelines and opposed to the zoning code amendments we've unable to find examples of historic districts in the country that have used the strategy of opportunity sites to allow immensely large additional buildings. On the five sites, three sit at least a half block within the district's boundaries. They're not truly edge sites. If the city of Portland really going to sacrifice the integrity and future of this landmark district for the off chance that despite the fact that momentum is already under way that we might achieve large buildings that are allowed almost anywhere else in the city of Portland. Instead, the council has the opportunity to make a once in a lifetime decision to plant the seeds for the creation of a nationally compelling historic destination in skidmore/old town. We opposed the maximum amounts of f.a.r. Transfer, the zoning code amendments talk about if they were allowed to be transferred outside the district, but they would have potentially unintended consequences elsewhere in the city. We're concerned about the intended consequences of that amount of f.a.r. Transfer within this district. We can build large new buildings anywhere and instead of everyone relying on tax increment financing, they've incentives we've provided for green buildings, for transit oriented development and that package of incentives, I think the development community and preservation community has been waiting for that since demolition denial was restored to the code. Thank you.

Fish: If I could, just -- i'm curious, if there was no activity on the 29% of the district that's now surface parking lot, why is that in your judgment more in keeping in the historic integrity of the district than trying to incentivize some development?

Galbraith: We think the momentum is already under way and I think we see that just like after the albina community plan was adopted, the momentum was under way and we've created some gentrification situations that follow our well intentioned plans, I think we're going to see new development on those lots, I understand the economics of the return on surface parking lots. But if there are incentives to partner with the city to provide the scale of boulevard, the quality new construction, radio use of cast iron and compatible construction I they we can all win. The city, and the historic district can win and the owners of that property.

Mary Czarnecki: Good afternoon, mayor and commissioners. My name is mary. I'm a fourth generation Oregonian and part of an architect article practice in the concorde building just a block and a half away from the historic district that we're concerned with today. And let's see, we practice and embrace new traditional architecture for modern living and strongly urge the council to approve the skidmore/old town historic district guidelines as forwarded by the Portland historic landmarks decision. Critical is the scale and in this era focused on wise use of resources it's a necessity for Portland to step carefully. Teaching at Oregon school of design was an experience that taught me what possibilities could happen in Portland. Student work ranged from new urban apartments on burnside to a conservatory and aquarium on the willamette river. I saw the design of Portland buildings and spaces that used strong architectural presence in their design. In 1989, my thesis students invited henry reed and while here, who instituted the new york walking tours, gave a tour of downtown Portland and this is interesting because his comments were on such public spaces as the federal building, soon to be occupied by pnca. Commenting on the geography of Oregon, being similar to italian landscape. And mr. Reed has been speaking since the '50s when he first started to give insight into the need for domes and towers and things that make our cities beautiful. And I think in my time here, the renaissance that we had in the pearl was the first substantial urban neighborhood built in recent years, and it has inspired many. And I recall at the beginning, the first comments were a comparison to paris, where all of the buildings --

Potter: Your time is up.

Czarnecki: Ok.

Potter: Would you like to finish your statement?

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Czarnecki: Yeah. There are several people that question historians. Mentioning that the idea of progress is something that we should really consider, that the use of certain heights of buildings and the use for certain buildings is appropriate to an area that you certainly could take any building and make it beautiful, depending on the height, but the real criteria is what is the scheme, what is the plan? And there are examples being done today of traditional architecture all over the world that have done that. And so I want to connect to the fact that, you know --

Potter: I said to close it off, so I think you went the other direction.

Czarnecki: Sorry.

Potter: Please, in a few seconds, please close it off. You're way over your time.

Czarnecki: Ok. Well, I guess I just want to urge the council to approve the skidmore historic guidelines as forwarded by the landmarks and believe that quality and good judgment of what they have set up is a lesson that Portland needs to add here to. Adhere to.

Henry Kunowski: Mayor, commissioners Fish and Leonard, I'm Henry and here to read my testimony into the record. The ongoing efforts of the city and private-public interests are highly commendable and long overdue. The effort, that broadest array of community involvement and participation that garnered the appearance of support are in the process before you today. The value and significance of the district to the citizens of Portland is well established and noted across the board of historical preservation community. Given the district's accolades it's puzzling that a 19th century historic district is being developed with 20th century stimulus tools. As noticed by the planning commission on 9-29-08, the amendments are intended to increase opportunities for development while at the same time increasing renovation opportunities of historic buildings. In other words, an economic trickle down approach that promotes new development first with the intent it stimulates historic preservation. Not only is this an inverse for the district, there are no similar models to be found across the nation to support this approach of this is not cutting edge land use policy that Portland is known for and the consequences of the proposed amendments will result in a diminishment of the integrity, sense of place and context. It's not surprising that the planning commission's code amendment letter of transmittal to the city council states that this recommendation to allow additional height and floor area on five property sites at the peripheral is in conflict with the Portland landmarks commission of the driver for this amendment initiative is new development, not historic preservation. Any credible member of the preservation or conservation community would not and could not state with a straight face that the proposed amendments will ultimately benefit the district or people of Portland. Since I do not consider myself an idealist or obstructionist in this issue, rather a pragmatic optimist, I recommend that the mayor and city council stand down on this amendment and guidelines. A fundamental reconsideration should be undertaken and come back before the council when there's true consensus.

Potter: Sir, your time is up.

Kunowski: Thank you.

Moore-Love: The next three.

Greg Goodman: Good afternoon, my name is Greg Goodman. I've served on the Ankeny Skidmore advisory committee and the steering committee and I'm a property owner in the area. Nick unfortunately had to leave. Because Lou came up and talked about -- p.d.c. Did performance and -- pro forma and every one they did had a negative -- parking -- I continually hear about the parking issue and I wanted to say that parking represents, the parking revenue and the value of the property represents a extremely small amount of the development costs on the project we're proposing. The third and ash. \$4 million out of a \$60 million project. Steel and concrete have a bigger impact on being able to do something. And by the way, I hear people saying we don't know if this will work. I'm here telling you and Mark is here, and investors in the building that we want to build the building. It's our intent that the city will be proud of. I'd also like to thank Gil and Carl and Karen

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and they did an exceptionally good job. And the planning commission too. I think they did a good job. We turned in a pro forma to the planning commission and to Gil and others that show there's a couple of minor modifications we could ask for and one is that the f.a.r. Go from eight to eight and a half and I want you to understand, eight to eight and a half, we're only going up 55 feet, but only going -- proposing an f.a.r. Increase of 1.5. So it's very, very small. It's not a bulky building. The second is include the residential bonus as part of the bonus features with the first going to the district improvement fund which would create a million dollars for the city. If I could say one more thing and wrap it up. The catalytic sites that people talk about, which I think are very, very important, represent about 10% of the total land mass in the area. They're on the edge. They represent 10% of the total land mass. You'd think that the whole -- number one, there's a demo denial. Nobody is proposing tearing down buildings. You're talking about a very small portion of the property within the Skidmore/Old Town. Thank you very much.

Leonard: I was going to ask you about the design. The issues come up about the height and design. And the issue of whether or not the concern is more over height than design. Have you looked at any designs of what it is you're looking to do?

Goodman: What we're done, and Gary will come up, and I'm going to ask Mark, who is more qualified than I am, but there's significant setbacks at 75 feet. With the building only 75 feet wide instead of 100 feet between second and third and Ash. There are significant setbacks so we haven't designed the building yet. We've done massing studies and to get to the pricing and the actual f.a.r. That's why we went to 8.5 instead of 9 because we don't need 9.

Mark Edlin: I'm Mark. Our company is deeply committed to the development and preservation of historic resources as well as environmental. We don't view historic preservation and well designed new as incompatible. We think if done right, it creates great architecture. Offer as an example the Brewery Blocks, which was an edge property, much like the opportunity properties you're talking about today. They provide a unique basis for new development and allow us to invest in the historic properties which otherwise might be laying fallow. The Brewery, we have 145 foot building and 175 both on the same block. It's been successful and driven the rents up and created other opportunities and there's been development within the blocks. The success of the Brewery Blocks have driven up rent and allowed us to redevelop other areas in the district. We think this doing something similar. The building we're talking about would be the major headquarters and have a significant Portland presence. The building would incorporate 100 workforce housing units and think it's a great opportunity for teachers and firefighters and police to have housing in the central city. Given the prevailing rents, this would be a challenging project but can be done. We have provided the planning bureau to show that our project could not be accomplished without the additional height limits. The feasibility of the project is affected by the design guidelines as currently written. Well they're in conflict and encourage them be brought in sink with each other.

Fish: With respect to the workforce housing you alluded to, operating within the guidelines with the changes you're recommending, can you build a building that has workforce housing without a tax abatement or some subsidy.

Edlin: I don't believe you can.

Fish: And do you believe we should be looking during this time when we're trying to jump-start projects as a abatement targeted specifically to workforce with some recapture to make sure there's a public benefit?

Edlin: Absolutely. We've been talking about this trying to move something forward. We think there's a hole. The first is young kids right out of school. They're tomorrow's leaders and business owners and we need them to get in central city and keep them there. I think we'll have a better chance of getting families if we get them young. And two of our projects, we had a young woman buy a unit in one of our buildings and these people are not making --

Leonard: There goes the neighborhood.

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Fish: In defense of my bureau, I will say on that point, 18% of our firefighters actually live in Portland and i've been touring fire stations posing the question, would you under different circumstances? And what i'm finding, older firefighters with large families frankly prefer to be in lower cost housing and more land. Younger firefighters, particularly single firefighters, would love to live downtown if there was affordable housing.

Edlin: We've done a great job building affordable housing for those economically deprived in a significant way, or drug and alcohol issues, and done a great job in doing the high end stuff. But haven't done a good job for affordable projects.

Fish: We've had testimony, people have talked before you came up about how there's no national model for what we're proposing here. And what there is a national model, cities that have preserved historic districts and brought back vitality and whoever thought along sixth avenue in new york that they would preserve those cast iron buildings and now used as large scale retail. In the past, i've heard the argument that stated differently. Yeah, the rest of the country isn't doing it, we're different. But speak to it. You've been involved.

Edlin: I would argue, of course, i'm prejudice, but I would argue that the armory and brew house are -- were very, very difficult to do. I think the juxtaposition of the new versus the historic makes a more interesting landscape. I think one of the things that I love about the historic preservation along with the new we get a varied skyline. One of the concerns we have is having a flat top -- I wish I could have a flat top -- [laughter] -- in terms of the buildings and the mix of the old and new, and at the same time it allows us to look forward. The item I think that's valid is paying careful attention to the first two or three floors. I think the building is made or lost in the first 30 or 40 feet and we have a lot of examples around the city where we didn't make attention to that --

Fish: We paid a price for that.

Edlin: And on the other hand, we've got examples of where it has worked. You asked what would be the objective years from now? The most enjoyable thing do I is go on couch street and sit on one of those bench ever benches and watch the people. If I had an objective, when we got to the brewery, there was 200 people working there. That we have a traffic count and we did a traffic count of people and we have 7,000 people a day crossing couch street in a three-block stretch. Mike powell, we have to be grateful, but nonetheless, jaywalking, a big proponent of jaywalking. [laughter] i'd like to see the pedestrian take over the street scene and shove the car out. I think this workforce housing could be a dynamic project to bring these young people into the urban core.

Peggy Moretti: My turn, thank you for the opportunity, my name is peggy. I'm speaking in opposition to the zoning code amendment and in favor of the design guidelines and the cast iron residence. I've been a successful business owner in the past and I now do marketing for nonprofits and also own a home on the national register of historic places. One of Portland's greatest assets is our wealth of historic neighborhoods and at the top of the list is skidmore/old town. It embodies Portland's roots and represents a tremendous asset. I think that integrity needs to be protected and I don't mean a sentimental relic of times gone by. I mean a potential economic engine in the form of heritage tourism and I don't think that's been explored in this conversation. As we drive to create jobs and revenue in Portland, skidmore/old town represents a potential gold mine w. With the right vision, we could attract millions and hundreds of jobs to our city and that would renew every year and bless the entire community. I think this terms of charleston or savannah or san antonio. According to the smithsonian magazine, heritage is the most lucrative. They stay longer and spend 37% more money on average than other tourists. If we focused on that and viewed skid asked what a boom would cocreate while at the same time preserving historic legacy. If skid asked was naught of as a product that they -- it makes sense to protect the integrity of that product. To me, dotting it with towering buildings is affecting the integrity of that. I hope we won't chip away at the asset of the jewel that's Portland, I hope we polish it and take the long view. Both cultural and economically.

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Fish: Regardless of how we came out. I'm glad you mentioned cultural tourism. It's one of the top three reasons that people come here and it should be front and center.

Moretti: I think we should be discussing that much more actively. Thank you.

Potter: Call the next three. State your name when you speak. You have two minutes.

John Czarnecki: My name is John, my address is 208 Southwest Stark in Portland. I'm an architect and past chair of the Portland historic landmarks commission. I'm here to urge council's approval today of the Skidmore/Old Town historic guidelines. Sites that lie within the historic Old Town district should all be subject to the same guidelines. Including guidelines that affect the height and bulk of new construction. Skidmore/Old Town is a relatively small district and thus particularly endangered by erosion. Sites that lie within the historic district yet do not meet the guidelines, erode the edges of the district, much as cleaning up the edges of the cake might make it unrecognizable. To support the dissolution of the historic district and undermine the critical mass of structures required to reap economic and social rewards associated with the unique character of a viable district. The current district provides -- not included in the district and lower portions of newer buildings. Public policy that limits and encourages more dense development will help make Portland more livable as we grow. I'm going to skip to my last paragraph here. Portland can maintain its status as a livable city by using building components and historic districts wisely with care and attention. These Skid asked guidelines will support that effort by helping owners understand the entire district and its landmarks. Using principles outlined in the guidelines for development of the entire district. Please maintain the integrity of the historic district by adopting the guidelines as proposed. Well built architecture is of its time. It can all provide genuine value. Thank you.

Jacki Polison Loomis: I'm Jacki Peterson Lewis, a resident of the Alberta Arts District. And a founder of the Old Town History Project. I'd like to urge you to adopt the guidelines and not approve the planning commission's zoning change. What I would really like to argue here, and we've heard some of this before, is that in these economic times it seems foolish to discuss this, but I think we need to slow down. I think these decisions can irreparably alter the treasures we have left. I suspect that former city councils have heard testimony about efforts to revitalize the neighborhood. That's what happened when we lost the first batch of cast iron buildings and got rid of the waterfront parkway and put waterfront park in. Once these decisions are made, there's no way to go back and I think it's patently clear, there's no precedent for this kind of salve for this -- a problem that dates from the 1890. This is a district that's been in need of revitalization since they decided to jump across Chinatown and build up hill. I've been urging the city for 10 years to take a look at the city where it works. To look at San Antonio, Charleston, New York, Washington, D.C. We have a treasure and we can make it economically viable. We don't have to destroy our districts. That's the watchword. It's about districts. Not individual buildings. One last point. I'm sure it wasn't meant to be disingenuous. But the property at Third and Davis is not on the edge. It's absolutely in the heart of the other national historic district. Japan Town. When the city attempted to put a gate at Third and Glisan and the Japanese community came out in force, Third and Davis was the heart. Third Avenue was Japan Town. So I think again, we need to think carefully about giving opportunities which might irreparably alter the feel -- irreparably alter the feel.

Rob Dortignacg: Thank you for your patience. Rob, architect. I've worked in the district and also been in the situation of reviewing projects in the district. And also sat on the state advisory committee that reviews National Register nominations. I'm supporting the design guidelines and I think a lot of effort has been put into those. I have some concerns. They're a little flexible. But by and large, I think they're a good thing. Do I not support the planning amendments as such. I think the opportunity sites is a large problem. There's also -- I also have concerns about the bonus provisions and the f.a.r. We heard a little bit about that earlier in the commission's statement. These attributes have just as equal a possibility of having a negative effect on the district as opposed

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to the possible. The basic premise of the planning amendments is how much can you build within the district as opposed to how do you build an historic place in a manner, integrity equals economic value. An example -- two examples -- new york, manhattan. West village and the greenwich village. Imagine, allow height limits with a tower. Washington, d.c., the whole city has a height limit similar to skidmore. That works. We can do it. Are we really so desperate here in Portland to auction off parcels in our only national historic district? Thank you. I beat the -- I beat the clock. [laughter]

Potter: Congratulations. Please call the next three. Thanks for being here. Please state your name for the record.

Virginia Butler: Virginia but the letter. I live in northeast Portland. I've a professor. I've taught archeology. I'm going to cut to key things. I want to emphasize this is a national historic landmark and it was created because it has national significance and i've heard a lot about the significance to property owners and to very particular entities and I really want us to be mindful that this district is for all america. It's not just for americans now. It's for us 200 years from now. That's why it has this institutional, special status. I also want to make the case -- I didn't actually say this -- but i'm against the proposed amendments where the change in height would double, if not triple what is currently existing. So i'm absolutely against that. Now, I -- a few people have hit on this and I think it really needs the larger conversation, and that is that the city needs vision here. We tend to think about this as a collection of buildings that doesn't have a profound history to tell us. I think there should be a working group, a commission to look into the ways of using archeology and history to reinforce community pride and economic development in the form of historic tourism. It's got an important story to tell about the good, bad and ugly of Portland. There's first american experience, tales of racism. It happened there and let's figure out how to share this story as other historic districts in other parts of the united states, including alexandria and baltimore and new york have done. Thank you.

Kenneth Ames: I'm kenneth from southeast Portland. Also an archaeologist since 1968 and I want to thank you for the opportunity to testify regarding the historic district guidelines. The thrust of my testimony is they do not address historic resources in the district and the district was nominated on two criteria, one of which are the famous cast iron commercial buildings, the other of which is quote, the early development and economic growth of pacific northwest most important urban center in the last half of the last century and it goes on to which archeology directly contributes and the discussion of buildings is appropriate, but the importance of archeology has been made more urgent by the looting at burnside and fourth and we learned this morning is ongoing, and there's a rich archaeological record that needs to be in -- reported into the guidelines and the final irony i'll note, we're concerned, there's a whole thing about the cast iron facades on the buildings, they were taken off and the buildings torn down and want to be reused, I assume they would have been available to be looted. Thank you.

Stephen Ying: Good afternoon, mr. Mayor, commissioner Leonard and new commissioner Fish. I'd like it call you commissioner Fish now. I'm here to read this letter to you today as the president of the chinese-american citizens alliance. We're an organization formed in 1904 to encourage and support our fellow chinese citizens to fully engage in a democratic society. Our mission is to develop leadership, serve the committee and promote civil rights and we dedicate ourselves to civic pride, community service and good citizenship. I wish to express my support for workforce housing in chinatown. I request you allow this project to build up to 130 feet and 8.5 to 1, so that it can have the same opportunity for the success as the other opportunity sites. This is -- consistent with the request by the joint old town-chinatown neighborhood association region. And land use design review committee. We're not afraid of tall buildings in our neighborhood. We appreciate the vitality, tall buildings, like pacific power and the gas company brings to our neighborhood. There are people in this building support our small businesses and participate in our committees --

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community events. We have just completed a north chinatown plan. One day, north Chinatown plan will build 350, tall buildings will replace the parking lots bringing new vitality to our community. We're concerned about the lack of economic development in our neighborhood. We need new jobs, homes and new business owners in chinatown. Our committee -- community needs your support and assistance to make this happen. We have seen our neighborhood languish for decades, now is the time to support new development. We have waited long enough. Let lewis lee pave the way. Please provide 133 and 8.5 to 1 for lewis lee's home ownership project on davis street. Thank you. Oh, I want to answer the question it's a historic building. The Marriott hotel is 100 feet tall -- Marriott and macys.

Potter: Please call the next three. Please state your name when you speak and you each have two minutes.

Richard Louie: Mayor potter, commissioners, I'm richard louie. I'm the president of the Chinese consolidated benevolent association. It is an umbrella organization that represents Chinese families, businesses, professionals and other groups in Oregon. We've been at 315 sw davis street since 1905. In 1977 we made a commitment to refurbish our building in the heart of oldtown Chinatown to better accommodate our cultural center and language school. Like several Chinese owned properties it is located in the skidmore oldtown historic district and the new Chinatown/japantown historic district. It is also across the street from lewis lee's property, one of the designated opportunity sites. The ccba supports additional height of 130 feet and 8.5 to 1 far's on the lewis lee's project, so that he can build a successful project in chinatown. We also believe that his property should be treated the same as the other sites. We are proud that lewis lee, a member of the ccba, wished to develop a new building that will bring new, new homeowner to chinatown. His work goes towards his goal of 2004 to overcome the challenges before him. We ask you to provide lewis lee the same opportunity for successful projects as the other property owners. Please allow the project to be at 130 feet and, and 8.5 to 13 a.r.'s so that we can, we can begin to bring vitality back to our neighborhood and make it a community that we are proud of. Thank you.

Louis Lee: Mayor, member of the council, I am lewis lee, I practice accounting in chinatown at 318 northwest davis street. This morning, I drop off, I prepare and drop off a nine-page document at your front office and i, and I wish to, to just highlight this because, because of the shortage of time with two minutes. I'm here to support the designed Guidelines, and, and the amendment with, with some provisions. There are three requests, small requests that I have here to make it work in my sight, of which myself and my sister are, which is a quarter block. I request an amendment to the zoning zoning code for provide for height on my property. 130 height and, and 8.5 to 1f.a.r. And the ability for all the property to use residential density about 75 feet. This amendment will provide necessary benefits that, that support a workforce housing project on my property. I also request changes be made to the design sidelines to ensure that appropriate design projects, over 75-foot will be approved by the landmarks commission. I, myself, have been in chinatown for, for over 28 years. I deeply care for what's happening in chinatown. I have made my practice in chinatown, and I know, I know quite a bit about chinatown. There are many hurdle this is chinatown right now. One of which is the most, which is the most one is the quarter block issue. I have, I have almost, almost all, expect for one of the property in chinatown. It's less than a quarter, and I have prepared myself a comparison of 100-foot and [inaudible] by the planning bureau and I view the one we are asking for, 130 feet, 8 to 1f.a.r. They are all to go about 11 Benefit that the community can have. Allowing for that, and, and while there are very many reasons why I make that request, the one that's closest and dearest to me is we are asking for equal opportunity. I want no more and I want no less. I want to treat it the same. Thank you.

Leonard: Mr. Lee, I have a question for you, maybe a couple of questions, what is your understanding of the reason behind your property, having a lower height limit than the other four properties?

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Lee: To me, it's a cup of half empty and a cup of half full. It is -- really the same thing. It depends on how people talk about it. The way I was presented is hey, let's do it a little later, and I really don't know what that little later means. So, the idea of putting it off, doesn't serve myself right now. The purpose that we want. The second reason, is that the adjacent property, the adjacent property being west to my property right now is 100 feet as proposed. Well, that's the maximum f.a.r. Of either eight or nine to one. When we mirror, we cannot selectively mirror, and while we want to do this and use this argument, we should take a look at another site which is a historic building of 100 feet, which is the embassy suite hotel.

Leonard: And so, why do you think that your property is, is the I am a as the other four properties? What makes you draw the conclusion that if we, we had, had 100 foot height limit on yours and 130 on the others, that we're treating similar properties differently?

Lee: When I first go into the long process, it was my understanding that there are two exceptions. One site is south of burnside, the other is my site. The time is, the neighboring site is at 100 feet, so I was going in with that understanding, and after the testimony was closed, there was the meeting to make that presentation, and from that meeting I learned that my site is the only exception and that will be 100 feet. And from there the commissioner has it down to 7:00 to 1:00 because it is 100 feet.

Leonard: What is the second meaning you talked about?

Lee: There was the final meeting of after which the public testimony would be closed, and until then, my understanding is there are two exceptions there.

*******:** Ok.

Fish: I just have one question, mr. Lee. Do you have a current plan to develop the property?

Lee: Yes, after the opportunity to talk with higher-up people, we go back and do a lot more work, and we do have more details on how we approach it in terms of the money side. And I went ahead and, and solicited development partners going in.

Fish: So I understand, a representative of planning said that, that the idea was to, to cap your, your opportunity site at 100 feet and then wait for, for a larger planning process to Unfold involving, involving chinatown. Does that, does that interfere with your current development plans?

Lee: It would because time will be delayed and time is of essence for us right now.

Leonard: Something that I wondered about is, is, is there has been concern, you have heard, about allowing this amendment. Given that you, you are stating you are ready to move ahead, would you object if there was a, a drop dedicate or a time at which, which, in the future, these changes we're proposing, would refer back to the standards of today? As, as it increased incentive to cause this development to happen?

Lee: If I have a choice, I would rather move forward because, because that's what I learn in life, when it's time to do something, you just have to go ahead and do something.

Leonard: If we had a three-year date by which this development has to occur or, or it reverts back to, to the current height limits, you wouldn't object to that?

Lee: It does hinder the development planning process because right now, we have to move forward. We like to use this period of time to, to really get our thoughts together, put the team together, and, and be able to move forward. We would like to have some, some certainty of that.

Potter: Thank you.

Lili Mandel: Hi, i'm lily mandel. All great cities are exciting, throbbing and evolving places, and as they get older and their Hearts beat slower, we might have to implant them with new pacemakers. My suggestion, building new housing with present heights on the parking lots would bring more people and vitality to this historic district. The pacemaker is working already, and, and it will have success answering the question, commissioner Fish, the area is missing that. And, and our preservationists, architects and developers all, all have to work together to keep this distinctive

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historic district beating, breathing, and alive forever, and here, in this great city, I know that we can do it. Yes, we can with present rules and regulations. And I know we can do it. Thank you.

Lee: Thank you.

Louie: Thank you.

Potter: Please read the next three. Please state your name for the record.

Irwin Mandel: I am irwin mandel, that's always a tough act to follow. [laughter] When you talk, talk, one of the things, one of the danger, we spent years railing against the scars of surface parking lots in this city. Their blemishes, scars, and god awful things and at the same time, the skidmore old town district represents something very special. This isn't brought out sufficiently enough. You talk about cultural tourism, we've been to many, many cities in europe, including leningrad and russia and one of the first places we always go to in these cities is the old district to see what things are like. These cities have preserved them. It seems to me that, that this northern building is here. Well, psyche logically will end the skidmore old town district at that height. The, the natural gas building over there, I recall, back in 1991, when we first started visiting Portland, we've been here about 15.5 years now, and that, yeah, we went through skidmore, old town, it wasn't as nice as it is now, but we recognize the character. We came across that building and said, it must be out of the district. It just doesn't fit in. You put in tall buildings at the northern end in the, in the northern end, you are going to, to produce a psychological end to the district. And meanwhile, and the southern building, unless, now, we have very talented architects in Portland. But, there is an old adage, the architects are no better than his client will permit him to be, so, so somewhere you have got to make sure that, that whatever is built really does, does blend in with the district as it is. The lad tower was a good example on the parking lots. The first four stories and then you have a 27-foot setback while the building, itself, is glass and steel. The face is stone and matches, matches the church and building next door. The creative architects and willing developers. Thank you.

Fish: Irwin, what I hear you saying is that, is that the guidelines are really we're the action is? We need to make sure that whatever is built at whatever height is, is, is reflective of the character and the integrity of the district.

Mandel: The guidelines are probably all, and really, when mark testified earlier, do you agree with his, the gist of his testimony that, that it's really the first three floors that are particularly important in terms -- the first four floors going, again, by the, the fight that we had about lad to you err and -- the lad tower so that the park blocks are faced only with a stone building, a stone entrance that really matches the church and the height alongside.

Fish: By the way, we have had people say there is no precedent for this and I want to show one at you and see if you would agree, and that is the historic site in new york that is, that encompasses the cathedral chump of st. John the divine, which is a fully, with the entire, the entire campus is historic designation. But, the, the cathedral also was having trouble maintaining the site, and, and with the dwindling congregation. They proposed to put a tower in the south, southeast corner.

Mandel: Yeah.

Fish: The preservation community said that's inconsistent with the designation. The neighborhood bought it because they were tired of columbia encroachment with the tall buildings, so, the church went out and commissioned an architect to, to build and develop a beautiful, skinny tower residential building, which, in my humble opinion, because of the design component, the design element, actually, fits in with the overall integrity of the site. Other people disagree with that.

Mandel: It's a couple of new yorkers having a conversation.

Fish: Do you agree that that is at least an example of, of trying to, to fit together a, a building, something within a historic district that is, that is, that is --

Mandel: I would agree with you. Absolutely.

Fish: Because of the design, actually, it's, it's --

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Mandel: It's all, my point of view is, it's all in the architecture, the design, and, and again, we have three architects, world renowned in Portland, but they can be no better and no more creative than their client will permit them to be. It's an old adage. It's all in the design.

Pete Eggsphuler: Good afternoon, mayor Tom Potter, commissioners Leonard and Fish, my name is Pete, I work for Beem Development. We are here with an interest in developing Block A for the permanent headquarters of the Oregon College of Oriental Medicine and, as well, to, to develop the remainder of the parcel as a new building. As you know, Beem Development along with [inaudible] architects devoted much time into looking at the districts underutilized parcels and came up with strategies for bringing those parcels into productive use. The goal being feasible redevelopment of, of the parcels along with enhancement of public environments. The proposed guidelines, will inhibit our plans for public creation by relying on closed courtyards and making open pedestrian ways difficult to receive design approval. And our proposal is for redevelopment of the parcels, dependent on an increase of F.A.R. up to 9-1, although they could make the projects feasible with an increase of 8.5 to 1. In addition, the guidelines serve as a disincentive to redevelop by requiring purchase or transfer of F.A.R. over 75 feet. On the Block A development, that, that requirement could cost an additional \$750,000 to the project. We are also concerned about, about the recommendation to do away with the F.A.R. bonuses related to sustainability enhancements, such as the ecoroof bonus. There are guidelines which are confusing or contradictory development of historic buildings which hope to participate in the federal incentive programs such as the tax credit program. We would ask the city to refer the guidelines amendment back to the planning staff so that they may incorporate the recommended changes proposed by the Visions Committee in their letter to the Landmark Commission dated October 27. Thank you.

Michael Gaeta: Good afternoon, Mayor Tom Potter. Commissioner Fish. Commissioner Leonard just left, thank you for taking this time this afternoon. I would be remiss if I didn't say to you after almost three hours, your chi is running very low so I will keep my remarks short. My name is Michael Gotta, the president of the Oregon College of Oriental Medicine, and the college is planning on relocating the school, clinic, research division, bookstore, and herbal dispensary to the assumed to be refurbished Globe Hotel building located on Block 8 in the Skidmore, Old Town Historic District. The college will bring approximately 125 full-time equivalent family wage jobs to the district, along with 275 masters and doctoral students in, and over 1,700 monthly patient visits to our teaching clinic. We envision such presence will enliven the neighborhood and compliment the existing energy of the University of Oregon and Mercy Corps we were attracted to the district based on recent developments and investments such as the P.D.C. streetscaping project, permanent sighting of the Saturday Market, and the relocations of Mercy Corps, the University of Oregon, and the projected or proposed Ankeny Fountain. We are interested in relocating to an area that enhances or students and patients and provides enough space for our current and future needs and provides additional catalyst to the community. This, as designed in the master plan, developed by Enkram Moise Architects allows us to meet our current and future program needs. For a school of our size this represents a great opportunity and a great challenge. The opportunity to historically renovate a sustainable state of the art academic clinic research facility to better serve our students, our patients, and the community. The challenge, developing a time line, which assures the uninterrupted delivery of our core services educating our students and treating our patients. In conclusion, the design guidelines and amendment to Title 33 appear to present some real challenges to our proposed redevelopment of the globe by making it difficult to add additional space is, maintain the historical authenticity, and provide public amenities so important to our student population. Oregon College of Oriental Medicine respectfully requests the Portland City Council refer the guidelines and amendment back to planning staff so they may incorporate the recommended changes proposed by the Visions Committee in the letter to the Landmarks Commission dated October 27, 2008. Thank you.

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Fish: Sir, forgive me for my ignorance but where is your current campus location?

Gaeta: We're located on southeast cherry blossom drive over in, near mall 205 in southeast Portland.

Fish: Can I see the campus from 84?

Gaeta: No.

Fish: Ok. And, and you are proposing to bring all of your operations downtown?

Gaeta: Yes, we will maintain a satellite clinic presence in southeast Portland, but the majority of the operation will move downtown.

Fish: And do you have any students that, that -- do you intend to provide student housing or are all the students commuters?

Gaeta: This is one of our hopes for the future, yes.

Fish: In housing?

Gaeta: Yes.

Fish: Thank you.

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

Craig Kelly: I am craig kelly. I specialize in leasing and selling commercial historic real estate. No one has been more intimately involved in real estate brokerage in old town and chinatown than myself. I am the person responsible for bringing the university of Oregon into skidmore, old town district. The university chose this location because of the rich heritage and proximity to mass transit. We wanted to be part of the ole town experience and chose, made this decision as a catalyst for the district's renaissance. As a result, commercial lease rates have escalated 50% within the last two years, such that I have, I have recently achieved rents at \$22 a square foot tripling that. Tenants in this neighborhood want a setting cool, creative, rich in history and texture, and not corporate, like new towers. I relocated two major businesses from fox tower to skidmore old town district, and i'm no negotiations with a third. High rises as a catalyst is a false premise. The 15 stories of affordable housing was recently bill. It took me a year to lease the retail space on the ground floor. Across the street is the eight-story, eight-year-old old town lofts, and their space has never been occupied. The u.s. Bancorp tower has not enhanced development on either side of burnside as it continues to be predominantly surrounded by revolving restaurants, strip bars and shelters. Northwest natural is a mammoth tower, it is adjacent to two of the five opportunity sites and has not, obviously, catalyzed their development. These towers are self-contained sanctuaries, and act as fortresses against the surroundings. Their life blood flows vertically, not horizontally. In addressing the impact of height and f.a.r., such increases may inspire developers to build a project that might not otherwise be built, however there is another possibility. It will delay very many on those benefiting parcels. I have a client with a 15,000 square foot is a in old town with a 350-foot height limit and 9 to 1f.a.r., the demand is not there for a project of that Size. The owners will neither develop nor sell that because of the disparity between market and maximum value. The property will sit hollow for years to come because that's how long it will be before the [inaudible] can be maximized for the allowances. Keep skidmore's unique character and scale. Do not dilute it with new towers.

Rebecca Liu: Mayor tom Potter and, and commissioner Fish, my name is rebecca lou, and i've been involved where ccda since 1980. I was, I was the principal from 1991 through 2005, and for 14 years, I came to chinatown every saturday, stay there a whole day, and that involved me into the chinatown old town business association and I regularly, is been attending the meeting, as a mission member representing the ccda. And also the cocho and history group. I serve on the floor of the old town history project. So, I understand that chinatown, old town, including the skidmore fountain area, it's with a layer of a culture. And as a national historical district, landmark district, and as a business owner, landowner, the residents, [inaudible] of the current time. This national history, it's for, for national and, and also for the future. So, i'm here for suggest maybe the city

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should take a lead to, to do some study and, and find some, those, those, those successful stories like Washington is, how did they Develop their historical site? The area, and still, will make profitable for this, for business. I see a lot of energy wanting to develop with the revitalization of the chinatown, and i'm happy for that, but we really need to respect and preserve the preservation, and also, i'm here to support the equal opportunity for loose leaf. Thank you.

Nancy Stovall: I am [inaudible] and I am a resident in old town and I serve on the board of the neighborhood association there, and I am here to, to support the, the joint old town, chinatown neighborhood association, and visions, land use committee stance on this project. I also lived in charleston, south carolina, and loved, loved the cultural tours that take place there, and I would certainly love to see more of that in old town. I think that certainly is something that could be, that can be developed. I, i, my comment is that, is that I would love to see more of, of the cast iron use in the buildings and, and if we could infill on these opportunity sites with, with buildings that take advantage of that cultural perspective, I think it would be really great. Thank you.

Potter: In the case three. They left, call the next two. Thank for being here, folks, state your name and speak, you each have two minutes.

Jeff Hamilton: I am jeff hamilton with [inaudible], i'm on that, that Early development first test project that, that ocom and development talked about, and it's, it's -- the first building we're looking at, the global is a contributing building and we're looking at adding an office building on the rest of the block, which, in our master plan we proposed would be for, for the firm partly. We're looking at taking 75,000 square feet. To move from, from out of this city into, into the central part of the city. I have dropped some of my points, I can get this done in two minutes. We really strongly would like to see the, the 2030 challenge met by including the f.a.r. Bonus, it would an shame to see part of the city left out in sustainability, and it is difficult in this somewhat depressed neighborhood for, for developers to build new buildings at the same cost they do anywhere else in the city and charge rents that architects can afford to move into of that scale, so, so sustainability would be a way of helping, helping spend some money to get a good benefit for the city, but not spend, spend three, four, 500,000 on buying into more f.a.r., which if you don't have the place to transfer or if you don't have the ability to spend that money, it's better to spend a smaller amount but get the f.a.r., and this, in this neighborhood. Lastly, there are some guidelines, we support the guidelines and the zoning. The guidelines are great compared to what we have to work With now. We have started to work with them because we're working on this project. We're about six weeks into it after waiting a year and a half for this process to go, and we're lucky enough to get going now but we're finding some at this times with them and I would like to find a way to, to, for a written statement of those difficulties. I don't want to go into them today but things like the street wall and, and fickr picking a building with windows on all sides and not building a building against it, so we've talked about some of these things and others and we're, we want to find ways to make this project work since we're doing it now, we don't want for wait another three or four months for things to get finished. Lastly, we want to move there it's important to us. If there is any questions about that, because we're part of the first test project, I would be happy to answer any questions.

Fish: I would be curious, you are currently on mack am?

Hamilton: Yes, by o.p.b.

Fish: And, and --

Hamilton: Four buildings.

Fish: And the northwest natural building has come, come, taken quite a beating during that hearing. As an architect, I wonder if you could just, just, just tell us, tell us what are the, the lessons that we can, we can derive from that particular thing?

Hamilton: Every architect has a different opinion but mine would be last buildings are difficult In a historic district. They are too modern, and I think it's, it's odd to me that, I know people who have visited the garden from china, have looked up at it and said it's the greatest thing in the city. They

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love the reflective materials so as they say, everybody has a different opinion but we would see putting buildings that are brick and very historic and, in character and have the guideline elements built into them with new buildings, I think, what I thought, when we first started the master plan, was putting 135-foot building at the north edge would get rid of the building and, in everybody's visual -- that would be a helpful to me. As an architect.

Fish: Thank you.

Art DeMuro: Good afternoon. I'm art demuro. Catalysts are most effective when they broaden the vision of success to those who cannot see. [inaudible] the market acceptance for major investment in our national landmark district. A 12-story tower could have never replicated that kind of influence. You cannot catalyze one paradigm, historic redevelopment by building another paradigm, a modern tower. Regarding financial feasibility, the ankeny burnside framework said, "given existing height restriction, current market conditions would need to improve to make new development profitable for office development, average lease rates for, per square foot would have to increase by 6% in real terms to make development preferable to surface parking. The cost associated with reuse suggests that annual lease revenues would have to increase by \$8.50 a foot to 17 a foot before such investments would be profitable. So, what redevelopment did occur? Improvements to Naito Parkway, 3rd and 4th Avenue. Portland Saturday Market relocation, 240 Southwest Oak, Smith Bach, Skidmore Block, Packer Scott, Mercy Corps Edition, that represents almost 150 million over 20 blocks within five years. The majority is private investment and almost all of it receives landmarks commission review and was within current planning code guidelines. The impact of this activity on market lease rates was to increase rates 50%, not 6%, and we raised past the 17 target to as high as 22. Closure of our U.R.A. will eliminate the subsidies that assisted many Skidmore projects, but that is no [inaudible] as suggested. White Stag was a 37 million project that received 2.5 million p.d.c. loan. They were so successful that our returns will escalate that p.d.c. loan to 8%, that means they could have been redeveloped without any p.d.c. loan subsidy. And in closing, I'm asking you to put this discussion in perspective, as a developer, there is nothing wrong with 12-story buildings but as a preservationist, I'm asking, is it really too much to just not put any, any within 20 blocks? Thank you.

William Bill Hawkins: Bill Hawkins, I'm an architect and a historian at times. I would like to suggest that there is no reason in the world why this historic district can't be as great an attraction as our Japanese Garden or the Chinese Gardens. We have some first, first rate attractions in Portland. And I am very proud of that. I would like to, to, to think, I would like to ask you, if you were going to a historic district, what would you like to bring out of that? What would you like your, your grandchildren to come out of it with? Certainly a sense of history? It has the architecture, one of the few cast iron cities in the world. So, it has the actor texture and, and it could be built upon. The history is exciting, too. How on earth can, can you have a magnet like Sacramento with 5 million visitors a year, what are those elements in Portland's historic district that are unique? We share with Sacramento and Louisville, cast iron, rivers, we share railroads, we share all those things, our founders, found this river bank and they traded with the Orient, with Honolulu, with the East Coast, and that opened the world to this part of the Northwest. We, we were unique in that sense. Jump a decade, and you come to the Oregon Steam Navigation Company, one of the largest corporations in the country during Civil War. It opened up the whole inland empire. You could, you could -- that, the rivers and locks and such, it was a huge, a huge feat, all of that entered in Portland, Oregon. Jump another decade or so, 1883, the railroads came to Portland. Fantastic feat in the history of our city. Bringing rail lines from around the entire country to Portland. Of course, the development brought a lot of wealth, built a lot of buildings, and my grandfather told me that, that if you pushed a little, a car full of wheat up in Walla Walla or, or Spokane, it would grow all the way to Portland, and I have never forgotten that. Why are we here? We have some wonderful history that is the rational why Portland has succeeded. I think having, having a historic district that is first rate, not

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only architecturally, at least a small part of it, but relays it to a visitor center, something, would give us a first class attraction. Thank you. And I have just to remind you of the history, a little gift. This is about the new market theater. One of our richest assets in the city.

Potter: Thank you.

Hawkins: Hopefully the retail price didn't exceed \$50.

Fish: The price is just right, special.

Potter: Please state your name when you speak.

Jessica Engerman: I am jessica, i'm a historic redevelopment specialist with Venerable group as well as an adjunct professor at the university of Oregon where I teach economics. My area of specialization is the dollars and sense of the historic redevelopment. I come to you with four ideas that may lead to some alternative ways to support further development in the district without increasing height. One, the proposed historic improvement fund consists of the proceeds of the air rights for the benefit of the sites, while this is a well intentioned idea to generate funds to subsidize historic preservation district, it is a tax on the opportunity sites that simply raises their cost on each side, the rights could add 15% or more to a developer's land basis. The effect is fueling the need for additional height to amortize the height across the building square footage. The fund may be aggravating the height disagreement. Two, I reviewed some of the pro-forma analysis contained in the ankeny, burnside framework and which consultants predicted profitability for rehabilitation and I know that there is some significant omissions. First, the historic redevelopment of national register properties can benefit from historic tax credits to ensure profitability. These credits can result in millions of dollars of bonus equity for a project, and that was not addressed in the report. Also, missing was the benefit of special assessment whereby the properties can have real estate Tax evaluations for 15 years which is a bottom line booster. Even new construction has powerful tools available as a [inaudible] in old town could qualify for new market tax credits, and my calculation is the opportunity sites would be eligible for 2.5 to 4 million of new market equity. Three, the framework does mention that the inclusion of structured parking erodes [inaudible] and if it has not been, incorporated in the opportunity sites they are driving the return downward. For bicyclists, I can tell you for all the hundreds of thousands of square feet recently redeveloped there, there have not been fully new parking added, and I am out of time and won't get to number four.

Fish: My question, is what is your number four?

Engerman: My number four has to do with f.a.r. and that I wonder if you could not increase the f.a.r. From 4 to 1 to 5 to 1 or 5 to 1 plus the rooftop addition and stay within that 75-foot height limit and not have an aesthetic compromise. That's my number four.

Fish: Did you bring prepared testimony?

Engerman: As in this?

Fish: Yes. Is it in some form that we can make copies just so we have it in the record?

Engerman: I have a few notes scribbled on it but I think I could hand it over.

Fish: Or at some later date.

Engerman: Absolutely. Thank you.

Fish: Thank you.

Jim Francesconi: I am jim francesconi, mayor and council, I represent lewis lee. First, let me, mayor, thank you for your service to the city of Portland for all this time. Commissioner Fish, great to see you there. Hello, commissioner, Leonard, I don't miss having to make difficult decisions like you have in front of you, but frankly I miss the passion and expertise of the people that have presented to you here today. In making tough choices like you have here, there is three factors I would like to call to your attention. The first is, you know, we just didn't get here, there is a whole long process of citizens that work for three years to identify opportunity sites initiated by your p.g.a. tours, p.d.c. and planning that involved the neighborhood association, the property owners, the citizens and residents. They eliminated 16 sites and went down to five. Given this

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testimony you have heard from some, some folks that are very good, i'm wondering why you put people through this, if you are not going to follow through with the incentives necessary to divide five sites on the edge when they eliminated 11 other sites, so we're talking about that. The second point here is that, that, you know, the objective is to try to accomplish multiple public objectives without spending a lot of taxpayer resources. Actually, the testimony from p.d.c. here is a bit chilling on the lack of the urban renewal dollars so if you want, workforce housing, like my client, lewis lee would like to do with reach, in the heart of the district, that needs, needs housing, workforce housing, it's going to take high, height at 130. There is a performa in the record.5 to 1, along with housing, so it's a way to do what we've been trying to do in old up to, i'm not talking about commercial development. I'm talking about housing. Workforce housing, and so without the p.d.c. Resources, when you only subsidize rental housing, how, and you don't have the funds to do that you will have to allow this to last. The last point I want to make, and again, we're sticking all five opportunity sites, but in the testimony from the landmark commission, speaking his own personal opinion, he didn't object to lewis lee's site. He picked two other sites. So, it is very important that you, the same benefits that you give to others, on the five opportunity sites, you give to somebody who lives, works, represents the chinese community. You won't care -- you care about fairness, and that's fair.

Leonard: Can you repeat that again about picking lewis lee's site?

Francesconi: The landmark commission member expressing his own opinion, when I think you, commissioner Leonard, asked him, identified two other sites that he was more concerned about than the lewis lee site.

Leonard: Thank you.

Fish: I have two questions. You mentioned reach c.d.c., a developer of affordable housing.

Francesconi: Right.

Fish: I don't know whether someone is here from reach to testify but we have a letter from dee walsh.

Francesconi: Right.

Fish: In the letter, she argues for residential bonus up to 3 to 1 above 75 feet. And, and looking to go to 130 feet, and then some clarification in the design guidelines. Is reach c.d.c. The development partner of your client?

Francesconi: I don't want to overstate is this in that, in that because we, we, that there is a signed development agreement, but yes, it's the intended partner. And they want to do it, and there is no, and lewis lee is not talking to anyone else, either because he wants to provide workforce housing because he knows that's what chinatown needs. And he's going to put his office on the bottom floor.

Leonard: If you heard me earlier mention about, about the idea of a sunset, what's your reaction to a sunset?

Francesconi: I wasn't clear, commissioner Leonard, if you were applying that to all five sites?

Leonard: Ok.

Francesconi: Whatever you are going to do, you have got to do it to all sites. To do something that, it is also important -- I was asking people who know more than very many on me on workforce housing. If the height and f.a.r. Was Sufficient by itself, to produce it, and it's a necessary condition for the housing, but, it's going to take some help from the city, so the, to answer, the answer to your question is, if you are willing to do the height and f.a.r., which is essential, but also, help with some incentives that reach the needs additionally, then, then we, we -- we can go with it. If i'm answering your question. See, it needs other guarantees from the city to do, to do the, the, to do it but it also requires the height --

Leonard: Commissioner Fish, in the conversation I heard between them and mark kneeland, because as we discussed here before, abate elements are no different than a tax expenditure.

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Revenue expenditure, so, i'm not saying that i'm opposed to it but I would rather create a framework within, within which, which we, we encourage development by, by taking, taking specific action that does not cost us money. Like, like changing the, the height standard, but addressing the issue that some have that in and of itself may not be enough to encourage development, and therefore, have some, some sunset, i'm not sure that i'm, i'm, necessarily, buying off on the condition of, of providing some other, other -- i'm not saying that I won't.

Fish: Well, if I could just do clarify the record of that to my friend, commissioner Leonard, what I intended to do, was was just solicit from mr. Eland the fact that he made a proposal That would link a tax abatement with workforce housing. It is not something that I have, I have currently presented to the council as a recommendation and I have been charged with getting the first annual report out, and second, as part of the, of the report to council, on a whole rapping of thing, set forth a set of options and tools that we could use, at mr. Eland's proposal, incentivizing workforce housing is an interesting proposal and both the mayor elect, adam and I have taken have taken a look at it but I have not taken a position on it in terms of advocating.

Leonard: I want us to be, we are protectors of the public's money and I want be careful about making commitments as to, as to, um, abatements and, and other, other expenditures and, and more focused on, on addressing the specific issue, which is how do we cause development where it has not otherwise happened. The planning commission said if you do these things we think that the development will happen, others have said we don't think it will happen so i'm trying to craft something that may create a time line with which the incentive has to be taken advantage of or we'll take it back.

Francesconi: I hear you. I think two things, one is I think the amount of workforce housing would require some additional help. If you don't want to be, to have tax abatements the money from p.d.c. to help lewis lee the way p.d.c. has been helping a lot of other folks would be another way to do it. But getting it, at your point, the increased housing and f.a.r. will allow some workforce housing, it may not be as much, put it that way.

Fish: But if I could, there is other, other tools people presented about changing guidelines with lifting the cap on the abatement program. There is other, other ways that, that you can conceivably create incentives but you began your comments by talking about the work of citizens over the past three years to get to this point, so, you open the door to here is this for me, i'm sorry, I can't resist asking you this question so we have listened for several hours to passionate testimony on both sides of this issue. We have two, two, two distinguished bodies, landmarks commission and the planning commission, which have come out at diametrically opposed positions. We have stakeholders within this area who come out indictmentally opposed positions. I have discerned a split within the mandel household. So. [laughter] As I have, as I, you know, we even had testimony from people who, who live directly across the street from me, so there is going to be a consequence, i'm certain, on how this comes out, so, in light of the fact that we have people of good will who see this thing from a fundamentally different point of view, and someone who used to sit up here, and by the way, which chair can you occupy?

Leonard: Right here.

Francesconi: Vacant at the moment.

Fish: Ok. So when you have a collision of values that's this sharp and passionate advocacy on both sides, what's the framework that, that you would apply to, to guide good decision meteorologist on this wearing the hat of just a good citizen?

Francesconi: I appreciate the question, but I made more than my share of mistakes, so applying my criteria may not help you, but having said that, I do think, do I think that, that you do everything that an extensive citizen process comes up with, no, but I think in tough calls you give it some weight, that's why i'm saying, that in difficult cases, you have to understand that people have been grappling with this for three years. And narrowed it down to five sides. So, that's got to be a

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significant factor, not insufficient because there has to be policy objectives, so when you combine that process, that's a factor, and with your, you are trying to accomplish multiple objectives here, which is the continued revitalization of the area along with housing in the area, which I think you want to do, you have to see if you have, what tools you have available to do that. When you don't have necessarily tax abatements or, or, or p.d.c. Resources, you have got to look at other tools if you want to accomplish that objective. You can't sit and trite say, you can do everything if you don't Have the tools to do it. So, that's why you have to look at f.a.r., and height. If you want to do it. But the third factor is very important, given the passion and beliefs and expertise of the landmark commission. You have to look at, are there other protections that are in place? And, and that's the third factor to, to accomplish, as I would approach it. To protect the resources. Here, it's ed, it's five of them only, and, and you are eliminating 17, if you accept lewis's amendment, 17 of the 18f.a.r. bonuses. You are getting rid of them to protect the historic resource, and, and, and my final point, oh, the design guidelines, strengthening the design guidelines in other ways. One of the design commissioners testified in front of you that, that at a height, we disagree and think there needs to be an amendment but she said that we can consider tall buildings. Well, that's an acknowledgement that, that there is other design guidelines you can apply to, to those, and that height is not the only one. So, to summarize, the, when there is a process involved, there's benefits that you can accomplish that you don't have other resources for, and there is other protections in place, it's a difficult decision. I'm not saying this is an easy one, but that's why I think that I side with, with, with, my job, you know, is to represent lewis lee, but i'm trying to, to, and I am doing that, but that's my Answer to your question.

Fish: Thank you.

Gary Larson: For the record, i'm gary larson, of [inaudible] architecture. We are at 601 southwest 2nd avenue. We are a national design firm but we've been in this city since 1994 and we have about 80 people who work and live and add their energy to Portland, Oregon. We intend to investment in a permanent office and we are, we are hoping to join with giridy kneeland development group and [inaudible] and partially own a project on one of the opportunity sites in the skidmore old town area. My reasons for testifying are two fold, one to ensure that, that we can actually get our project built and underway soon, and the other is that we want to, to ensure that, that as professionals, that, that the historic qualities and the unique character that, that attract us to this district can be maintained and strengthened as new development occurs. We designed buildings in historic contexts and we are familiar with the richness of other places in the world that do this kind of thing where new and old find happiness together, and, and am dan, london, sojo, and new york city, iron front buildings, that creatively design new buildings and historic properties can successfully co-exist in a district. We strongly believe, and moreover, that they genuinely can highlight and, and compliment each other in the Unique characteristics. We believe that, that the historic district guidelines recommended by the landmark commission do not meet these criteria, and, and, of being able to have a clear path to, to a successful development and, and to create the synergy between new and old. We want to, to urge to you support the amendments to the historic guidelines proposed by the neighborhood land use committee and, and these amendments will help get to the kind of development we are looking for and will be an asset to the district. Thank you.

Potter: How many more?

Moore-Love: About 10 more.

Potter: Please state your name when you speak. Two minutes.

Ivy Lin: Good afternoon mayor and commissioners, I am ivy lin, I recently directed and produced a documentary about Portland's chinatown, and I learned so much about the hopes and dreams that so many people have for chinatown in the making of my film, big roast and tanker Fish, so now I have, also have a vision for chinatown, and this is why, why i'm here today, i'm here to support new development in ole town chinatown, and i'm here to, to support more height, 130 feet for, for the

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davis festival street housing project at, at the corner of 3rd and davis, so that it would provide, provide opportunities for more people to, to live, work, and, in the district that, that, we're the, the critical mass and foot traffic is much needed in the district where there is so Many surface parking lots and empty store fronts and, and under very many. Under developed lots. So now, now it is the time to, to make the, the revitalization of old town chinatown a reality. When I was making my film, I learned a lot about the struggles of, of the chinese community and the obstacles in development in chinatown, and, and, um, and, and lewis lee has a vision to recitallize chinatown and his goal is to be the leader for other chinese property owners to show the redevelopment is possible. The davis festival street project, um, brings, brings workforce losing to chinatown, as well as home ownership to chinatown. His project brings sensitive, sustainable design and a significant project to chinatown. There is a new optimism in chinatown, and there are many of us that believe that chinatown can be revitalized, please help us to realize our dreams. Portland's chinatown is the second oldest and used to be the second largest chinatown in the u.s. And, and it is our dream to, to bring a vie bran community back to, to the neighborhood and, and, and rest assured that, that chinese, the chinese community, we would like to, to preserve the historic buildings because that's we're our legacy amendment resides, and, and to spend time, we would like to move forward with, with the redevelopment so we can bring back, back the old vibrant chinatown. So, at the end I would like to invite you to, to come and see my film. It's going to be screen on saturday at the northwest film festival we're you will learn a lot about a legacy and history of chinatown and, and also urban renewal efforts in chinatown. Thank you.

Bart Ricketts: My name is bart ricketts, the president and general manager of lee crutcher lewis. It is a 122-year-old contractor based here in the northwest with offices in Portland, seattle and tacoma, and we have had our presence in the Portland for the last 15 years. We are working with greg godman and mark eland to plan and develop and construct our personal home and we feel that, that one of the, one of the, one of the catalyst sites would be, would be a perfect fit for that, and, and have a great team develop, people that really understand renovation and not just renovation and preservation, but, but, and new construction on its own but how to integrate those different contexts. We're no stranger to the renovation and preservation that's been, it's been our, for years. St. James is one of our notable projects as well as the justice building in salem. Probably, probably most applicable to, to what we're talking about here is, in a historic district was, was building the new business school for university of Oregon down in eugene, and tying that, that new modern lead certified structure into, into two 1906 wing, so, we understand how, how New and, and preservation and renovation can go together. We have, we have a, a big appreciation for, for historic properties, but we also know that guidelines that are, that are unduly restrictive on the historic side can really lead to missed opportunities to enhance and revitalize a district, and it's our belief that the proposed design guidelines may fall into this trap. Specifically, wept to make sure that the proposed regulations don't produce building foreplates that don't respond to market needs, and, and don't address the height setbacks, art ticklations required to get buildings to fit into the district. The guidelines are, are lack of applicationability to the higher opportunity sites could lead to designs financially infeasible for our use and others. Based on our review we recommend that the council revise the maximum f.a.r. On the opportunity sites 8.35 to 1 and we support the amendments to the design guidelines proposed by skidmore, old town neighborhood committee reviewed earlier. Thank you.

Al Staehli: It's a late afternoon, mayor, and commissioners. I am al staley, a retired historic architect. And i'm, i'm sort of a relic, myself. I want to just, just remind you that there are, there are vernacular and fe message -- femor l.a. Elements there. I submitted written responses and I don't know whether they got involved in there or not. I haven't been able to see the, The new revised documents. Things such as awnings and canopies over sidewalks, the delivery, the delivery and, and traffic, you know, out of the buildings and the activities there, it was messy in many respects.

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And, and I wish that, that the, the, the butterfly mural had been left there and somehow preserved. I, I -- the, the -- it's probably better than the building that will cover it up after it's gone. I wish that, that the, the, the, the shutters on the backs of buildings, the fire shutters would be maintained we're possible. The signs on the walls for white owls, upper walls, white owl cigars, dr. Pierce's remedies, those were part of the, of the atmosphere of the area there, and I just want to raise that and hope that it will, will be included in the final recommendations and, and, and in both, and both encourage and had preserved. Thank you very much.

Potter: You each have two minutes and state your name.

Genny Nelson: I am jenny nelson, and I work with sisters of the road in old town chinatown. Many people here today have said it far better than I can. Jackie peterson and, and first lady of Oregon, and numerous others, um, their positions are, are sisters historic position on the neighborhood, and, and I wanted to say a couple of things. One, it's not true that there is unanimous support. I can appreciate the visions and, and the, the, the neighborhood association's process, but sisters sits on both of those, those committees with representatives and, and, um, and, and we were not, not in favor of the recommendations that they made. A couple of things, I think that, that you have to go -- i've work in the neighborhood for 36 years. And, and watched it transition and transform, and, and the, the elephant that's in the room that we're not talking about, the reason that, that so many ground level sites don't have businesses in them, if you will, is because people are afraid of folks who are homeless, and, and, and sisters, many, many times, in the last 36 years, have been asked and have responded to new businesses in the neighborhood saying, well, will you come and do a training with our, our staff. Will you talk to them about the neighborhood, who lives there. We have done that. And, and I think if you go to the root of the problem, the gentrification, has been marvelous in lots of ways. Took affordable housing out of our community. Yes, did we maintain some? But, not enough. We have 2000 some people on the streets. The reason for that is because housing in both old town chinatown and in downtown was, was, was destroyed. It was raised. And, and the city, the city council promised not, the three of you, not the three of you. But that housing would be replaced. So, that's a broken promise. That needs to be looked at as to why we have the current issue that we do right now. And one more thing, our community, for at least 30 years, has gone to every entity that, from, from Portland development commission, every other place in the city to ask about bathrooms. That's another reason. It is not, not, um, it is not easy for people to, to, to do their businesses in the neighborhood, and, and we have asked and asked for, for funding to, to, to address that, maybe, maybe commissioner Leonard, your piece will lap at long last, but you have got to go to the results problems to address what's going on, and what hasn't happened. Thank you.

Fish: Miss nelson could I respond to something you said because, because, because we have had in place, I think, for, for at least five years, a no net loss policy. In of the downtown, so whatever is taken off in any way has to be replaced somewhere. Is it, is it your understanding within the no net loss time frame that there has been and days by the city of providing replacement housing?

Nelson: And way before then.

Fish: I'm talking about during the no net loss period.

Nelson: I can't speak for the five-year period. What I can speak to is the report that the northwest pilot project puts out every, every couple of years on, in terms of the housing that we had, the housing, for, that was affordable, 0 to 30% median income, because people liver on, on social security, \$4,400 a month, and, and, and that, that report shows, shows explicitly the number of units that were lost, the units that, that were, were once upon a time, promised.

Fish: Yes, I very much appreciate your advocacy but we need to make people understand that the 11 expires used properties that are downtown, that susan and others have identified, the city has, has a plan to, to preserve all 11 between now and 2013, using a combination of the city resources and tiff money.

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Nelson: Yeah, and, and what i'm doing is, i'm going back 36 years, ok, and i'm talking about, about going to the root of a problem we're, we're once upon a time when I started my work in the neighborhood, there were maybe a couple hundred people coming to, to the, to the street shelter center for folks on the street, and now, now, that number is, is in the thousands, and, and the reason is, there is not affordable housing. There is not, not, there's not been the commitment we needed.

Fish: My final question is, i'm just trying to understand what your testimony is in connection with this zoning, the planning bureau's proposal. Are you, are you in favor of providing these opportunities zones and allowing greater height and f.a.r. under any circumstance, including whether it leverages affordable housing?

Nelson: We're not, and, and the Reason for it is, is what i, i, I am trying to say, and I am sorry if i'm not articulating myself well enough, that, that we, we have seen, seen buildings that, that are within, within the, the guidelines that, that have, have street level available units for business, whatever, that are not, not filled, and, and, and I think that you have to ask deeper questions than what you are asking, when you look at, at the, the, I mean, we, for all of the reasons that, that everybody else is articulating, we are against the five opportunity sites, but, but, one of the pieces i'm trying to bring to it further is, that, that why, why isn't, why aren't those, those spaces filled and, and what's, what's the history there? And, and what have we tried to do over these last, last few decades as a neighborhood? And, and, and, um, and I just -- I don't, i'm just saying, I don't think that you can, you can, you can ignore that.

Fish: I guess given that we are dealing with a huge budget shortfall, and we're looking at, at an enormous strain on our resources to, to meet our obligations to the most vulnerable, I would think that that, creating some incentives for some development downtown, which generates tax receipts, that can be then used to, to provide services and potentially housing for the most vulnerable since we share the goal of moving 2000 people off the streets and into permanent housing, might be a laudable goal. I'm trying to tease out your argument. It seems like you are making a historical argument about the impact of gentrification and the like, and i'm familiar with that, my bureau, b.a.c.d., is, is considering a, considering relocating, and the one place that they have found that they cannot afford is old town chinatown because the rents are too high. There are, there are class a buildings downtown. We're there is space, it's less, more affordable than some of the spaces there, but, again, i, I understand you are making a historical argument, but I think that we also have to be cognizant of the potential benefits of the development in terms of generating additional tax revenue that allows us to meet the needs of the vulnerable.

Nelson: And how I would respond to that is to say that, that, that what, what sisters and so many others who, who are, are allies with folks dealing with homelessness know is that, is that roughly 30 years ago, at the end of the carter administration, the beginning of the reagan administration, the congressional and, and presidential priority for hud funding went from affordable housing at the zero to 30% median income and, and sustaining it to taking the same money and instead of doing the, the piece that they had been doing, making second mortgages for people who, who, largely, had the ability to, to have a, a vacation home. That's we're the priorities have been. If you want to look at bringing housing money back to, to Portland, I don't think that it's in those five sites. I think it's going, looking, again, going to the root of the problem. Looking at what happened to, historically, why we have so many more people on the street now, and, and it's the loss of affordable housing. You know, we have tried to get, get senators from this state, to, to, to, um, to champion that whole piece in congress, to get local, our state senators, and we have talked to any number of you about, about this issue. You know, I just -- it's bigger. It's, it's not, not, it's not five units.

Cynthia Haruyama: Cynthia, i'm a relatively new executive director of the chinese garden. We're in support of the amendments to the height restrictions for the five opportunity sites, and, and we also, obviously, are in the neighborhood, and we are, we are a cultural tourism site, so I know a great deal about what, what it takes to bring in cultural tourists and keep them, and I acknowledge

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with the road that weave, real issues in our neighborhood, but the problem in our neighborhood is not what we have because we can live with what we have. Tourists can live with, with what goes on in the streets, were you we can't live with what we don't have, cleveland cavaliers nothing, nothing else for tourists in our neighborhood. The chinese garden is not enough to, to keep the tourists in that neighborhood because there is nothing else for them to go to. And basically, what's gone on in that neighborhood is the same for 30 years, very little enticing, retail, restaurant amenities there for tourists to stay so even though it is a cultural destination, in terms of the historic character, and in terms of the chinese garden, they will come to the chinese garden and they will leave, unless we try a new tool to revitalize the neighborhood and that's why we are in support of using the height restrictions on those five sites. Thank you. Excuse me. I congratulate you on your stamina.

Mary Fellows: I'm mary fellows and my husband, john, and I own four historic buildings in the skidmore district. And believe me, we would love to see those asphalt parking lots developed, but that said, we strongly support the landmark commission's position retaining current height and density limits. John, who has a lot of development experience, is convinced that increasing those limits will simply increase the value of that land and that the zoning changes by themselves will not assure development. I think that john has provided you with the background thinking on that, so a couple of points, and I won't read that, but a couple of points that I want to stress, we believe that, that a key problem in that this council can address is that the value of the asphalt lots for parking is, is greater than their value for development. And an approach to that issue could be, and john hopes you will think about this, is to explore taxing the income from those lots or, a second choice, sunset setting the right to use them for surface parking. We think this would be the most effective and, and appropriate way to encourage development in a district that we hope to retire to. Thank you.

Fish: So, just, just a follow-up on something, commissioner Leonard raised, and, and in the memo that was, I guess, originally sent by john russell, it, it proposes a, a sunset clause as a back-up argument.

Fellows: Yes.

Fish: And, and are you, are you, are you, do you -- would you care to suggest a, a particular period of time for the sunset clause that would meet the objectives that are set forth in the memo?

Fellows: I would not but I would be happy to have john get back to you on that issue.

Fish: Ok.

Fellows: Thank you.

Fish: Thank you.

Christopher Kopca: Christopher here, vice president of real estate for downtown development group. You've been talking today a great deal about different kinds of risk incentives, and what makes this district tick. And I would like to kind of recap after sitting and listening through the testimony about, about things i've been talking about. First, there is the risk of Doing nothing, and most people haven't talked about that one, but there is a risk for doing nothing. Doing nothing probably means very little happening, that means the vacancies, at the ground floor, probably remain, there is no real change in dynamic, and we know that there have been and are going to be removals of further incentives, certainly, less tax increment, if any, to this district, for example, and, and if we keep solely to lower scale buildings, and, and that is talking about the maximum height allowed today, but the district policies encourage in some cases less, you look at, at trying to make cost efficiencies in buildings that make them financially viable, and that typically means wood frame construction. Whether you put cast iron on the front of it or not, a wood stick building is not a long-term building for a district in most cases in current construction. We're looking, and I think developers are looking to build some, some mid rise buildings, type 1 construction concrete that the will endure for decades as does the district. Second is, is, um, how does, how does something get done? Well, something gets done if we have clear guidelines and I think the design guidelines are

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clear, I think the refinements proposed will make them better, and, and knowing and, and certainty is a big part of a developer's stepping forward to build a building, and I think we're taking a good step forward. Not, not removing incentives, if It can be helped, is advisable, and in this case, there are some some, incentives being removed, I think that you are doing that knowingly, and we understand that. But, um, but, but it just makes the projects more difficult, and then, the one that I would like to talk about, since it has come up a couple times today, is this idea of sunset. It is hard to establish a date that works well two or three years out in the future. I think, if you had all thought four months ago that you could finance a project with 10 or 15% equity in hand, and that same project today in the marketplace now is, requires 40% equity in hand. That's a change that's happened in several months. You simply can't predict what the conditions are in the future. And establish, establishing arbitrary time lines, simply puts a gun to someone's head about how much risk am I willing to take on in unknown conditions in the future. Secondly, a number of, number of proposals have talked about using low income housing, those take, take getting tax credits, they take a while, sometimes you stand in line. To get those credits and you can started a project in good faith and still not be eligible to well beyond the sunset deadline but those kinds of things that, that are, serve as a disincentive for making a decision whether you would build in this part of the city or some other part of the central city. And it really does put this district at a disadvantage so i'm going to encourage you not to establish arbitrary timelines, or you think you talked about them in terms of sunsets.

Fish: Talking out loud because I understand an email we received from mr. Russell, he's suggesting a two-year sunset. So, what, what if, if we fine tuned it and said that, that, that after x number of years, that, that this, this concept comes back to council for a decision as to whether to renew it for another period of time, rather than a hard sunset, it came back for a reconsideration.

Kopca: I think that's a better step forward. I think that the question is, how many new conditions in the marketplace will, will occur when you start a project, you know. And so, that, that's, that's ultimately the problem, we're you start a project and the world requires 20% equity and when you, when you get to, to actually getting it through the design review and everything else, it requires 40% or pick another example, and so, it's the level, the question about why would you want, the, as a developer, to build in this district with less certainty than two blocks, i'm sorry, than two blocks outside of it. We're you would have certainty and perpetuity? And so, it's, it's a decision that you have to make. That's a better step than the one you were discussing before, and, but I want you to realize that it does put a cloud on that property that says, gosh, I not Only have to work on how to do the project but if the market conditions aren't favor be, the finance conditions aren't favorable, you just can't, you are under appeal by design, whatever it is, it takes more time, you could end up with nothing in hand and time has just gone by, and it's a, a serious risk for people to have to, to, to make that, that kind of decision.

Leonard: Typically those conditions require you simply to have applied for the permit by them, so some of those.

Kopca: Some do, some don't.

Leonard: That's what i'm --

Kopca: The ones in the public review may do that if you applied conditions on financing, don't.

Leonard: I understand that, and the reason for the discussion is not to create more barriers. It's to try to figure out how to incessant to cause the development to happen if we take this step. I mean, it's, it would be a little frustrating to me to make all the people mad that I may make mad by making a decision here today that ends up not being followed through with, so we, actually, why did we do it? So, i'm just trying to figure out how, how, how can we, we incessant, having, having the project actually happen?

Kopca: If you don't mind, I don't mean to make it a direct question but I will put it back to you, we have the five opportunity sites, and if you are supportive of them, you would want all five to

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happen. But, I don't think that five are going to happen in the next Three years. And, and why do you want to make the competition between the five sites and see which one rushes through first? We would want all five sites to happen if we could.

Leonard: How long of a period of time of time would you say all five sites would happen? Reasonable number.

Kopca: Different people would have different answers. I would say somewhere between five and 10 years but others may answer it differently but it's not going to be two years. I don't think you will see five applications on those five sites.

Leonard: Do you think five years would be less of a barrier and more of an, a helpful incentive?

Kopca: I would rather see 10 years but yes, five years is better than three. [laughter]

Leonard: Would you rather say 20 years?

Kopca: You are trying to make me say something.

Leonard: You asked me a question.

Kopca: You haven't answer it had yet. [laughter]

Fish: You can take the fifth.

Kopca: The last thing that I want to put to rest, I think a number of people are indirectly talking about this, is this fear that, that either, either the five sites or the future buildings on those five sites will somehow lead to the demise of landmark structures or a, or significant structures, and I want to remind you that, that there is one thing now in place that remains Untouched in Portland's arsenal of tools, which is demolition review, and very significant tool to, to carry on that conversation, very publicly, very deliberately, nothing changes about this here, and number two is, is that in the report that you have before you, the actions that you have before you, planning staff is, has recommended that if you need to buy additional f.a.r. on these opportunity sites to build a bigger building, that you can buy them from other, other landmark buildings or contributing buildings, and when you do that, you are doing that in essence trying to save those other buildings. It's a way of assuring that those other gems will remain. That's an important link, I think, that's sort of being overlooked that, that you can, you can, you can, filling the redevelopment in these sites will help assure that, that more, more landmark buildings stay in the district as they are because you can buy your f.a.r. from those sites. And they are coveting about their future, so, so I think that, that helps eliminate an aspect of risk, as well. Thank you.

Fish: Thank you.

Hawkins: William hawkins again, a word from the cast iron part of all of this. I saw the list so I signed up for it. My middle name is cast iron so I will -- [laughter]

Fish: Wait a second. Now you are making a repeat appearance, took off your glasses. Don't think we didn't notice that.

Hawkins: I'm a different person. I have followed this iron for nearly 40 years, and, and as a consequence of knowing the person who salvaged it in the first place, i've been particularly interested in it. I have pushed all these years for something dignified to happen to our historic district, using the, using it as an infill, undefined how that would be but i'm favoring something that is a reconstruction in a small area of our historic district. It's hard to weigh with all my colleagues, their various interests, which are weighty and heavy and sometimes, unfortunately, competing. I do wish that they were not. But, I feel very strongly about Portland's cultural high notes, and I don't want to see this opportunity simply lost for, for the city to, to retain this unique feature that it has. And that is a fluke of fate that, that our city was founded when an era came into this country, when the united states, united states, alone, developed cast iron from the building, and cities, Portland, was built during that era, 1845, 1850 to, to 1889. That, that, and now with the other districts pretty well gone, expect new york's cast iron, that makes Portland totally unique. Therefore, we have a very, very special asset, and all this deliberation, I only pray that there is a solution that is dignified solution to the Cultural aspects of our city. Thank you.

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Potter: Thank you both.

Moore-Love: That's all.

Potter: Council discussion.

Fish: Should we bring up [inaudible] Would you summarize all the testimony you have heard in the last three hours?

Kelley: No problem, have you got three hours? [laughter] I would like to address three or four points that I think kept recurring in the council of questions if that would be helpful. I will do that. First of all, I did want to make surer clear that, that the planning commission and landmarks commission, both of who my bureau serves, did have a joint hearing, this was something historic in itself. I can't remember the last time that occurred. They did have a joint public hearing around these issues. And we, we managed to get the leadership of both those bodies together more than one, two or three occasions, and hoping to find a middle ground or a creative solution, and failed to do so but I wanted you to know that there were attempts before bringing this to you to reconcile the points of view. With regard to, some of the economics, um, there are a couple of points that, that came up in testimony, and I just wanted to clarify what was discussed previously around those, at least at the planning commission level. The idea that, that the rent structure has been moving up in The district is relatively new information, and this, this project began when the rents were quite low. And in fact, there has been some, some, some momentum achieved through those investments so the 22 a foot if, that's what's being commanded now, was not something that, that was, that was known or understood at the time of the, of the original planning effort here, which goes back about, about three years. So, um, is I don't want to, to discount that, on the other hand, that was not testimony that was really, really available to the planning commission, at least not in a major way. It was not discussed so that's, that's new in front of you tonight. Um, that, that plays into the preservation part of this. The other piece is that, and we discussed this, this in general terms, at the commission, there conceivably is an economic model that, that works for, for 4, 3, 4, and 5-story buildings to infill the district. In there, and, you know, those kinds of buildings are, actually, being built around town, and, and, and you could conceive with some assistance that that, high quality materials and even cast iron and so forth could be done in that way, and it would be, those would be marketed to, to a certain kind of profile of users and tenants that would be amenable to the district. I think what, what persuaded the commission, the planning commission, at least, to, to go the direction that they went in, is, is that those economics did not seem to, to persuade or compel the particular owners of the five sites here who, who at least in four out of five cases, I believe, have surfaced parking lots generating reasonably good revenue with no risk. And, and so, they did attach some weigh to the testimony of the particular landowners here, and that economic model did not seem to be compelling to them, so I wanted to let you know that that's, that was sort of how the planning commission heard the economic testimony, if you will. We did not run endless pro-formas. We looked at the two or three that were presented during the commission testimony, and they were around this, this higher, higher rise, if you will, sort of prime office tenant, economic model. To commissioner Leonard's point, very good questions about, about the design piece, and, um, it's true, there are really not many 130-foot tall historic buildings of this era in Portland. I don't think that there are any of that err is a. We have a number in the, in the terra acosta vicinity angle, which is the early part of the 20th century, meier and frank, for example, being is a good example of that. So, we asked rick early on to scam a national landscape to see, are there any compelling examples we're you can do new buildings, new buildings with the historic fabric, and, and, and I think, I think to say the very least it will be a big design challenge. We don't want to underplay that. I think that rick here researched found there were relatively no other districts that allowed this kind of, of jump in scale. On the other hand, our district happens to have a lot of missing pieces, so it's a bit different than some of the other historic districts around. So, I don't want to downplay the fact that, that all, although we have these design guidelines, it is going ton an easy challenge to

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make the new buildings. The buildings fit. I want to address the points made on behalf of them and lewis lee and clarify the difference between his site and the other four sites in our view was situational, certainly was not ethnically based or any of that. And i'm not sure that he was trying to make that argument, but, but it really is that the other four districts are on the, the, truly, the edge of the bowl, that they are backed up against either, either zoning envelopes or existing buildings of higher heights. His is literally within the bowl because, right behind him is, is chinatown, which actually overlaps his property, we're the entitlement envelope is not, is not 130 or 250 or, or 450 feet, it's 100 feet, and extends for several blocks behind, and there is a map merer here, and that's why --

Leonard: I'm looking for the map.

Kelley: If we can get the power point going, we have a map.

Leonard: I'm buried in paper, and I thought you handed one out earlier.

Kelley: And that was the reason for that, was, for, for his --

Leonard: This is on davis between 33rd and 4th?

Lisle: Ok, so this is the skidmore old town historic district boundary, and this is the, the chinatown, new chinatown, japan town district boundary so they overlap by, by a half block right through here, and this is lewis lee's opportunity site. So, with these two sites, they are a half block into the district, but these are non historic properties, so, so in terms of the historic fabric there at the edge of the fabric of the district, this is the gas building and, and --

Leonard: What building is, is between davis and, and 3rd and 4th?

Lisle: Davis and everett.

Leonard: Right there. What building is that?

Lisle: Well, this is the chinese and these are historic structures.

Leonard: How tall?

Lisle: Less than 75 feet. We can go back to the 3-d model if we want to see it that view. But the point is with these sites, they are, they are past the historic fabric and the next thing you get to are modern buildings of 180 feet in the case of the gas building and height limits of 250 to 350 feet, with the sites at the southern end, which are these two, they are immediately adjacent to height limits of 130 feet and, and they go up within a half block to 460 feet, potential, and the, the situation with the chinatown block is that, is that outbound. , of the skidmore district, the height limit is, is, is, you know, a block and a half of 100 Feet, that corresponds to the boundaries of the new chinatown, japan town district. The relationship of 130 feet on lewis lee's site to skidmore is probably fine, probably the same relationship as all the other sites have. The question is, it's transitioning out of skidmore into something that's 100 feet rather --

Leonard: But, it abuts his, his site, abuts a building that is 100 feet tall?

Lisle: No. The height limits are 100 feet adjacent to his building.

Leonard: How tall is the building?

Rick Michaleson: In the range of 46 to 60 feet. I don't know the exact height.

Leonard: But they are allowed to go 100 feet?

Michaleson: Correct.

Lisle: And they do have a greater f.a.r. The f.a.r. on the other, on the western half of the block is a base of 6 to 1, which will let you get to 9 to 1, so I think lewis mentioned that, that part of his case for f.a.r. Is, is, it is true that, that the western half of the block, which has 100-foot height limit, a base f.a.r. Of 6 to 1.

Leonard: And what is his, I'm sorry?

Lisle: Well, he's in the skidmore old town, historic district with a base of 4 to 1. This proposal would, would, actually, you can get to 7 to 1 and I think he's looking to get to 8 to 1 like the other foresites, yeah. We heard from quite a few folks from the chinatown district and some, you know be we didn't hear from, directly from the owner of the neighborhood property, but we heard from

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others in chinatown who, who may have suggested that, that, you know, they are not, not concerned with, you know, with somewhat higher buildings in chinatown, and that, that may be completely true. It's just a matter of through this process, we didn't, with rick, we didn't look at chinatown at all. We really only looked within the skidmore old town historic district.

Leonard: But, he also said that he was told that this could be discussed further in the development of the upcoming --

Kelley: I wanted to clarify. We certainly didn't promise him that we would raise lights in the next process but simply, the, the central Portland plan is going to be looking generally at, at the, the heights and skyline of the city throughout the central city. This was not part of the scope, the chinatown piece, is not part of the scope of this project, which is meant to certainly be, simply be an early action based on that previous work that was done before we started the central city plan. We would have been holding off other requests until, until --

Leonard: So, articulate for us the impact of allowing him to go to 130 feet would be.

Kelley: Well, if, if the decision later on were to are, to not increase heights in the chinatown, the 100-foot area, you would have, have a spike, 75 feet, 130, back to 100 before the bowl really begins.

Leonard: What's the impact of that? What's the visual impact?

Kelley: You have one anomaly, one tower sticking up, and the planning commission felt it wasn't really timely to make that decision because they left-hand turn -- the rest of it, as I said, the other sites in their minds backed up against the, the sites of the bowl. This one, rests more in the center of the bowl and they weren't ready to make that decision because they didn't have, have the information or the testimony or of the study on, on the, on the rest of the chinatown landscape.

Fish: How high does the big one go?

Michaleson: 182 feet. Sorry.

Kelley: Big pink is like 450 feet.

Fish: Ok.

Lisle: 451.

Fish: Slightly out of proportion.

Kelley: Oh, yeah, yeah. This would not be big pink.

Fish: Is it fair to say that the, the argument about height in context within a historic district is a different argument? Is a different discussion than outside, between buildings and, and outside the district? I mean --

Kelley: Yes, yes.

Fish: Urban form.

Kelley: Absolutely.

Fish: We would like to have --

Kelley: I think almost everyone has conceded that this, that this ought to remain relatively low, low point in the landscape, that its, that its an effective bowl that's there now, and, and August to be maintained, I think we're, we're talking about, about, you know, about the finer points of that. And I think you, you bring up a second point which is, sometimes, missed in the discussion, which is that, that, um, that this, this, that national register designation is for a district that's, it's not for, for a building or even a collection of buildings, it's for a district, and that means you bring a different kind of lens to it because it means the fabric and the context is, is more important than any of the single buildings which is why so much, you are hearing so much about the scale issue because, it's not just preserving the buildings, it's, it's preserving that hope, the feel of the whole district, and I think that that's, that's one piece that may have, um, not been articulated in the conversation tonight.

Leonard: We have, right across from, from, from, from charlie's project. How tall is that? Is it 10 stories?

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Fish: Which one are you talking about?

Leonard: Somebody here probably knows, it's on 3rd and, and between davis and everett. Am I remembering that correctly? I'm sorry.

Kelley: Are you talking about the one we're, we're, they added the stories recently?

Lisle: That's the estate hotel.

Leonard: No, between, between davis and everett. My memory was it's on --

Lisle: Pacific tower.

Leonard: Is it on 3rd or 4th?

Lisle: 4th.

Kelley: Pacific tower is on 4.

Fish: Pacific tower, it's just to, to the, the north.

Leonard: Yeah.

Kelley: Between everett and flounders.

Leonard: Everett and flanders on 4th.

Kelley: Fairly tall.

Fish: Right.

Kelley: New construction.

Fish: Right.

Lisle: I want to say it's 16 stories.

Kelley: 15 or 16.

Leonard: I'm trying to understand this discussion in the context of that.

Kelley: We would consider that outside of the bowl. That helps define the bowl.

Leonard: But it is in chinatown? The 16 story building?

Lisle: And chinatown has -- it can be run from, from gleason to burnside, if I don't have that wrong, and the northern, northern half, has a high height limit. And I think they date back to the original central city plans of bringing the commercial strip along the transit mall and linking to lloyd center, through that part of town.

Kelley: Correct.

Lisle: So the 100, I think height limit in that part are 350 feet, and bonus of 425. So, the northern part of chinatown has a lot of height limits and a lot of parking lots, the southern part of chinatown has fewer parking lots, although still some, but the 100-foot height limit.

Leonard: I'm wondering if the discussion is on the other properties, are the four properties, that we can design something 130 feet tall that's complimentary to the district why that wouldn't apply to this property, as well. I guess that i'm interested in what my colleagues think so i'm goes to go down this path unless there is some interest.

Potter: This is supposed to go to the second reading so, we have time to think.

Leonard: That's good to know. [laughter]

Kelley: We certainly will want to talk between now and the next meeting with the national park service.

Leonard: You know what i'm thinking.

Kelley: We can look at that.

Fish: I was wondering with our planning staffer here, could we have a brief counsel discussion about some next steps and then get some feedback?

Leonard: I also wanted to ask greg the question, out of fairness of the, of the sunset, so maybe before we did that, if I could ask greg. What his reaction would be to some sunset.

Goodman: Well, I think chris did a pretty good -- first, thank you very much for asking me, but the reality is, you can only bite off so many projects at a time, and I would hate to see, you know, we want to get going on 3rd and ash right away but I can't promise you that we're going to do second and oak in the next couple of years.

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Leonard: Chris said you could get it done in five years.

Goodman: Well, I don't have Chris's resources. [laughter] But Chris doesn't have my land. [laughter] So, you know, do, do I -- do I think it's an ideal situation? No. But, why do I say that? Because I want to build buildings on, just like I did on 12th and Washington. It took a while to do but we got it done. My goal is to build on every surface lot that we have and I would hate to lose the opportunity, and I think that Nick, Nick suggested that, that maybe it comes back to council to revisit.

Fish: I'm trying to think of a name for that, like a soft sunset, where it comes back for a renewal.

Leonard: That, would that be like a choke chain on a dog?

Goodman: Belushi called it double secret probation. [laughter] so I hate to overly simplify things. I just want to go from property to property and be able to develop these things but at the same time, there needs to be demand, and I need to have a tenant right now, so.

Leonard: And like I said, my idea isn't to create a roadblock --

Goodman: I understand.

Leonard: And kind of the, the vein you were discussing, how long were you thinking to do that.

Fish: I didn't have a particular time frame. Strikes me that, that coming back within.

Leonard: In our lifetime? [laughter]

Fish: My lifetime.

Goodman: How are you feeling, Randy?

Leonard: Not good after we are all done.

Fish: Conceptually, something like a five-year period in which it comes back to council. One thing I'm concerned about and is the undertone of this, if the majority of council wanted to proceed down the path of some opportunity site and some kind of bonus arrangement, it does have the effect of, of creating value for landowners, and the, the premise behind creating the value is that there be a public value, of development.

Leonard: Right.

Fish: And if it has the effect of creating value with no public benefit --

Leonard: Which is why I am proposing some type of a sunset.

Goodman: Can I add one quick thing for sake if you look at development around downtown, you know, point to a building, you know, B of a financial center, O.D.S. Tower, Bob Duncan Plaza, one at 12th and Washington, they happen on surface parking lots. It's, it's -- parking, you know, if you take and look at P.D.C.'s property to, to the, what, by the train station developed on, and, and, you know, look at the parking revenues, it's like a 1.5 or 2% return on the land value so there is kind of this, this misnomer that, that, that, you know, parking is a reasonable income. Is it a great income compared to land value? No. Not in the slightest. Two main ones it's developed on right now. Surface parking lots are we're 80% of, of, asked me not to be Quiet. [laughter]

Leonard: I wonder if you were going to ask for a public subsidy because it's so hard to make it in the parking lot business. [laughter]

Goodman: I just, I just, you know, if, if, I would much, much prefer a review as opposed to a sunset as Nick, you know, if you did kind of a hybrid of what both of you were talking about, in at least five years, but again, selfishly, my intent is to develop the properties.

Potter: Would it be possible to continue this for a few weeks? At this point, I don't know that there is an guarantee on the council.

Leonard: Ok.

Potter: Just as importantly, there's been a lot of things that have been proffered as alternatives, a and a half people have come in with them. I think it may be fair both to, to the neighborhood, the development community, and the preservationist if we were to take some time and go through this a bit closer before we, we come to a decision. This is an important decision.

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Michaleson: If I can add to that, we tentatively have a meeting scheduled with the national park service week of november 20.

Fish: Could we have a discussion and give guidance to planning staff as to the kinds of issues we may want to get follow-up from on, mayor? And the timetable for that. I agree with you. Commissioner Leonard earlier said he was buried in pair Looking for something, that's a good indicator that we ought to make sure that we have read and digested and even gone back to some of the testimony, that's why, for example, the, the professor who testified earlier, I asked for a copy of her testimony. She had four or five points that she wanted us to consider, and my mind, at 50, is not as fast as it once was. I can't remember all her points, but I would like to review her testimony and consider it carefully. And gill, we have had a number of developers from opportunity sites that have control opportunity sites that have proposed amendments or amendments to, to the design and other aspects. Is it prudent for us to ask you for some decision matrix on those now or, or would you prefer we wait to come back at another, another hearing and have a council decision. I don't want to create busy work.

Potter: We were having this discussion, you folks digested a different alternative one in written form and we had a chance to look at it prior to coming into council. It helped formulate --

Fish: So mayor, and I would concur in that, that something like a decision matrix that looked at the proposals and presented to us

Kelley: I think that would be helpful.

Fish: And if I could just signal an issue that i'm interested in, is that, that we have heard from a lot of people that, that, whether they are for it or against it, they have come back to the notion of design guidelines driving this train. And what I would be interested in knowing more about is, is, is what's the -- how far, what's the water's edge in terms of design guidelines that, that, that, at least meet some of those concerns? That didn't, didn't, that don't tip over to, to being an impediment to the development? And what's the rub? I know that's a hard question but that, I think, is the essence. We have heard from a bunch of people, however, we come out, the design guidelines need to be strong and I don't know --

Kelley: We are on the edge, generally speaking, rick will testify, I think ware going to be a unique, unique in terms of the historic district that takes on this scale, so it will need to be done well in terms of the design.

Leonard: I mostly hear you say you think it will be sikh, and, this meeting you were going to have with the park service?

Michaleson: I think from everybody, nobody wants to risk the national historic landmark.

Leonard: Shouldn't we schedule a follow-up discussion after you have that meeting so we understand that?

Potter: Yes.

Michaleson: We're trying to set it up for the week of the 20th.

Potter: That's the first week of december?

Leonard: Yes.

Leonard: If you wanted to make the next discussion a continuation of the public hearing, and I don't know. I don't know whether you prefer to do that but I think that we would want to have testimony on any new amendments. I think the first date we were looking at was the 18th. Is that right?

Potter: 18th of --

Moore-Love: December, right.

Lisle: Thursday.

Leonard: That's getting pretty close. [laughter]

Fish: I missed that. Are we operating under some, some --

Leonard: You may decide not to show up that day, right.

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Fish: I would be remiss, one of my childhood heroes is larry bird, and.

Leonard: He's not from new york.

Fish: He signed the richest contracts in history for a rookie and after he signed he said, now I can say what I wanted to say for a long time, if I hadn't played for them, I would have played for nothing, I don't know we're that's headed. The punch line is -- what I wanted to say, is that, is that i, I frequently go home after these long days or evenings, and I say to my wife i'm amazed I go paid to do this job and I want to say for the benefit of people who stuck around for four hours, people who waited three hours to get two minutes, that it is a privilege for us to sit up here and listen to you argue passionately about a great issue.

Leonard: And I go home and say, I would have been home two hours earlier if nick hadn't gone on and on and on. [laughter]

Fish: I know. You want to go home.

Leonard: We'll see.

Fish: I simply want to acknowledge the citizens that took the time and thank you for your participation and testimony because despite what you read and hear, most of us come here with an open mind and a willingness to learn. And the testimony, I think, has had a very high benchmark for these proceedings so I thank people for the time.

Leonard: Do you need any further direction?

Kelley: I think the 18th, it's an afternoon session, that way the public is notified right now that, that that's a continuation of this hearing, and we won't need to go through the whole re-noticing process. I think that we have the direction in terms of the decision matrix and clarifying some of the issues that came up today. So, hopefully we'll get that.

Potter: December 18, 2:00 p.m.

Fish: Is it your intention to, to proceed to the bump at some point today or put that over?

Potter: Is commissioner Adams --

Moore-Love: We'll have to try to get him by phone.

Potter: We need to take a recess first.

Fish: Can we take a 10-minute recess?

Potter: 15.

Fish: Thank you, mayor.

Potter: 15 minutes, and this moves for a second reading on december 18 at 2:00 p.m. a continued hearing.

At 6:23 p.m., Council recessed.

At 6:50 p.m., Council reconvened.

Potter: Show we read the item? Would you please read -- Do we need to do roll call in? Could you please read 1541, 42, 43, and 44 together.

Moore-Love: Do you want me to do a roll call before?

Potter: Yes, please.

Adams: Here. **Fish:** Here. **Leonard:** Here.

Potter: Here. [gavel pounded] Now, please read the four items.

Items 1541, 1542, 1543, 1544.

Potter: Casey.

Linly Rees, Deputy City Attorney: I'll jump in really quickly with this. Pursuant to Portland city code section 3.02.025, commissioner Adams is participating by telephone because the four supplemental budget ordinances, numbered 1541 through 1544 are emergency ordinances and the code requires an unanimous vote of at least four council members for the ordinances to be adopted. Section 22 of the ordinance states that an emergency exists because amendments to the

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appropriation and requirements must be in place when the new enterprise business system goes live, and that amendment to appropriations resources and requirements must be implemented without delay. Without commissioner Adams, participation by telephone, there is not a sufficient number of council members present to adopt these ordinances as presented. The auditor contacted the offices of commissioner Adams and Saltzman to inform them that they could participate in this hearing by telephone. Commissioner Saltzman is unable to do so. Commissioner Adams will be participating by telephone. The mayor, if you could please request whether any of the council members who are physically present object to having commissioner Adams participate by telephone.

Potter: Do any council members physically present object to having commissioner Adams participate by telephone? Hearing none, please proceed. Casey Short.

Casey Short: Thank you, mr. Mayor and members of the council. In the, given the lateness of the hour, I will abbreviate my presentation on what's in the fall bump as it is affectionately known if anyone has any questions or would like me to elaborate, I would be happy to do so. You have the four items read to you that we will be dealing with today. I will speak first just to, to the fall bump and minor supplemental budget. The focus here is on, on the general fund, the issues are three things that I want to call to your attention one deals with the matter of addition funds available this fiscal year, both from the beginning balance and other resources. I have given you an outline on what all these are. The bottom line is, is that there will be an extra 9.6 million that we are, we are recommending stay in the general Fund contingency as a reserve against potential revenue shortfalls. This year, if that money isn't needed, or not all of it is needed, what remains will be available for fiscal year 2009-010. The second point, deals with, with the general fun discretionary contingency, which began with the year 1.4 million. There were few requests for contingencies in this bump because council members were aware of the if not restrains we find ourselves in as a city. I understand didn't approve the requests so there weren't many financial planning, recommends five requests that were in the, in the request for contingency. Totaling about 5 a 34,000. This will leave the contingency at about 866 to last for the rest of the year. The second piece is the rainy day reserve that started the year budgeted at, at 4.85 million, this budget, this, this bump action today, um, we recommend 22.56 of that be moved from contingency to different places. It's 1.750,000 to go to the facilities fund to support a land purchase for the regional training center, regional public safety training center. There is an item 510,000 for police overtime that the council direct to come out of this reserve back in july, so this is implementing that, and there was a 300,000 item identified in the rainy day reserve for a homeless self-sufficient program to be released pending council approval following the approval of the commissioner in charge of the bureau of housing and community development and commissioner fish's office has forwarded that. That leaves about 2.3 million in the rainy day reserve, most of which is earmarked for other things. The last item I want to touch on today is that, that this bump also is, well, it does two things but I will touch on one, is there is, there are additional funds moving between the general fund and, and the, the technology services fund to, to pay for both the, the implementation of the, of the enterprise business solution project, and, and the ongoing costs of that in the current fiscal year, there is no, no change in the budget for this, this is not increasing the budget for the program. It is putting the money in the right places. The other thing is that, is that as I believe you all know, this bump effects a change in the management of the city parking garages from the office of management and finance to, to Portland department of transportation. There is a lot more detailed stuff, which I will address if you would like to, but for now, I will entertain questions.

Potter: Questions from the commissioners? Casey, is there anybody, was there a signup sheet on this? I don't see.

Moore-Love: I did not have a signup sheet.

Potter: Do you want me to address the other --

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Short: Do you want me to address the other three items? The next it up, I will try to be briefer, is the major supplemental budget, there are two funds in the major supplemental, which generally requires the extra step going through the hearing with the mike huckabee tax supervising and conservation commission if they fund increases appropriations by, by more than 10%. There were two funds that hit that criteria, the environmental remediation funds and the parks trust fund. Both were technical in nature. We have had our, our hearing in front of the t.s.c.c., that happened the day before yesterday, and they didn't have any, any additional questions, and, and we recommend those changes. The next item is a separate major supplemental budget that has a different effective date. That is for the grants fund. As you know, the city receives a good bit of money every year in grants, primarily, from the federal government, also from the state government, some from, from other local and regional entities. With the new enterprise business solution project, we go live in two weeks from today, the way that we manage these is changing, and instead of, of the funds moving from the grants fund we're they are taken in to, to the relevant funds that spent the money or reimburse for expenditures they have made, the new system will have all those expenditures going out from the grants fund. So, this represented a 47 million change in we're the Money is budgeted in the grants fund so we needed a major supplemental budget. T.s.c.c. Had their hearing on that, as well the day before yesterday and again approved it. This does not change the total amount of money, this changes how it's budgeted. The other item is a companion minor supplemental budget bass none of the funds changed by more than 10%, for all the funds that had been receiving grant money from the grants fund, they will now not be receiving that money but they won't be spending the money out of their funds, either. No net change. Just the change in the way that we manage that money, and these are separate from the regular actions because, because they, they need to be in effect on go live day, november 26, rather than before or after. The rest of the bump, first major supplemental goes on passage, assuming that there is, there is a unanimity on council. That's it for my presentation.

Potter: So, is there, is there any, any testimony on this?

Moore-Love: No one signed up. I didn't have a signup sheet.

Potter: I don't see anybody here. Council discussion.

Leonard: I want to point out one item that, that I am concerned about, and that is the, the issue of the, the transfer of the 1.75 million dollars on the rainy day fund facility services fund for, for the purchase of the land that had the police bureau training facility constructed on. That actually -- [inaudible]

Leonard: For what reason?

Moore-Love: Are you there?

Adams: I'm here, sorry.

Leonard: I actually wanted to develop the budget last year, worked on this portion of the budget, so i'm very familiar with it, and, um, and that is, that is the, the, the 250,000 that we, we put in the budget for the purpose of, of, of buying an option on property if a deal was negotiated. Or, or, and, and in lieu of a deal being negotiated, at least develop an option to look at purchasing the land. And, and so I am going to give you a background on that. I met with, with chief sizer in may and followed that up with, with a meeting with her command staff and, and the principles from the police bureau, including robert king in june on, on this, this project. And out of that meeting, during that meeting I raised a number of concerns with, with the police bureau. They, they predicate that, that this, this project could cost up to, after development, \$125 million. When all the facilities are built and the long-term plan is in a transcribing facility, shooting range and other thing that they would like to have in a training facility. And recognizing that, to even to the 50 million stage, which is, is, as I understood it, the, the more, more of the first round of, of things that have to be constructed to make it be usable, they needed to have partners from other law enforcement and that even possibly higher agencies that would join in the cost of the development of this project. I

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asked them at that meeting in June, who they had commitments from, and they named a number of sheriffs, and a, police chiefs, who are supportive of this, but understanding, as I do, that, that, that might be more aspirational than a commitment by the governing bodies I asked more specifically, for the, the Beaverton city council make a commitment, or did the Washington county board of commissioners make a commitment, Multnomah county board of commissioners make a commitment, so on, and they had no such written commitments so what I told them at that time was that, that for me to be engaged in a conversation just as an individual councilmember to support such a project, and given it had such a tremendous potential impact on the general fund of the city, which at that point, doesn't just affect the police bureau but also the fire bureau and the parts bureau, and any, any kind of activity that we are involved with as a city, we are used to spending general funds, I needed to be satisfied that, that we had, we had not just, just promises of, of partnerships, but, but written commitments of partnerships. And, and I spent some time specifically going through what that meant. After the budget we set aside 250,000, and the 1.75 million back in the rainy day fund, so that, that in the event that, that this date came when there was some coming together with The property owner, and the city, city, we first, as a council, could hear the deal. What is it that we are walking into before we, we agree as a council to anything. I, and my fellow commissioners, have had no such briefing, but the police bureau or anybody else was negotiating a deal and I can presume that given we're releasing the 1.75 million, they had not run out and developed these committed partnerships because, because part of that would be, obviously, them agreeing to a portion of the purchase price, according to whatever, whatever was describe to each of the partners as, as, as their financial share of this burden. So, um, this, this, from my perspective, is putting the cart before the horse, I mean, I'm still not saying that I won't support the project but I'm still very clear in my mind that before this council should make a commitment, such as this, we should understand the details, not the least of which the land, as I understand it, is not disowned for the purpose for which the city wants to use it, and in fact, it is zoned farmland. And I know that there are ways to address that. They haven't been explained to me, and as a member of the council I deserve to have that explained to me before I vote on something like this. The last thing that I would say is that I think that each of us have to agree that this is a complicated subject. That there are some issues, Issues here that need to be addressed. I have given some suggestions to the police bureau in the past, in ways to look at other options for, for police training facility. For instance, partnering with parts at the Portland racetrack, to see what so at a miles per hour, we'll have a new police chief take over on January 1 and what I need to have happen to get my support is to have those issues addressed, and addressed in a way that, that makes me comfortable to move forward. I don't want to have us have a disagreement about this publicly, and I, I, I'm, I'm not, not pleased even to say what I am about this, but, but I would hope that, that at least out of respect for the person that's going to have to, to carry this ball forward, if this decision is made, that person be involved in these discussions and understanding the implications of what this action means today, to the city, not just for the police bureau but the entire, the entire areas of responsibility, what we have, with respect to our general funds. So, I will not, I will be moving to remove this portion from the bump of our discussion.

Potter: After the budget was passed, the, the -- the budget note provided myself, the police bureau, and the responsibility of beginning the negotiations for the purchase of the property. So we initiated that discussion with the owners of the property, And have had several proposals back and forth. We are still negotiating with them. And that, that, that, um, that the purpose or function of, of the action today was a technical adjustment to place that money out of the rainy day reserve and put it into, what's the --

Short: The facility services.

Potter: Facility services. It does not commit anybody to any decision to, to, to decide whether to, to approve or disapprove of this.

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Leonard: I understand that.

Potter: So the, the thing for me is, is that, is that, is that there, aside from all of the technical issues or concerns, there is a huge need for the training of the police officers that's not really being met by the city of Portland and most of the, most of the regional police agencies. When I talked to the chief talk to the sheriff, I talked to the board of county commissioners, and two of the mayors and talk to them about it and they all agree that this is a serious issue, they wanted to work with us on a solution. So, there are really three steps one was to acquire the property. Second, was to establish a regional governance model, much like the one that we are, that is -- I don't know if it's approved in the draft form for the communications, the 9-1-1 communications system. But, um --

Short: There is an existing grant agreement.

Potter: It's a regional governance for the 9-1-1 system.

Short: right.

Potter: So, the three parts are one, acquire the property. Two, establish a regional governance model that would, that would include the partners in the four or five counties, if we were to include clark county in Washington. And as to how the, the phase two, which would be the construction, the capital needs for the construction, and phase three, the operation and maintenance of the facility.

We are approaching a conclusion on the purchase of the property. We hired a consultant to work on the, the governance model, and we are developing hard numbers in terms of, of, of, we have a business plan written last, last, last spring, I can't remember the exact date but last spring, and, and which, I think, everybody saw the pictures of the, of the proposed training facility and what it would have in it. And at that time, the, the cost was, estimated to be about, about 100 million since then, it has gone to 120. And that, that, when my discussions with the, the board of county chairs, they were all interested in participating since I had no hard numbers either for the purchase or the capital construction, it was hard to talk about what would be the exact share. They were all willing to participate, to whatever degree that they can in order to, to make this, this regional training facility happen. And, and every single police agency in this area is in the same bind that the Portland Police bureau is, and that is, is that, is that the training is, is a crisis stage. Is that we don't have adequate training for firearms training. We don't have adequate training for emergency vehicle operations. And it's not just that, gosh, it will be nice to be able to have those things. Those are absolutely essential elements of, of the inservice training required to keep the sufficiency up of the Portland police officers and the region's police officers, nick. This is a, a, the act to date is not to obligate the city in any way, as to move it from one funding source to another and then we, we complete the purchase agreement but that agreement has to be approved by the city council at that time. Not today. So, what I am asking, commissioner, for you folks, is to allow us to continue this process. We will be bringing the issue before the full council with a full presentation, with the people and the counties who are and the cities interested in participating, and bringing this, this to a conclusion, and at that time, the questions, I think, will be much better positioned to answer because we'll have, have more hard and concrete numbers to give to you, so i'm asking you today to allow this process to go through and then complete the negotiations, get the regional governance model in place, that after we negotiate a price, it comes back to the council for approval.

Leonard: Mayor tom Potter, I don't want you to think that i'm at all trying to put up roadblocks so I want to be more specific about the meeting that I had that you alluded to in the spring with the police bureau. They gave me a presentation that was exactly like what you just presented to me. And what I said to them then is, and this was five months ago, what I said to them then, very clear language, is you need to bring before the council, before you purchase this property, not just aspirations of our governing partners, or rather, commitments, and unfortunately, we're I find myself today five months later is at the same place repeating what I said to the police bureau in my office then, which is that's putting the cart before the horse to ask this council to put up the money. For a project that could cost up to \$120 million without signed commitments leaves me a little

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chilled. I understand that ted wheeler may as operationally like this idea and [inaudible] may like this idea and so on, but as you know, mayor tom Potter, having been here four years, when the budget realities confront us, and we oftentimes find that our, our aspirations fall, the reality of what we can do falls short of aspirations that we have set out for ourselves. So, I don't really have a quarrel with, with anything that you are saying, other than that, that -- I constructed this portion of the budget and I constructed it for the very purpose of avoiding happening what is happening here today, And that was to send a clear message that beyond just having a meeting in my office, I expected the police bureau to come in, with the issues that I had raised, addressed, and not because I had raised them but because I think that anybody would, would, number in the positions that, that we are, should require those conditions to be met before we sign on the bottom line to, to this, this, this future liability that is going to run into the tens of millions of dollars, at least, at a time, by the way, that the police bureau needs, as you pointed out in the past, a new place for the traffic division.

You know. Probably today with the rain that we have, they have that you are basement filled up with sewer water and/or rainwater and yet we're not addressing that, so, so for me, we have to, to, we have to do this in a more deliberate fashion than what this is being done here tonight.

Fish: Can I pose a question to casey because I want to make sure I have understood a couple things. I heard commissioner Leonard say he's not prejudging any proposal, so to that Sten, whatever we do here is agnostic but it's a question of, whether we do this transfer or not. Casey, if, if we deferred on this transfer could it occur at some future date co-terminus with council action on, on a proposal to, to either affirm or reject a contract to, to purchase the land?

Short: If I understand your address to no prejudice.

Leonard: We wrote it at the time, with the consultation of our financial folks that, at any time the police bureau came with the proposal to council thought was a rational, reasonable proposal, we could have funds to purchase the property and move ahead.

Fish: So, in addition I want to understand, were we to agree to this transfer? The funds would or won be encumbered pending a future council authorization?

Short: It would not be legally encumbered. It would not be spent by, by the office of management and finance because, because the purpose for, for, for the money would not, would not be fulfilled until, until there is an agreement to purchase the property, and that's what the money is for.

Fish: So what I am hearing is a technical argument we're the, in my opinion, there is a bit of form over substance, but I was not part of the budget proposal and as I have expressed to you, I have an open mind on this proposal, for the facility, for the transportation facility, and, and, and I have not been briefed on any details of the current negotiations or any proposals. Nor do I have current information about what other, other jurisdictions may or may not do. And so, with the mayor, would the mayor entertain from someone one step removed from this and looking at his watch at 7:15 and love to get home to tuck in a four-year-old, to defer on that one issue with the understanding we are not as a council prejudging the merits of the underlying issue but simply keeping the funds in this one account pending a full presentation on the merits of a proposal. I want to be clear, in suggesting this, that i, I want to underscore that, that I am reaffirming that I come at this with an open mind and to listen to any future presentation.

Potter: The thing that, that, to me, is, is important to recognize, the action taken today, if it were to occur, would not obligate the city in any manner. Period. So it's a, a technical adjustment, it's not one that's obligating the funds of the city. I'm not sure why that can't go through, and then, and then we are going to have a hearing when there is a proposal to put on the table. It is, we are still negotiating so I don't have anything to, to tell you today.

Leonard: Mayor Potter I have to ask you, why are you asking he, we take this action today in light of the fact at the point you are ready to have that hearing and bring the details, briefing us in advance to the details and have the agreement with the agencies we can transfer the money at that time. If it doesn't make any difference I don't understand why you are bringing there forward.

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Potter: The purpose was to, to position that and, and understand in that, that that was the obligation for that money and place it in that fund so that when, when we negotiate a settlement and bring those things forward to the full council, that's the purpose.

Leonard: So I can tell you that having drafted that provision of the budget, that was exactly why we drafted it that way so that money was not obligated until we had a clear understanding of what the relationships were going to be between us and the other governing partners who wanted to be a part of this, that we would see an actual document with resolutions passed, with a relationship as you pointed out that we have, the emergency communications with Gresham, troutdale, and the other entities in Multnomah county that we have, like that. In place. So, then we can look at that, review it and go, ok, this is a fair, is a fair apportionment of each jurisdictions financial obligation. I'm comfortable with going forward. I'm --

Potter: In the three stages, we have to first have the property.

Leonard: It needs to be purchased by all the partners together. I told that to the police bureau five months ago. Five months ago, I said, you need --

Potter: What you said is that, would they obligate \$500,000 and we are in the process of, of getting those obligations. That's what you stated.

Leonard: I'm sorry?

Potter: We thought it would be about 2 million, and you said I would like to see them put money in, and you said \$500,000 from those --

Leonard: I did not say \$500,000.

Potter: Anyway.

Leonard: Unless I have a hidden record.

Potter: I want to hear commissioner Adams' thoughts.

Moore-Love: Commissioner Adams?

Adams: I would prefer for the rainy day fund, given the general financial outlook that we're looking at, and it's not clear how that is going to get, if it is no difference to the project, if they will remain totally eligible for the resources, but leaving it in there now, I think, is consistent with the conservative approach that we have taken on the rest of this bump request, and as both, both commissioner Fish and Leonard have mentioned, we have a package coming back, approving it.

Potter: Well, you know, the package, commissioner Adams, and commissioner Leonard, was for the purchase of the property. That's what that money in there is for. And that, that the, the -- the agreement and, and I am sure it's easy to pull up the records of the council, was for the purchase of the, of the property and, and the other, other parties would then, then put in their share of 500,000. That was the original agreement.

Short: If I might to clarify that point, mr. Mayor, there are two budget notes dealing with this. There is 250,000 in the 2008-2009 budget, and this additional amount will be made available for purchase of the property that is suitable for development of the facility. The second note is under the heading regional training center, and it says land acquisition for the public safety regional training center is based on the expectation that the regional partners will contribute \$500,000 to the project before June 30, 2010.

Potter: The project being the land acquisition.

Short: Land acquisition is based on the expectation that the regional partners will contribute before June 30, 2010.

Potter: That was my understanding.

Adams: For me, again, as a worthy project, of consideration, what I'm looking for, for, in addition to, to the partners, is, is what, what is that, for the cost, for the cost of 120 million, obviously, there is a lot of work to be done in designing it, but, but, I think, that there's been a perspective case made in terms of the need for, for more, more accessible year-round training, and obviously, benefits come with that. But, it's a question that, that, given the \$120 million potential cost.

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Fish: Mr. Mayor, if I can just reiterate, we have, we have four ordinances dealing with the fall bump. I, I -- in some ways, I think that it's is a miracle we're at this point given the financial crisis that we face, and the leadership that you have given us through this bump process, Working with omf. My understanding is that we have complete unanimity on the council as to every matter in here, which is astonishing. With the caveat that based on the representation that, that, that keeping the money in the, in the existing fund, the 1.75, does not back in any way the future council consideration as to whether to, to approve the purchase of the sale agreement. I would still, still declare that, that you, you, that 99.9% of the hard work here has been accomplished and I compliment you and just, just, in deference to the hour, I had, I would, again, proposed that, that we simply strip this of this one item and, and make, the record is clear that, that all the commissioners are, are not reaching the substance of the issue but simply asking the money stay in the fund. And that we are looking forward to a presentation on a possible acquisition and a strategy. I want to make very clear that in no way prejudices for this commissioner how I will vote on the merits of this issue, but I think it allows us to bring closure on an exry job on the fall bump.

Potter: What's the procedure for, for pulling the transfer of the, of the --

Short: A motion to amend what's in the fall bump and a second in a vote on that amendment. And, and a vote on the amended budget. There is a little tweak but I will talk to you later if you do that, but deals with the other ordinances in just making sure that they are consistent, that's all.

Potter: Do I hear a motion?

Leonard: I move to, I move to amend on in exhibit 2, on page 20, fund 704, the facility services operating fund, fund, deleting the fund transfer of, of \$1.75 million, is that right?

Short: We would also need to amend the transfer out of the general fund. I think if, if you just, just told us that you wanted to, to not take the money out of the general fund, leave it there in the rainy day reserve, we'll take care of making sure that, that it's --

Leonard: I will, I will incorporate that into the motion.

Short: And also include delete the transfer of the 1,750,000 from the general fund.

Leonard: So, I'm, My motion is that.

Fish: Second.

Potter: All vote.

Adams: Aye.

Fish: I want to thank you for your leadership and reiterate in agreeing to this amendment, that, that I am clearly separating out the merits of the issue which is not before us [inaudible]. Aye.

Leonard: Aye.

Potter: Aye. [gavel pounded] What's the next step?

Short: So vote on adopting the Ordinance as amended.

Potter: 1541.

Potter: Call the vote.

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

Short: 1542, next item, major supplemental budget I discussed. If there are no questions, I think you can go ahead and move for a vote on that. That's the next one, not this one. Thank you for reminding me, though.

Potter: Call the vote.

Adams: Aye. **Fish:** Aye. **Leonard:** Aye. **Potter:** Aye. [gavel pounded] 1543.

Short: If I might, mr. Mayor, members of the council, um, we need to make sure that both ordinances have the same figures in them, except for the changes that are being made in the ones that have a later effective date, we're loading them into the system in preparation for getting ready for the go live of the new system, and I just would like it to be made clear why I think direction from the council would be adequate rather than adding something language that any changes you

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made to the ordinance that we brought to you will be, incorporated as necessary into the subsequent ordinances so they are consistent.

Fish: I move that we conform ordinance 1543 with the changes that we made in ordinance 1541.

Short: It would be 1544, not 1541.

Fish: Is we're on 43?

Potter: Yes.

Short: This one isn't being tweaked.

Potter: Call the vote.

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

Short: If I can clarify there is a change in the general fund from, from what we're doing in, in, based on the action you took on 1541, and the general fund is also in 1544 so we need to make sure that everything is the same going forward there.

Fish: My motion is that we conform ordinance 1544 with the changes that we made in ordinance 1541.

Short: That sounds perfect.

Rees: Does that require any language changes to the ordinance or is it more, i'm not seeing, seeing a particular exhibit for this. Oh, I am. There it is, exhibit 1-a. There it is so we would do the same as we did with the first one?

Fish: Mine is a housekeeping motion.

Short: Yes.

Fish: A second?

Leonard: Second.

Potter: Call the vote.

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

Potter: Do we vote on the motion, on the ordinance? Or is that it?

Short: Oh, yeah, you need to vote on the ordinance on the motion.

Potter: Ok. Call the vote.

Adams: Aye. **Fish:** Aye. **Leonard:** Aye. **Potter:** Aye. [gavel pounded] Adjourned until next week.

At 7:30 p.m., Council adjourned.