



CITY OF  
**PORTLAND, OREGON**

OFFICIAL  
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **25<sup>TH</sup> DAY OF JANUARY, 2012** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Adams, Presiding; Commissioners Fish, Fritz, Leonard and Saltzman, 5.

Commissioner Fish left at 11:45 a.m.

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

On a Y-5 roll call, the Consent Agenda was adopted.

<b>COMMUNICATIONS</b>	<b>Disposition:</b>
<p><b>72</b> Request of Tina Lyons to address Council regarding city support of small business (Communication)</p>	<b>PLACED ON FILE</b>
<b>TIMES CERTAIN</b>	
<p><b>S-73 TIME CERTAIN: 9:30 AM</b> – Declare intent to initiate local improvement district formation proceedings to construct street and stormwater improvements in the NE 112<sup>th</sup> Ave and Marx St Local Improvement District (Resolution introduced by Mayor Adams; C-10043) 30 minutes requested</p> <p><b>Motion to accept substitute Resolution:</b> Moved by Mayor Adams and seconded by Commissioner Fritz. (Y-5)</p> <p>(Y-5)</p>	<p>SUBSTITUTE  <b>36899</b></p>
<p><b>74 TIME CERTAIN: 10:00 AM</b> – Bud Clark Commons Six-Month Update (Presentation introduced by Commissioner Fish) 30 minutes requested</p> <p><b>Motion to accept the presentation:</b> Moved by Mayor Adams and seconded by Commissioner Fritz.</p> <p>(Y-5)</p>	<b>PLACED ON FILE</b>
<p><b>75 TIME CERTAIN: 10:15 AM</b> – Appoint Julie Young to the Allocation Committee for the Portland Children’s Levy for a term to expire January 25, 2014 (Resolution introduced by Commissioner Saltzman) 15 minutes requested</p> <p>(Y-5)</p>	<b>36900</b>
<b>CONSENT AGENDA – NO DISCUSSION</b>	

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**Mayor Sam Adams**

76	Reappoint Kohel Haver to the Portland Community Media Board of Directors for a term to expire November 30, 2013 (Report) (Y-5)	<b>CONFIRMED</b>
*77	Authorize a grant to provide Japanese Garden Society of Oregon \$40,000 to help pay for costs associated with the design phase of a Garden expansion project (Ordinance) (Y-5)	<b>185113</b>
<b>Bureau of Planning &amp; Sustainability</b>		
*78	Accept and appropriate a grant in the amount of \$150,000 from Northwest Health Foundation Kaiser Permanente Community Fund for the project Promoting Health through Multi-family Housing (Ordinance) (Y-5)	<b>185114</b>
<b>Bureau of Transportation</b>		
79	Set a hearing date, 9:30 a.m. Wednesday, February 22, 2012 to vacate a portion of SW 46th Ave and a portion of SW Florida St (Report; VAC-10070) (Y-5)	<b>ACCEPTED</b>
<b>Office of City Attorney</b>		
*80	Authorize the City Attorney Office to amend outside legal service agreement with Littler Mendelson PC (Ordinance; amend Contract No. 30001850) (Y-5)	<b>185115</b>
<b>Office of Management and Finance</b>		
81	Accept bid of R & R General Contractors, Inc. for the SE Bush, N Central and NE Holman Neighborhood Greenways for \$614,600 (Procurement Report-Bid No. 113787) (Y-5)	<b>ACCEPTED PREPARE CONTRACT</b>
<b>Commissioner Dan Saltzman Position No. 3</b>		
<b>Bureau of Environmental Services</b>		
82	Authorize a contract and provide payment for construction of the Secondary Process Improvements at the Columbia Boulevard Wastewater Treatment Plant Project No. E08909 (Ordinance)	<b>PASSED TO SECOND READING FEBRUARY 1, 2012 AT 9:30 AM</b>
83	Authorize a contract and provide payment for construction of the East Lents Floodplain Restoration Project Phase 2 No. E08464 (Ordinance)	<b>PASSED TO SECOND READING FEBRUARY 1, 2012 AT 9:30 AM</b>

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<p><b>84</b> Authorize a contract and provide for payment for the construction of the SE 2nd and 3rd Ave Sewer Replacement and SE 3rd and Alder Rehabilitation Project No. E08847 (Ordinance)</p>	<p><b>PASSED TO SECOND READING FEBRUARY 1, 2012 AT 9:30 AM</b></p>
<p><b>85</b> Authorize a contract with the lowest responsible bidder for the Portsmouth Force Main Odor Control Facility Project No. E08927 (Second Reading Agenda 64)  (Y-5)</p>	<p><b>185116</b></p>
<p><b>86</b> Authorize a contract and provide payment for construction of the Digester Mixing Upgrade Project at the Columbia Boulevard Wastewater Treatment Plant Project No. E08944 (Second Reading Agenda 65)  (Y-5)</p>	<p><b>185117</b></p>
<p style="text-align: center;"><b>Commissioner Randy Leonard Position No. 4</b></p>	
<p style="text-align: center;"><b>Portland Fire &amp; Rescue</b></p>	
<p><b>87</b> Amend contract with Jensen Maritime Consultants and increase by \$16,000 for additional scope of work for fireboat design and engineering (Second Reading 68; amend Contract No. 30002110)  (Y-5)</p>	<p><b>185118</b></p>
<p style="text-align: center;"><b>Water Bureau</b></p>	
<p><b>88</b> Authorize a contract and provide payment for the construction components of the Forest Park Low Tank Project (Second Reading Agenda 69)  (Y-5)</p>	<p><b>185119</b></p>
<p style="text-align: center;"><b>REGULAR AGENDA</b></p>	
<p style="text-align: center;"><b>Mayor Sam Adams</b></p>	
<p><b>89</b> Address process for developing appropriate data regarding communities of color in Portland (Resolution)  (Y-5)</p>	<p><b>36901</b></p>
<p><b>90</b> Adjust date for the Portland Police Chief's report on the Portland Police Bureau work with the Federal Bureau of Investigation Joint Terrorism Task Force (Resolution) 10 minutes requested  (Y-4; Fish absent)</p>	<p><b>36902</b></p>
<p><b>*91</b> Appoint James H. Van Dyke as Interim City Attorney effective February 1, 2012 (Ordinance) 15 minutes requested  (Y-4; Fish absent)</p>	<p><b>185120</b></p>
<p style="text-align: center;"><b>Bureau of Transportation</b></p>	

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<b>*92</b>	Amend River District Right-Of-Way Standards to include new standards for NW Pettygrove St (Ordinance) 15 minutes requested (Y-5)	<b>185122</b>
<b>Office of Management and Finance</b>		
<b>93</b>	Accept bid of Stellar J. Corporation for the Ankeny Pump Station Upgrade Project for \$6,283,657 (Procurement Report–Bid No. 113677) <b>Motion to accept the report:</b> Moved by Commissioner Saltzman and seconded by Commissioner Fritz. (Y-4; Fish absent)	<b>ACCEPTED PREPARE CONTRACT</b>
<b>*94</b>	Approve an Intergovernmental Agreement with the Portland Development Commission for the renovation of Veterans Memorial Coliseum (Ordinance) 30 minutes requested <b>Motion to add emergency clause:</b> Moved by Mayor Adams and seconded by Commissioner Leonard. (Y-4; Fish absent) (Y-5)	<b>185121 AS AMENDED</b>
<b>95</b>	Extend the City 2008-2012 Equal Employment Opportunity Affirmative Action Plan for one additional year to June 30, 2013 (Second Reading Agenda 70) (Y-4; Fish absent)	<b>185123</b>

At 11:53 a.m., Council recessed.

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**WEDNESDAY, 2:00 PM, JANUARY 25, 2012**

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

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January 26, 2012

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 26<sup>TH</sup> DAY OF JANUARY, 2012 AT 3:00 P.M.

THOSE PRESENT WERE: Mayor Adams, Presiding; Commissioners Fish, Fritz and Saltzman; Commissioner Leonard teleconferenced, 5.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Kathryn Beaumont, Chief Deputy City Attorney; and Wayne Dykes, Sergeant at Arms.

		<b>Disposition:</b>
<b>96</b>	<b>TIME CERTAIN: 3:00 PM</b> – Consider the proposal of Safeway, Inc. and the recommendation from the Hearings Officer for approval with conditions, of a Comprehensive Plan Map, Zoning Map Amendment and adjustment to replace the existing 21,665 square foot building with a new 62,925 square foot, 2-story grocery store at 8039 SW Capitol Hill Road and 8145 SW Barbur Blvd (Previous Agenda 1342; Hearing; LU 11-103310 CP ZC AD) 2 hours requested for items 96 and 97  <b>Motion to amend Hearings Officer’s report to add full legal description and condition limiting truck routes:</b> Moved by Commissioner Fish and seconded by Commissioner Fritz.(Y-5)  <b>Motion to accept Hearings Officer’s recommendation with conditions as amended:</b> Moved by Commissioner Saltzman and seconded by Commissioner Fish. (Y-5)	<b>ACCEPT HEARINGS OFFICER’S RECOMMENDATION WITH CONDITIONS AS AMENDED</b>
<b>*97</b>	Amend the Comprehensive Plan Map designation and change zoning of two lots in the vicinity of 8039 SW Capitol Hill Road and 8145 SW Barbur Blvd at the request of Diane Phillips of Safeway, Inc. (Previous Agenda 1343; LU 11-103310 CP ZC AD)	<b>185124</b>

At 4:20 p.m., Council adjourned.

**LAVONNE GRIFFIN-VALADE**  
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 and should not be considered a verbatim transcript.

Key: \*\*\*\*\* means unidentified speaker.

**JANUARY 25, 2012            9:30 AM**

**Adams:** Good morning everybody. We're just getting warmed up here. Today is wednesday january 25th, 2012. It's 9:30 a.m. and the city council will come to order. Good morning, Karla.

**Moore-Love:** Good morning.

**Adams:** How are you?

**Moore-Love:** I'm fine, thank you.

**Adams:** Good. Can you please call the roll? [roll call] [gavel pounded] a quorum is present. We shall proceed. We have one communications. Can you please read the title for item 72?

**Item 72.**

**Adams:** Ms. Lyons, please come forward, welcome. Glad you're here.

**Tina Lyons:** Should I sit here?

**Adams:** Please, you just - all you need to do is give us your first and last name and that clock right there on that big hunk of wood, that will help you count down three minutes. Welcome.

**Lyons:** Ok. Thank you. Good morning, mayor and commissioners. My name is tina lyons and -

**Adams:** Can you get the mic closer to you? Thank you, appreciate it.

**Lyons:** I'm the owner of double river forwarding. Again my name is Tina Lyons. Our company operates like a travel agency for export cargo, which mostly consists of agricultural commodities. I'm here before you today to thank you for your efforts to support small businesses and to encourage you to continue them. I want to share with you my business story. Four years ago next week, I left my regular employment at a local company to start my own, after saying I would never run my own company, I made this decision because I felt customers deserved better service than I was able to offer them working at another company. In addition, I wanted the chance to create a supportive progressive workplace. Our company has created one full-time position. We have had part time employees off and on over the years and we will soon be adding a permanent part-time position. We also take advantage of many local services for our accounting, advertising and payroll. We currently work out of my home, but will soon be looking for office space. Many people moved to Portland because our city can offer them a great quality of life. Some of them start new businesses. We should do everything we can to support those startups and help them grow into companies that employ others. As a member of the small business council at the Portland business alliance, I've seen my colleagues take advantage of programs at the small business development center and secure funding from the Portland development commission. I have seen how it has supported and encouraged them. Thank you again, mayor and commissioners for your commitments to programs such as these and for your continued commitment to small business and job growth in general. Since our city's economy is significantly tied to the growth and success of small business and nearly three quarters of the net new jobs in Portland are created by them, I ask that you please continue to advocate for a favorable business environment by reducing taxes and fees that are burdensome for small business. Our success depends on your support.

Thank you.

**Adams:** Thank you. And what's the name of your business?

**Lyons:** Double river forwarding.

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**Adams:** And where's is it located?

**Lyons:** In Portland by the airport.

**Adams:** And any sales today? Two for one sales on expediting? Web site address?

**Lyons:** It depends on the situation and where you're going.

**Adams:** How would people contact to get in touch with you?

**Lyons:** On the internet.

**Adams:** And what's the url?

**Lyons:** It is double-river.com.

**Adams:** And the kind of work that your – the kind of services that your company provides includes?

**Lyons:** Documentation for export.

**Adams:** And would you say you're the best at that in the entire city?

**Lyons:** We are the best at agriculture and personal [inaudible] in the entire city.

**Adams:** Well thank you for creating jobs for others, thanks for creating a business to support yourself and your family. Congratulations.

**Lyons:** Thank you for hearing me.

**Adams:** You bet. Congratulations. Alright, that gets us to the consent agenda. Does anyone have any item to pull from the consent agenda? All right. Karla, would you please call the vote on the consent agenda?

**Fritz:** Aye. **Fish:** Aye. **Saltzman:** Aye. **Leonard:** Aye.

**Adams:** Aye. [gavel pounded] consent agenda's approved. We have three time certain, beginning with item number 73 which is a resolution.

### **Item 73.**

**Adams:** Welcome back, mr. Aebi.

**Andrew Aebi, Bureau of Transportation:** Thank you Mayor.

**Adams:** Happy New Year.

**Aebi:** Happy New Year.

**Adams:** What are we looking at here?

**Aebi:** Okay Mayor Adams, council members, I'm Andrew Aebi, local improvement district administrator. It's a pleasure to be here this morning, when Karla is done passing out the hard copies of the presentation, I'll switch over to it and walk you through this complex project. Karla, if we could switch to the presentation. Ok, this is the resolution of intent for the n.e. 112th avenue and Marx Street local improvement district. And here's an overview map to give you an idea where this project is. It's in the Parkrose neighborhood, north of Sandy Boulevard, east of 205. If this area looks familiar, it's because council approved an lid several years ago to construct n.e. 109th avenue, three blocks away. That project is now complete. So we have about 60 center line miles of dirt and gravel streets in the city but over 300 center line miles of paved streets in the city, also lack curbs and drainage. So that's a little over 15% of the streets in the city of Portland, most of them are in east Portland and southwest Portland. Parkrose obviously is in east Portland. This particular area is also in our freight district area and is within the boundaries of the Columbia Corridor Association. What you're looking at here is an aerial overview of the project. This is an industrial area. A lot of small businesses here. This is a map of the project support for the project as originally petitioned. So in the perfect world, what the three infrastructure bureaus -- transportation, water and BES would like to do is to improve n.e. 112th avenue as well as all of Marx Street between n.e. 105th avenue and n.e. 112th avenue. We received \$2,367,000 worth of petition support for this project, or 37% of the project as originally petitioned. There was a previous effort to form an lid in 1995 and 1996. At that time three major property owners had



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delinquent liens representing nearly 15% of the estimated assessment so the lid did not move forward at that time. Since that time, property ownership has turned over and only one property currently has a delinquency and if you adopt a substitute resolution, which I'll explain in a moment, then that delinquency would no longer factor into the lid. So after 17 years of waiting, the recommendation to council is to finally approve this lid. The -

**Saltzman:** And what's the petition support, now?

**Aebi:** The petition support per the original proposal is 37%. But I will explain to you the modified proposal that i'm asking council to adopt. And that's shown here on the next slide. So the substitute resolution that i've prepared for your consideration would drop marx street from 105th to 109th avenue from the scope of this lid. It only decreases petition support by \$189,000, since most of our petition support was east of 109th avenue. Though the result of that, commissioner Saltzman is to more than double the petition support to 77% if the substitute resolution is adopted. Moving on to the next slide, just to kind of zoom in on the changes that the substitute resolution would make. We heard from the Columbia shore opportunity group that not paving in the p zone was very important to them for the proposed substitute would eliminate the street work from the environmental protection zone. So if you look at the slide here you can see that cross hatched area is the environmental protection area. That dashed pink circle there is where the cul-de-sac would be built and instead, the north end of the street would be built at the north line of tax lot 100 where you see that solid pink line. So the north end of 112th avenue would be built later upon redevelopment of the buckaroo thermoseal property and than would be done entirely at their own expense. They have already participated in the NE 109<sup>th</sup> avenue LID which was closed out last year. So moving on to the next slide, this shows the other major change, I mentioned earlier that the substitute resolution would drop marx between 105th and 109<sup>th</sup>. The other change that the substitute resolution would make would be on Marx street between 109<sup>th</sup> and 112<sup>th</sup>, we got no petition support on the south side of the street. So I think we came up with a very creative solution here which is, we would still put in the new storm sewer at marx street, the eventually build out of Marx street is 44-foot wide but what we're proposing to do is, to build 22 feet on the north side with no parking in the interim on the north side and allow two-way traffic. So all of the traffic on the street would have a new fully improved street, the south 22 feet of marx street would be built later upon redevelopment, the storm sewer would already be in place, so it would be a relatively easy thing for those properties to do when they redevelop. And in the interim, when we don't have parking on the north side of the street, people could still park on the south side of the street on the gravel shoulder. So one thing that's very important to note is that the properties on the south side of the street would not be completely eliminated from assessment. So they're assessments are proposed to be reduced by 93%. So what the substitute resolution does is to charge the property owners on the south side of the street for one-half the cost of a storm sewer and this is a very large storm sewer. It's a 21-inch concrete storm sewer that we're proposing to build. And a couple of quick things to note, if property owners can't dispose of stormwater on-site, the capacity of this storm sewer will allow them to, as a last resort, to use the new storm sewer for stormwater disposal. In the words of one property owner whose frontage would not be improved -- he would like to improve it, but doesn't have the resources to do it right now. In the meantime, he'll keep getting by with pontoon boats on the street. You'll see some pictures here in a minute that address that stormwater situation. So here's an overview of the lid. As petitioned we are proposing to do all of 112th north of marx, as proposed - we're proposing to build most of 112th but eliminate the cul-de-sac at the north end in the p zone. We were planning to build all of Marx from 105<sup>th</sup> to 112th, certainly the maintenance bureau really wanted us to do that, but the compromise proposal would be to build one half of marx between 109th and 112th. In terms of the assessment rate per square

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foot, just a slight adjustment from \$5.28 to \$5.18 for most property owners remaining in the lid. As I mentioned, the property owners on the south side of marx get a significant reduction to 37-cents per square foot for the storm water benefits that they immediately see. And again here's a recap of the petition support, we started out with 37% if you adopt the substitute resolution, we more than double that to 77% and we've got a little bit of waiver support thrown in there as well. So here are the pictures. These are the existing conditions; these are some pictures of n.e. 112<sup>th</sup> avenue, you can see that this area suffers from blight. We've had complaints about vagrancy, prostitution, drug use and other criminal activity. I'll be passing -- one of the property owners will be speaking in a moment. He's with us today. And as you can see from the pot hole there, the pavement there is in very bad condition. 112th and marx are what I would call our frequent flyer streets. The maintenance bureau out there very frequently -- I just saw them out there yesterday. Those streets are in the worst 10% of the streets in the city. And maintenance has gone out there 57 times in the last five years to try to put patches on it. One thing I want to mention is, even if somehow maintenance could fix this pavement, it would do nothing for the stormwater issues about which the property owners have been complaining. 112th and marx were built at a time when this predated the industrial zoning and development in this area, and were never designed to accommodate heavy trucks. So the goal of this project is to build sustainable infrastructure that doesn't require constant maintenance. Moving onto the next slide, here's another picture of 112<sup>th</sup> avenue, you can see the stormwater just runs onto private property. This is one of the very few existing residential properties left in the area. Moving on to the next slide here, this is around the corner on marx street. We affectionately call it lake marx in the winter time. Bes was going to provide a fixed contribution of \$100,000 towards this project and that's not a new expenditure for bes. That's money that BES already budgeted for a sump modification project that would provide a regulatory fix. We can now eliminate that and instead, redirect the money to build a green street as a long term sustainable and comprehensive storm water management solution. And then moving on to the next slide, this is yet another picture of marx street, you can see the truck trying to turn out on to the street, you can see the picture in the lower left corner, water just simply pools there when we have heavy rainfall. This area is what's in the columbia south shore well field -- well head protection area and the purpose of that program is to maintain the quality of the groundwater use and drinking water and set minimum standards for groundwater protection. So you can see there's no storm water management or containment here, so everything that falls on the street makes its way into the groundwater table and that will change when we build this project. And then here's yet another picture of northeast marx street just to kind of give you a flavor for what we're dealing with. This particular block is between 105th and 109th, you can see there's a real need to improve this block. So I just want to emphasize the substitute resolution postpones the need for infrastructure improvements on marx between 105th and 109th but it certainly doesn't eliminate it. However by building that storm sewer from the Whitaker slew all the way down 112<sup>th</sup> to marx and then around the corner to 109th, this puts the storm sewer very close to these properties so that if they do want to extend the improvements in the future, a much less costly exercise to do that. And I just wanted to close by showing you the n.e. 109th avenue lid that we closed out here at council last year. This picture was taken on the same day as most of the other pictures and you can see that there's no standing water on the street. And all that water is being properly managed. That picture in the lower left-hand corner is one of our swales, it's functioning quite well and that particular project came in 39% below budget. So happy to answer any questions you might have and I have quite a bit of written testimony to pass out and I'm happy to answer questions you might have.

**Adams:** Any initial questions? Has anyone signed up to testify?

**Moore-Love:** Yes, we have three people signed up.

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**Adams:** Ok.

**Moore-Love:** Please come on up.

**Adams:** Good morning welcome to the city council. Our local disclosure rules require that if you're authorized to register – authorized to speak on behalf of a business or an organization, that you need to disclose that when you introduce yourself. You'll have three minutes, and that clock on that chunk of wood will help you count down from three minutes. We don't want your address and we don't want your phone number unless you have something that you would like to promote that's Portland-made, in which case we'll give you 15-20 minutes to testify – no I'm joking. Would you like to begin?

**Dan Walsh:** Sure, dan walsh with walsh holdings. Mr. Mayor and commissioners, our first experience with an lid for 109th was very successful. Bids were competitive and the city was very cooperative in meeting the participating property owners' needs. We've experienced reduced wear and tear on our trucks, improved safety since we now have a real street and from an environmental standpoint stormwater is now being treated properly. This new lid for 112th north of marx and Marx street, between 112<sup>th</sup> and 109<sup>th</sup> will prepare the area for future industrial development, along with rehabilitating a road and stormwater system in desperate need for over 20 years. These are difficult economic times to commit to these investments. Our total investment will be over \$2 million and our neighbors have also made large commitments. We all know it's the necessary investment for the neighborhood. We ask the city to continue to work with us as they have in the past to help keep all costs under control and be flexible when administering regulations and we look forward to the completion of a successful lid.

**Adams:** Thank you for your testimony. Sir, welcome.

**Dean Payne:** Good morning, mayor and commissioners. My name is dean payne with payne construction. I've been the owner of the property down there for about six years now and I can honestly say i've seen those pictures you were showing there many, many times. I was not sure I was going to be here today so I wrote out a statement for andrew, which is probably better, because I am not a public speaker, but you can look at that later. Three things I want to -- want to amplify or to specify, is the -- since I moved in there, the city has given me permission to put a septic system in, which I would really like to get out of there. We're right next to the slough, i'm sure it still drains down there, but that's what we are on right now. So the sewer portion of this project is very important to me and also probably for Buckaroo Roofing. The other thing, which I mentioned, was prostitution was very rampant down there when I moved in, and basically I dealt with that and now it's down to a minimum. But I really believe this street improvement is going to take care of the rest of that problem. And the drug activity was very, very, very rampant also. I don't know how many times going down to the slough where these deals were going on and also the prostitution part of it, that I was fully expecting to get shot while I was going down there but i'd just go down to get license plate numbers and a description of the cars and finally after about a year and a half, it quit. So i'm fully in favor of this, I hope I can -- being in construction, I hope I can find the money to pay for this, but I would really like approval on this. Thank you.

**Adams:** Well thank you for your willingness to be part of the community and community policing. We really appreciate that as well. Thank you for being here today and for someone not a public speaker, that was very compelling. Mr. Collier.

**Corky Collier:** I'm corky collier, with the – executive director to the columbia corridor association. You know when I think of lids, it makes me think back a little bit to sort of like a real early government. You have a bunch of people standing around with a problem. They can't get their vehicles down the road, they need to fix that, they've have stormwater issues, so they get together and they say alright, let's raise some money, lets put some money into the pot, lets fix this

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road, lets fix this storm water problem. And then they look around to the folks a little further out, in the outlying areas and said, you're going to benefit from this as well. Can you pitch in a little bit to help us a little bit with it to make the project work? I mean, this is a great example of the basics of good government and I think this is a great project but i'm not really here so much to ask for your support of the project. These guys are here for that. And I hope you do support it. I'm really here to, on one hand thank you; thank the city for, if you approve this, contributing \$100,000 toward it. At the same time, hoping I don't sound ungrateful, you know kind of recognizing, boy, that's one to \$30,000 leverage. You know? For every dollar the city's putting into it, and there's 100,000 of those, thank you. These guys are putting in \$30,000. That's a huge leverage, I mean, we're happy, if on a transportation project, if the federal government leverages -- or gives a one-to-three leverage. One to 30,000 so it's tremendous. So i'm going to offer a couple of suggestions. One, maybe write them a thank you letter, yeah, for saying, you know, we really appreciate what you're doing for the infrastructure of the city. It's self-serving too, they're doing it for themselves, but it does help the city and i'd love to see more of these sort of projects and then if you want to go a little bit more, a little bit further, maybe call them up and say, hey, what can we do on somebody else's lid in the future to make this work even better? And then third, give andrew aebi a call, this guy is great, he's a wonderful resource for you. Call him up and ask him the same question. Because he's doing a great job of working across bureaus and working with the property owners in good faith to make sure that he saves as much money as possible. So those are my suggestions but overall, really, thank you for supporting this.

**Adams:** Alright, anybody else?

**Fritz:** Mayor I have a letter that bonny mcknight asked me to read.

**Adams:** You can return to your seats, I'm going to ask if there's anybody else.

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

**Adams:** Okay. Thank you very much. Yes.

**Fritz:** Thank you. This letter is from bonny mcknight, coordinator of the columbia shore opportunity group and it's on behalf of several residents who have been working on many issues for many years, so I wanted to honor them by reading it into the record. From Bonny McKnight, wants to publicly express thanks to Andrew Aebi, lid manager for the city for the understanding and responsiveness he has used in developing the n.e. 112th and marx lid in the south columbia river shore area of east Portland. In the late 1970s, before we were administratively annexed into the city of Portland, we had hoped to make this unique regional asset a recreational area in which the environment would provide an economic benefit to our proposed city of Columbia Ridge. We envisioned it as similar to salmon lake park in vancouver, british columbia. When we were annexed, this formerly restricted 100 year floodplain was zoned primarily for industrial development. In the past, that has meant an often negative trade-off between industry and the environment. We are wiser now and becoming even more informed that industrial development can thrive in environmental areas and that riverbanks don't have to become separated or degraded areas in a city. Nor do these tracks of industrial lands develop in a way that would require corrective investment in the future to remedy avoidable problems. A group of us in east Portland have formed the columbia shore opportunity group to act in support of this set of values. Andrew Aebi was willing to work with us to understand our concerns and respect them. We are pleased that Andrew has done everything possible to build investment in this area without creating loss of the very real economic value the environment will bring to that change. Please support this local improvement district as a step toward a clearer understanding of the mutual value that can come from creative industrial development where environmental protection becomes a positive part of that change. And I second those sentiments. First, thank you Andrew, but secondly, thanks to

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property owners and to everybody who's worked so hard to make sure that you don't have to choose between environmental protection and industrial development. They can work together and benefit each other.

**Aebi:** Thank you commissioner, I just want to give the mayor a friendly reminder to move the substitute before you vote. Thank you.

**Adams:** So I move the substitute.

**Fritz:** Second.

**Adams:** It's been moved and seconded. Karla, can you please call the vote on the proposed substitute?

**Fritz:** Aye. **Fish:** Aye. **Saltzman:** Aye. **Leonard:** Aye.

**Adams:** Aye. [gavel pounded] Unless there's additional discussion, can you please call the vote on the substitute resolution for item number 73?

**Fritz:** Well thank you, andrew, for all of your work on this and for the three folks who came to testify today, each giving their own perspective. I do appreciate the investments of the property owners. \$100,000 of city money in these tough times is a significant investment also but still recognizing that we have a lot of work to do to make sure that we can pave and improve areas like this all over the city. When we do have partners within the community and again, who are working together, environmentalists and industrialists, that's when it works the best. Aye.

**Fish:** Thank you all. Aye.

**Saltzman:** Well, I want to thank andrew and I want to thank payne construction and walsh holdings and I think you know, andrew, you know we've had some conversations with walsh holdings about, you know, another better – a new – another additional lid that would help improve infrastructure and manage storm water effectively. So thank you for all of your good work. Aye.

**Leonard:** Aye.

**Adams:** Well, to payne and walsh, thank you very much in these difficult times, It's great that you're willing to move forward on this. To corky, the \$100,000 we're investing here is a much sought-after \$100,000, trust me. The fact that this part of the region was able to urbanize without requiring upfront, during those subdivisions that the sidewalk, curbs, gutters and streets went in, saving the current owners a lot money. If it had gone in at that time, if it was part of the city at that time, it would have been required. We annexed 30 years ago, we're trying to make up for lost time, that's why the \$100,000 is part of the mix. So I want to encourage andrew to continue the work and thank him for his work in delivering cost-effective projects, sometimes very difficult projects on lids. So appreciate it. Aye. [gavel pounded] congratulations. All right, that gets us to – can you please read the title for presentation item number 74?

**Item 74.**

**Adams:** Commissioner nick Fish.

**Fish:** Thank you, mayor. And just a point of clarification, we originally intended for this to be a 30-minute presentation. Karla, we'll try and keep it less than 30 minutes but it shows up as 15 minutes on the calendar. Steve and doreen and traci, would you please come forward and I have a few opening remarks. Six months ago, on june 2nd, we joined community partners to open the doors of bud clark commons. And we're honored to be joined by former mayor bud clark. Bud, welcome. Together we pledged that the doors of bud clark commons would always be open to anyone who needed a hand up. Today, six months after the opening of the commons, we have good news to share with the council. The partnerships we forged through this project are delivering results, helping us to meet the goals set out in our 10-year plan to end homelessness.

**\*\*\*\*\*:** Wait, Nick, I apologize. I apologize. We have swag for you guys. [laughter] I apologize. Don't you ever play monopoly? I apologize Nick. [laughter]

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**Adams:** Security -- [laughter]

**Saltzman:** That's really cool. Thank you.

**Adams:** Oh that's very cool, thanks.

**\*\*\*\*\*:** We love -- we house -- don't you ever play monopoly? I apologize Nick.

**Saltzman:** Thank you.

**\*\*\*\*\*:** And if you've ever played monopoly -- I apologize, I apologize.

**Fish:** How do you follow that?

**Leonard:** We'll all meet at the goose for lunch wearing our shirts. [laughter]

**Fish:** Let me go back just to -- six months ago on June 2<sup>nd</sup>, we joined community partners to open the doors of Bud Clark Commons and together we pledged that those doors would always be open to anyone who needed a hand up. Today, six months after the opening of the commons, we have good news to share with council. The partnerships that we forged through this project are delivering results, helping us meet our goals in our 10-year plan to end homelessness. Here are a few of the highlights that you will hear this morning. Close to 300 people have moved to permanent homes, including almost 40 veterans. More than 4,300 people have used the day center to look for jobs and housing, to take a shower, to check their mail, to do laundry and more. 130 chronically homeless people, the most vulnerable people in our community now have a safe place to call home. This award-winning LEED Platinum building celebrates the legacy of former Mayor Bud Clark. He was Portland's first mayor to make homelessness an issue of city-wide concern. He issued Portland's first 12-point plan on homelessness and 25 years later, we are still building on his pioneering work. This development is also a shining example of the city's stalwart commitment to affordable housing. Through our 30% set aside for affordable housing we invested nearly \$30 million from the River District Urban Renewal Area and we could not be successful without the strong support of our old town, China Town neighbors, including residents, businesses and others who stepped up to help us in this fight to end homelessness. We have two panels of guests, representing a variety of stakeholders; in the first panel I'll ask our major project partners to briefly share their perspective. Next, I'll invite a group of people who have interacted with Bud Clark Commons on the ground to tell us about their experience. It is my pleasure this morning to welcome our first panel. Traci Manning, the director of the new Portland Housing Bureau. Steve Rudman, executive director of Home Forward, formerly the housing authority of Portland and Doreen Binder, executive director of Transition Projects. Welcome.

**Traci Manning, Director, Portland Housing Bureau:** Thank you commissioner, thank you council very much for your commitment to this building. I feel very fortunate to have the opportunity to participate in the six-month update. And as commissioner Fish referenced, this is a great story of partnerships. We have our very long-term mission-driven local partners here with us. Transition Projects and Home Forward and there's also a story about our partnerships with our community health clinics, they've demonstrated the powerful role that healthcare can play in ending homelessness. I've been working on homeless issues downtown for quite a while so I can attest to the positive impact that this building has had, uniquely they have screened in people that everyone else screens out. Quickly, brought care to the most vulnerable homeless people, those very likely to be injured or even die on the street. And all three of us have forged wonderful partnerships with our community, as the commissioner referenced. But today, it's my job to put a spotlight on the work of Home Forward and Transition Projects. Later you'll hear from Marc Hillman, active member of the Pearl Rotary Club and a volunteer with Transition Projects at Bud Clark Commons. Mike Boyer from the city office of neighborhood involvement and John Dye a resident at Doreen's place. So Steve Rudman is here, executive director of Home Forward. Home Forward is unique in that they're a funding partner as well as a experienced owner, manager and

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developer they made a contribution of rent assistance which - without which this project wouldn't have been successful, but they also brought their expertise in building development and management to create this facility, a cornerstone of our 10-year plan to end homelessness. So Steve will talk about the 130 units of permanent supportive housing and then Doreen Binder is here, executive director of transition projects, another very very long-term partner with the city in ending homelessness. They operate 240 city-funded beds throughout the city for homeless folks. And the Bud Clark Commons was built to replace their facility at Glisan Street that was worn out and overcrowded and now they've been able to move those 90 beds to the new facility, half of which serve veterans. And then in addition, they operate the day center which the commissioner referenced, it's seeing about 600 people a day with the showers, the laundry facilities, the lockers, etc. So without further ado, Steve Rudman.

**Steve Rudman:** Thank you Traci, good morning, Mayor and Commissioners. Steve Rudman, executive director of Home Forward, I'm pleased to be here today. We're a proud partner with the city and transition projects, on the Bud Clark Commons and real pleased to be able to build and own the building and we also serve as the manager for the facility and operate the apartments as Traci mentioned. The vision for the apartments was two-fold, first, to create a home for people who have not had the opportunity to live inside for a very long time and second, to help them become stable in their new homes. With the city's leadership as Traci mentioned, we really decided to prioritize those with the highest needs, men and women who are at the greatest risk if they continue to live outside. This is actually the first time that public housing dollars have been used for this kind of housing first, harm reduction model for chronically homeless people in the country. As Traci alluded to, we have this vulnerability index that we work with our partners, the four health clinics, Central City Concern, Outside Inn, NARA and Multnomah County, who determined which, when people come in, a priority based upon their health and cognitive issues and the ones that are most vulnerable get highest on the list. The first residents moved in during June and we leased up by the fall and we now have a full building and a range of services at the apartments. There's four main components. Ongoing healthcare provided by the primary healthcare providers I just mentioned. Mental healthcare services provided by Cascadia Behavioral Health. They have enrolled 39 people at the apartments and they - actually - 20 folks who came in, also were already enrolled and we believe as people feel more comfortable in their home, they gain some trust and more will enroll in mental health services. Outside Inn also provides benefits recovery assistance, so folks who are eligible for social security disability can receive an income. I hope I haven't made this sound a little too easy. This is really gritty work, it's very hard for our staff, led by Rachel Duke, who is here. It requires daily focus on eviction prevention, community building, case management, crisis intervention and the 130 apartments at Bud Clark Commons are unlike any of the 6200 units we own or manage. They require 24-hour staffing a day, all of the services I just described. To do this successfully, it really requires system alignment and with the city's leadership between the city and TPI, Home Forward, community health clinics, Cascadia and other partners, I think we're actually making it possible for folks who really have less to look at a future that could be successful for them. In closing, I really want to thank Commissioner Fish and all of you for your leadership. You really have helped our community by creating first, a remarkable building, but it's also a unique one-stop resource center. The day center, the shelter, the apartments, and more importantly, you have helped create a place that is really helping the most vulnerable people in our community rebuild their lives. We know that this is not a panacea, we actually know that homelessness has increased, however this is a moment to reflect on the significant commitment, a locality that the city of Portland has made and it's making a difference. So I thank you for all that you have done and for your continued support as we work to realize the shared vision for Bud Clark Commons.

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**Fish:** Thank you, steve. Welcome, doreen.

**Doreen Binder:** Doreen binder, at transition projects. Mayor and commissioners, I'm so – I forgot how much I like being here. It's nice to see you all. I do – first of all I want to thank you, nick, for – we had this - this project was in the making for a long time but without you this would not have happened. But it again, it's all of you. The commitment that you made during a very rough time in our economy, you know, nationally, not only citywide but nationally, was I really commend you for making that hard decision and supporting the work that we do. It has, as steve and traci both said, we – it's made a marked difference on the streets of Portland. It has -- I think our neighbors are pleasantly surprised that it's working and rachel and billy from our – Billy Camera from our organization, it - does an incredible job of working with the neighbors and making sure things go well. We have, as nick was saying, we have seen in six months over 4,000 people walk into our organization. I'm not quite sure if it's unduplicated – I – I'd like to tell you that it's not, but I think it is. We've housed 300 people in the last six months and -- and what's most importantly, is not only have we housed the people, but the retention rates are higher than they've ever been. We've made a commitment and you've made a commitment to us and we've made a commitment to the community that we will work as hard as we can to not only place people in housing but to keep them there. We - one of the issues that we work with with people who have lived down the street is the isolation once they've been placed into housing. And it's really important for us to maintain that relationship with people, and through the day center and retention groups and the staff we're able to have, we're able to do that. And what was once, I think, 40% or lower of retention, because we didn't have that support, is now 80%-90% people staying in housing. So I want to thank you again for that and I want to really thank my staff for doing the great job that they do. As steve said though, these are tough economic times and we still have over 300 people – 300 men on our wait list and 120 women on our wait list to get into our facilities. With a little push from sally erikson and from traci's group, we're getting better at placing people more quickly into housing and so the turnover rate in shelter is 60-70 days, as opposed to what it was, six or seven months in the past. So I think we're doing a much better job at that. We also -- the building -- when we – when we proposed the building a long time ago, years ago, it seems, we also knew that we couldn't do it all ourselves. You know? And not only that we didn't have the expertise, but, of course, there's not the money to do this. So we went to the county and we went to the city and we said who are the partners that you provide funds for and how do we bring them into the building to partner. So we have Multnomah county library we have the health department we have life works we have central city concern and join and all of the other programs that are partners with us in the building to make – to create a more comprehensive support system for people that we're working with. And I think that's the way that we're able to -- not only through our hard work, but our partnerships able to get people in housing and keep them there. And -- and one last thing, I want to tell you that when we built this building, we saw this as not only a building – we didn't want it to be a building for homeless people. We want it to be a building for individuals who live in our community. Some of which are living on the streets and some of which are not. And so we have these wonderful community rooms, nick was there when we had the -- the food policy network meet there. We've had the old town chinatown business association meets there on a regular basis, we've had Lewis and Clark alumni of color advisory board, kaiser permanente and I - the most interesting group that came there actually, was pendleton did an advertising shoot in the multipurpose room. So the building is being used for multiple purposes which we wanted. And what's more important is – not that it's being used for multi purposes, but that people accept the building and accept the purpose that it was built for. And they don't have an uncomfortableness walking in that building because they support the work that we do and they not only support the



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work that we do through saying okay you can spend the money, but by participating in the building and using it. So I want to thank you again and again, to steve and traci for the incredible work and the partnerships and nick, thank you, you've done a great job.

**Fish:** Thank you all very much.

**Saltzman:** So I just had a question. And I don't want to put you on the spot if you don't know this but.

**Manning:** No, I'm fine.

**Saltzman:** Anyway, but you mentioned a vulnerability index you use for admission to housing. And so I was just wondering if you could describe sort of what the proto-typical most vulnerable male and most vulnerable female, sort of what would be the attributes of those?

**Manning:** Sure.

**Fish:** That's a great question. Particularly because, commissioner Saltzman, this approach is not without controversy and so -- rachel, welcome.

**Rachael:** Rachael duke with home forward. So we found a vulnerability index tool, we looked around for best practices and found one in seattle that we really liked with another organization called downtown emergency services center and they organize vulnerability based on 10 different factors and some of those factors are around physical health, how likely you are to die on the street. Kind of what your health problems are. Some of the factors are around mental health, substance abuse, kind of a history of being assaulted or beat up. How well you're able to meet your basic needs, like some people are more able to navigate the soup kitchen system than other people. And we - everyone gets ranked using that tool and then people who score the highest are the people who we house first. And so typically they're folks who have most of those issues.

**Saltzman:** Thanks.

**Fish:** You can also say it's a bittersweet part of our work that the number of people that screened at the highest of the vulnerability index and that were housed have subsequently died. And I think what we have to acknowledge is that the difference is for some people, rather than dying on the street, they died in their own home. And it's a -- again, I say it's a bittersweet part of our work, because we choose people who are very vulnerable, including people that have a terminal illness.

**Duke:** Right, so we've had five people pass away since we opened in june, and I agree that it's been great for those -- if someone is going to die, to be dying inside, to not be dying living while you're homeless, is definitely an improvement.

**Fish:** Thank you very much.

**Binder:** Can I -- I want - one more thing -- I want to just say that bud is here.

**Fish:** I'm going to -- don't worry. Don't worry.

**Adams:** Doreen is always leading, always leading.

**Fish:** I have another panel to invite up. To my colleagues at exhibit tab 74, we've put together a one-pager that summarizes that the information we're sharing with you today, that I encourage - and we had it hand-delivered as well. But it's a sort of a snapshot of the presentation. Our second panel today, if you could please come up. John dye. John is a resident of doreen's place and we're really honored to have him join us today. Marc hillman, the community service chair for the Portland pearl rotary club, and michael boyer, a crime prevention coordinator with the city's office of neighborhood involvement. And this is our last panel. But we've asked these three gentlemen to give the other a complementary perspective on our work and we'd like to begin with a resident, because ultimately, while this is a beautiful and functional and sustainable building, it was designed to provide a place where people could be served and where lives could be changed. And john, thank you for taking time to join us. Welcome.

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**John Dye:** [speaking a foreign language] You wouldn't expect to hear a foreign language from a homeless person. I didn't expect to become a homeless person. I was greatly unprepared for what occurred. Without the assistance of tpi, and the assistance from you and actually the whole city of Portland, myself and a number of other people would be in a very bad situation, to say the least. Oh thanks. They asked me to tell you how I got here, what services bud clark has offered to me and how they turned my life around. You don't have time to hear how I got here. But it was through some great devastating situations that can befall anybody at any time, including yourselves. Fire and death were included in both. More importantly, i'm here now. And I was grossly unprepared to discover how quick our society discriminates against us if we don't have a current id. In Oregon particularly, you can have an i.d. from another state and it's insufficient to get a lot of services here simply because it's an out of state ID. Unlike alaska, where I came from most recently, you also have a very extensive i.d. here, which I'd like to let you know that bud clark services helps people get and it's instrumental in doing anything further in your city or state. Most people, myself included, have no idea at all what homeless people go through. I'm a former marine, and a carpenter of over 20 years. I've worked in some of the finest houses in san francisco. I thought people with backpacks were either tourist, hobos, bums or campers and I only thought I fit in two of those categories and I was wrong, I fit in all. Not by choice. Coming here without having the resources that have been given to me by you guys and tpi, I would without a doubt be sleeping on the street. And I wouldn't have made connections with the v.a. which provides medical, health and a plethora of other things. Many of the homeless people you see aren't there because they want to be there and most wish to do something and be productive but the economy has put us in a situation where it's very difficult for carpenters to get work, it's even more difficult for carpenters without their i.d., without their glasses, without clothing that they may have lost in some catastrophe, the bud clark center offers all of those things to people, as well as meals, a place to sleep and most importantly, dignity. It's not easy to come before a distinguished panel like yourself. And admit that you're currently unable to sustain yourself. But it happens. We don't like to admit that we're getting older either and I can assure you in the last five job interviews i've been given they didn't specifically say that it was because of my age that they couldn't hire me but they did infer that age was more of a liability than an asset. We live in a time when experience is no longer a sufficient amount. But not being a liability, not being someone that you might have to pay a higher insurance rate for, or whatever. And we're not prepared to do job searches when we've worked in the same job for 20 years and I would challenge that most of you, if we put you on the street tomorrow without your i.d., without your suit and put you on a sleeping bag and had to confront your local law enforcement for while you were sleeping on the street, would be woefully unprepared for what you would confront or be confronted by. When you go to a center like this, one, they take that risk away, and, two, they give you a schedule and plan and an opportunity to move forward and to reenter society and to be productive again. They said, how did I change, or turn my life around? Well as yet I haven't turned my life around. I don't feel that my life needed to be turned around, it just needed to get more order. They have helped me a great deal with that. For those of you that are optically challenged, i'm a negative 800. They've helped me with glasses. I didn't have a local i.d., they've helped me with a local i.d. I have never had unemployment before. I have never been out - without my own place to live. But spending five years in alaska and coming here, you don't have a great deal of background and most renters here when you tell them where have you lived for the past five years, i've lived in the bush in alaska, they roll their eyes and you're not getting rented to. The connections in the temporary housing that you guys offer through these programs, stabilize people. Give those that are willing and want to get back into society an opportunity to do so. You may wonder if the money is well spent. Desperate people do desperate

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things. I would submit to you that many people that commit crimes, this guy is quite well familiar with, would not do a lot of those crimes if they had other ways to sustain themselves, but they were desperate and they did desperate things. This prevents desperation. This gives people a chance to represent themselves, straighten out their lives, get the things they need. And become less of a risk to society. So in closing, i'd just like to say thank you very much for the opportunity. And the risk you've taken and i'd like you to know I personally feel it was very worthwhile and can't thank you enough.

**Adams:** Thank you very much for your testimony. That was incredibly well said and amazing in its ability to inspire. So thank you. Sir?

**Marc Hillman:** This is my first time here, so I want to say thank you very much.

**Fish:** We just need your name.

**Hillman:** Sorry. My name's Marc Hillman and I'm with the Portland pearl rotary club. So during the construction phase of the bud clark commons, our club noticed there was a lot of chatter and buzz in the community, a lot positive, some negative, and very much misinformed. So we took it on as a club. We wanted to dig in and we really wanted to gain a firsthand understanding, not from the media and not from second hand stories but wanted to go in, we wanted to talk to employees and we wanted to know what happens under that roof. A beautiful building, but where's the meat? What goes on there? So as a club, we really wanted to learn more about this commitment from the city and learn about solving this major issue. Our club is fully committed to support the bud clark commons through service and what we feel, more importantly, spreading the word and spreading awareness of homelessness issues in Portland in particular. We see that our role is to connect the Portland community with the operations of the building, its residents and its employees. So far, this year, we've completed two major projects in conjunction with the bud clark commons. First has been a clothing drive where we have engaged not only our rotary club, but other Portland rotary clubs and the community at large to donate mostly business attire and clothing that could be used for interviews and for work. And the amazing thing, this was about a three-month clothing drive and it ended in october. And i've been getting phone calls still from the PTA members at lincoln high school and various members of the community saying, hey we don't want to donate our clothes to goodwill, where can we take it? So I think it's been really inspiring to see how folks in the community have really grasped the building. Secondly, we provide a meal service once a month. And we previously did this at the clark center but we moved to bud clark commons recently. Last wednesday was our first meal service. This gives us an excellent opportunity to get engaged with residents, with employees and filter through our club members, get them inside of the building so they gain a first-hand understanding of what happens, operations and we make connections. To take it to a next level, we're trying to bring in local food and establish unique connections where we can get beyond that first level of service and really get involved. In conclusion, I want to say that my involvement with the bud clark commons has changed my perspective on homelessness. I'm inspired that we can come together as a community. At all different levels and drive change and I think one of the most beautiful things that i've noticed since the bud clark commons has opened is -- our people -- people in the community's willingness to embrace the building and more importantly, embrace the issue at hand. Thank you.

**Adams:** Thank you very much. That's great.

**Fish:** Thank you. Mayor, the next panelist is michael boyer. And the council knows we spent a lot of time hammering out a good neighbor agreement with the community and we listened carefully to the concerns people had about the potential impact of this development and we engaged people and I think it was one of the most thoughtful and constructive processes that we've been involved with as a city, as a bureau and michael thank you for joining us.

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**Michael Boyer:** Thank you for having me Mr. Mayor and commissioners. As commissioner Fish said, my name's Mike boyer, I'm a crime prevention coordinator for the downtown, old town and recently Pearl District neighborhoods. The good neighbor agreement a process is really my first entry into working with the Bud Clark Commons and I was thoroughly impressed. It was a process led by resolutions northwest, they did a fantastic job facilitating it but what really made it work was the involvement from bud clark commons. Their ability the staff's ability to take the concerns and the feedback, however unfiltered it may have been and listen to that feedback and take proactive constructive measures to ensure the buildings going to have a positive impact on safety and livability. Speaking here I will keep my comments brief, because I certainly can't out do the speakers that have come before me. And John, thank you very much, those were powerful words there. The theme I think we've all heard today is that Bud Clark Commons works. And on my end, it works because of the communication, as everybody especially Rachel Duke and Billy Keemer, the staff there, they step up to the table they listen to concerns that are addressed from the community and they come and they problem solve. They've been involved in that on the residents' side on a program called enhanced safety properties, which is a formalized partnership between property management company, police bureau and the crime prevention program we do trainings for the residents, look at the building from a safety standpoint and constantly work to keep up communications, how to improve the safety and address the neighborhood concerns that were presented with. Billy gives a daily update – a month update, sorry, at our old town china town livability committee and the one theme that he constantly stresses, he gets people who come into the day center that aren't there to just hang out per say. They're there to move forward, there to be involved in the services and improve their lives and I think it's that tone that they set there that really carries over and spreads out beyond the community and from my standpoint in public safety and community outreach I just cannot say enough how thoroughly impressed I am with what goes on there and I'm looking forward to working on more projects and continuing to improve that area and partner with Bud Clark Commons in the future. Thank you.

**Adams:** Thank you very much.

**Fritz:** Can I just ask a question? Mike, could you describe a little bit about your work with the office of neighborhood involvement and coordinating with the police bureau, and how the police interact with the folks in bud clark commons?

**Boyer:** Certainly. My job centers around three primary areas, community organizing, training and education and problem solving. When it comes to the police bureau, we work hand in hand with our neighborhood response team. So that's the primary group. They work on systemic ongoing issues as we do. So with this particular unit, we set up an ongoing monthly check-in with them. In between that monthly check in we have constant phone calls, emails, dealing with everything from community complaints to individual residents, daily incidents that take place in the day center, connecting the staff with the resources they need, addressing it from a public safety and with the police and anything else that comes in between.

**Fritz:** So is it a collaborative partnership with the police, have we been helping with community policing?

**Boyer:** Yes, I would say that collaborate is an understatement.

**Fish:** Thank you all very much.

**Adams:** Thank you, really appreciate it. It's now my honor to - on behalf of the housing commissioner and the entire city council to invite the honorable mayor bud clark to please come forward, if you would.

**Bud Clark:** I would.

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**Adams:** It's a great honor to have you back here. And we would love to hear just a few final words or observations of this effort.

**Clark:** Been away from here for 19 years, you know, and when I was signing letters to kids that were born telling their parents to take good care of them and let them go to school and everything else, they're all becoming 21 very shortly, they've been just stepping up. So it's been a long time. But you, as a council, and nick Fish and the mayor and all of you -- amanda and dan, have been -- and randy, too. I better put him in there. Have been very generous and I didn't know what to say when nick clark -- I mean, nick Fish came and said they were going to name the commons the bud Clark. And I still don't know how to do it, but it certainly brings a certain amount of emotion to me when I hear the good stories and the fact that it's working, you know, I mean. This is such an impossible task it seems to me to solve this great problem of homelessness, but obviously, it's -- you know, it's one step at a time and working towards a very long-term goal, I think. When I was a kid growing up in Portland, you never saw anybody sleeping on the streets. The first time I saw somebody sleeping on the street was Mexico, and it just offends me that every city I go to around the country now, you see homelessness every place. And when we started the plan, they said well it's going to create a mecca and just all the homeless will come to Portland. Well we know that's not true. I mean we know that we just have - we're trying to take care of ours and there's a lot of places that aren't. So thank you very much city council, mayor and all for -- and nick, and everybody here, for working so hard. You all look good, you know. I don't get down here very often, so -

**Saltzman:** You look good too.

**Adams:** Yeah you do.

**Clark:** Whoop whoop.

**Adams:** Yay [applause] thanks, mayor. That was great.

**Fish:** Mayor before we go to comments, could I just acknowledge a few people in the audience please? Harry cormack is here, Harry would you raise your hand? Harry is the incoming -- the new chair of home forward. Thank you for joining us.

**Adams:** Oh great. Congratulations. Thank you.

**Fish:** I'd just like to just acknowledge the city's ending homelessness team, if you could raise your hand, Sally erikson, ryan Febert, and Jennifer Chang. These are the -- this is the best team in the country and they are at the forefront of innovative strategies for ending homelessness. Do we have anyone here from holst architects?

**Adams:** Alright.

**Fish:** I'd like to acknowledge our friend from Holst Architects. They've won a number of awards, including the people's choice award for this particular development. And we're extremely proud that they had developed a building that was highly functional, at the highest level of sustainability standards and that was also beautiful and was an amenity to the community and we're proud of their work. Scott andrews is here, a chair of the pdc commission and we could not have done this without the strong support every step of the way of pdc. I don't see anyone here from the Portland business alliance, but I want to just acknowledge that the Portland business alliance, along with other neighborhood business groups downtown made this a priority project and were strong supporters every step of the way. And I want to thank mike reese and his team. We have a strong -- mike is actually on the -- I believe he's on the board of TPI or was -- is currently. But we have great cooperation with law enforcement. So thanks to everyone who is here and I have a few more remarks when we just adopt the report.

**Adams:** Great. Is there anyone else that has signed up to testify?

**Moore-Love:** It's a presentation we didn't set out a sign up sheet.

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**Adams:** Anyone else wish to testify? Alright then I move acceptance of the presentation.

**Fritz:** Second.

**Adams:** It's been moved and seconded. Karla can you please call the vote?

**Fritz:** Thank you commissioner Fish for taking the time to celebrate this and thank you mayor clark and everybody who is here today. Thank you for the powerful testimony, with a - telling us why this matters. And it does matter and it has made a difference and it is making a difference. It's my honor to be on the council to dedicate \$2.2 million this year in one-time and ongoing funding, and this was well planned. It did take a long time to get it done, but in the process, we came to recognizing that we need ongoing funding for operations and we did that. And in the process, we created many partnerships and many new understandings of some of the challenges and so it's a spectacular success and it's wonderful to see it celebrated here in council. And we need to tell others more about - we need to share the stories, we need to continue this great work and it's not going to stop. It's not - we can't solve homelessness here in Portland, but we -- each individual that is now housed that has made a huge difference. It solves homelessness for that person and that's what we're continuing to work towards. Thank you all. Aye.

**Fish:** Well I want to thank everyone who took time this morning to come and make the presentation. And particularly, the veteran, the gentleman who lives at doreen's place who I cannot remember more powerful testimony in my three years on the council. Sometimes, you need a person who directly benefits from services to actually put the human face on the what and the why that we do, so john, thank you for joining us. I want to thank all of our project partners for bringing this bold vision to life. I mentioned holst architecture earlier, I just - it's just really phenomenal that they were able to not only put three different and distinct programs under one roof but they were able to come up with a building that is functional, sustainable and beautiful and they deserve every award they've received for this building. And we hope it's a model for other cities across the country and we hope Holst gets that work. I want to thank former mayor bud clark for honoring us with his presence today and for literally laying the foundation over 25 years ago for all of the work that we do. And I said at the opening that bud actually literally laid the foundation for bud clark commons and I don't think we would have the success we've had over the past 25 years if bud had not put homelessness at the center of the city's consciousness and agenda, an issue his - at that point, extremely bold and visionary 12-point plan on the homelessness. I also want to acknowledge the great work of former commissioners gretchen kafoury and erik sten, who - whose work we continue to build on today and particularly commissioner sten. We would not have a bud clark commons had he not been a early and vocal champion. I want to thank the Portland taxpayers today for supporting our work through the 30% set aside. This council recently reaffirmed our commitment to that vital funding tool. We know in time it's going to diminish as a significant tool, we're hitting what's called the tif cliff. The public agreed to invest almost \$30 million in this project and we can be proud of that investment. Looking ahead, we know we continue to face great challenges. Congress is cutting vital housing programs as we speak and the impact will be that we'll have fewer dollars to build and preserve affordable homes. The city, the state and the county are facing painful budget decisions and there are no good options on the table and for all the progress we make, we also have to humbly acknowledge that Portland alone does not control the root causes of homelessness. Unemployment, a broken mental health system, rampant foreclosures, these are national problems which ultimately are going to require national leadership and solutions if we're going to be successful. So today I want to issue a call, now more than ever, we must continue our local commitment to winning this fight. Everyone in this room has a responsibility, I believe, to continue bud clark's legacy of helping our neighbors in need and as you've heard, each of us has a role we can play, from serving food, from visiting, from volunteering

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to advocating, whatever you can do, we all have a roll. I visit bud clark commons regularly. I think I drive some of Dorine's staff crazy. [laughter] Recently my son and I had the honor of serving dinner to shelter residents. He is eight years old, it was a life-changing experience for Chapin. And we both saw the genuine transformation that is occurring in people's lives. And ultimately that is why I remain hopeful. In this fight, we judge our success one person and one family at a time. And every time we help someone with a hand up, we honor the promise of bud clark commons. I want to thank mayor Adams for his stalwart support and he has had to make tough budget decisions over the past three years and in prioritizing funding for bud clark commons, he put his values into action. And I want to thank my council colleagues, every time we have knocked on their door; they have stepped up and helped us. We will someday win this fight, not today and not tomorrow, but we have to have the belief that we will win this fight. This is a fight worth winning, it's a fight we must win and I want to thank everyone in our community who every day plays their role. Aye.

**Saltzman:** Well, this is a fantastic six-month report, very impressive, and very poignant. I also want to you know sort of acknowledge not only mayor clark, but I want to echo commissioner Fish's, I mean first I want to start with commissioner Fish himself, I think has now joined the housing hall of fame, members of the city council pantheon. I do think mayor Adams belongs there too. But certainly gretchen kafoury and erik sten have played key roles. I served with erik on at one point on a committee, a joint pdc city council citizen committee to sort of figure out the future of river district expenditures and I know erik was very, you know, from the get-go, very supportive and laid the groundwork, I think, for the -- for what's now the bud clark commons. And a -- so I just want to acknowledge all those people who have really made this work and it was a -- sounds like it's doing a great job and thank you all. Aye.

**Leonard:** It just so happens that I was hired by the city 34 years ago today. And in that -- so I have a unique perspective on many of these issues and many of the personalities involved. So and I -- I saw bud today, for instance, I of course, think back to when he was first elected mayor. And I was able to -- I have a picture of you, bud, and me, when you were working out of the church up here in the transition period between when you were elected and when you took office. And it's a picture I cherish. I remember after you took office, and, of course, I was the president of the firefighters', my -- we oftentimes, would either meet in your office, a couple times we had lunch, I don't remember - know if you remember so much, but I was a single dad and I'd have my three kids trailing along often and even into adulthood, they -- they speak fondly of being little kids and you were just always so gracious with them, and appreciate that, more as time goes on. But to this debate, when bud said people, when he issued his 12-point plan to end homelessness, said you'll do nothing but attract homeless people from all over the country here, please don't underestimate what he said. It was a huge loud almost hysterical reaction to what bud initiated and the point that I mean to make by saying that is it is in those moments that one's leadership is tested. How strong do you feel about the things you're fighting for and you demonstrated at a time when I was here and I was watching very, very closely, a strength and leadership that not all have. And I was really happy in nick's and dan's remarks, their acknowledgment of gretchen kafoury and erik sten. Because you know, gretchen ended up being the commissioner in charge of fire. So I -- I not only had known gretchen for years, got to work with her intimately so she too would -- needs to be acknowledged for picking up the mantle that bud handed her in the assignments he gave her to make sure that the homeless folks in our community were treated as john said, dignified people. And then she had a young guy working on her staff. Who was compelled and motivated by not only working under mayor clark, but for his boss, gretchen kafoury and then he saw an opportunity himself to run for the council and, of course, erik sten, was if not the youngest person elected to

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council, certainly one of the youngest people elected to council. Three of us here worked closely as dan alluded to, with erik and this cannot be underestimated, again, the barriers he confronted to have this project done. Doreen is absolutely right. It would not have been done without the good fortune that the citizens of Portland had of having nick Fish replace erik, but it also wouldn't have been done without erik sten. He - I sat here as he fought what appeared to be insurmountable community resistance and funding challenges and it was - it is not to be underestimated what he had to go through to get to the place it was so that when nick got here, he could hand it off to nick and then nick was faced with diminished resources, permitting challenges, architectural challenges, all of which he brought his unique talents to, to get the building built. So it's been really enjoyable for me to sit here and help where I can but mostly to be supportive of all of those folks, especially the four that I've just named, throughout this long process and I just want to tell you how much I appreciate it, and thank you. Aye.

**Adams:** Well, i've not been in the building as long as everybody or in the community as long as everyone associated with this, but i've been here for some time and i've been able to see the great work, the initiative as everyone has mentioned, of mayor clark and the great work of staffer and commissioner erik sten and commissioner gretchen kafoury and others and I just have to say that the reason that i've been willing as my term as mayor to make the kinds of investments and cut other parts of the city's budget to make additional investments in homeless services, human services is because of the great leadership in bringing together all of the parties and standing on the shoulders and doing even more and better and learning and taking in all of the lessons that needed to be learned and taking in to constantly improve our collective efforts and I really have felt confident in making those kinds of choices because of the leadership of nick Fish. And so, I want to thank you personally for that. This is an issue that I feel very deeply, care very much about. And I also want to thank the folks at home forward, transition projects, everyone involved, the staff team that leads and that supports this program that's housed in a great building. I was very nervous because it's so close to the train station, I kind of have a thing for. I was really worried that it would mess up the look of that part of town and it only has added to it. So I want to associate myself with my colleagues' comments and say how very grateful we are for all of your work. Aye.  
[gavel pounded] [applause]

**Adams:** Yeah, you can clap. I'll let you. [applause]

**Adams:** All right. That gets us to item number 75. Can you please read the title for resolution item number 75.

**Item 75.**

**Adams:** Sorry, commissioner dan Saltzman. I'm - go ahead.

**Saltzman:** busy texting.

**Adams:** Yes, it's a busy day.

**Saltzman:** Well, as we've just heard about how impressive the bud clark commons is in providing hope and opportunity for homeless men and women, and the compassion that Portland taxpayers have shown for this, we also have the Portland children's levy, which as you all know, voters have also shown extreme compassion in supporting young people, children from zero through high school age in leading successful lives. And thanks to Portland voters first in 2002 when they initially passed the children's levy and then when they overwhelmingly renewed in 2008, we are funding and investing about \$10 million to \$12 million a year in cost-effective proven programs, primarily nonprofit organizations that are doing exactly what needs to be done for over 17,000 children and families in the city. And that is investing in early childhood education programs so that young people will arrive at kindergarten ready to learn and investing in after-school and mentoring programs so that young people will have something to do after school, will be more



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likely to engage and complete school and also through mentoring programs to have positive role models which too many of our young people lack. We invest in proven programs to prevent and intervene in child abuse. And we operate under the thesis that no child is ever going to be successful or learn when the home environment is filled with abuse or domestic violence. And finally, in 2008, we added -- the voters added a new investment category for us, and that is to invest in programs that will help children in foster care succeed. Voters recognized, as many of us have, the dismal prospects that children in foster care face and the daunting challenges. Only 2% of children in foster care in Oregon get four-year degrees, for instance. So voters have shown compassion and care for young people. And we've done that through the children's levy. The decisions made by the children's levy are where to invest, which programs, because as you can imagine, we get many more requests than we have money available, but we do invest in only proven programs. We don't invest in pilot programs or demonstration projects but those decisions are made by a five-member allocation committee, which meets publicly, often -- most times in this chamber, to make funding decisions for the Portland children's levy. The allocation committee is made up of a representative from the Multnomah county commission, another familiar name, commissioner Deborah Kafoury, represents the county, I serve on the allocation committee; I represent the city of Portland, we have a member appointed by the Portland business alliance, and that's Ron Beltz and we have two citizen members, one nominated by the county and that's Adrienne Livingston, the executive director of the Black United Fund and then one nominated by the city, Alissa Keny-Guyer has most recently served as the Portland citizen member of the allocation committee, but as we all know she left the committee because she has been appointed to the state legislature to fill the seat that Ben Canon represented. So it is my pleasure today to introduce and the nominee to fill the city of Portland's citizen position on the Portland Children's Levy Allocation Committee. A long time youth advocate and community volunteer, Julie S. Young. Julie holds a masters in social work and her professional career has been devoted to working with diverse populations and vulnerable families. She has a keen insight into child welfare, foster care and juvenile justice systems through her work as a court-appointed special advocate and a community health -- mental health practitioner. Julie also has a long-time history of civic involvement from her work as a children's activist and work with nonprofit boards including the Children's Trust Fund of Oregon, the Oregon Community Foundation, Social Venture Partners and the City Club. I'll tell you, we had a lot of very qualified people who applied for this position. I was overwhelmed by the qualified people that applied and so to say that Julie rose to the top is quite an honor and a recognition of her role and so I'd like to -- we look forward to working with Julie, if you approve her today, she will be seated tomorrow at our allocation committee meeting and I'd like to just ask Julie if she has any words she'd like to say?

**Julie S. Young:** Thank you, Commissioner Saltzman. Mayor and commissioners. Thank you again Commissioner Saltzman, for your thoughtful introduction, and especially for giving me the opportunity to serve as the city's representative on the children's allocation committee. It's a privilege; it's one I take very seriously. Each of us has a story about our path, and I want to share a little bit about mine. I grew up on a struggling little farm in central North Dakota. Where my Danish and German grandparents had settled and both of my parents were raised and lived their entire lives. I don't recall ever worrying about money, but my parents must have. We milked about 15 cows twice a day, whether it was 20 below or 95 and humid, in our old crumbling barn. My mother sewed our clothes, baked bread in our cast iron range, and we all pumped water from the well and carried it to the house in big tin buckets. When our chores were done, my three sisters and I read anything we could get our hands on, roamed the prairie in the summer, built snow forts in the winter and played monopoly non-stop. In 1965, our county, Sheridan, was listed among 182

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counties in the united states to be eligible for federal aid under president johnson's brand new anti-poverty program. All but 10 of the 182 counties were in the southern or border states. Three were in north Dakota, including ours, where the per capita annual income was \$739. I don't remember knowing I was poor. For although we didn't have indoor plumbing, or a telephone, or a television, which my parents got after I went to college, what we did have was a thriving church community, 4H, a nurturing extended family, informal networks of people looking after one another, high expectations from teachers, principals, even the bus drivers, yes it takes a circle of caring adults, competent adults, to model for the next generation. My parents and other adults pulled together even when resources were scarce to give the children in our farm community opportunities. For, you see, even though I grew up poor, I did not grow up disadvantaged. Frankly I was privileged for I had everything we now know children need to succeed and thrive. I had a healthy start with appropriate attachment to loving adults. I had the security of food and shelter. I had consistency in daily living. I had educational opportunity and so on. My early childhood years were golden, and I grew up with hope, with confidence, with trust in the world. I cannot ignore saying that I was – that I am from the dominate culture. I grew up some years before title nine allowed me to play basketball or run track, but otherwise I was never exposed to discrimination of any kind. Even when I went to college at north dakota state university in fargo, I fit in. That's privilege. That's access. I've now lived in Portland for a little over 35 years. Here I have been a stay at home mother of four, a court appointed special advocate, principal's secretary at one of Portland's inner city schools. I've been a social worker at the old columbia villa and at a community mental health center in east Portland that worked with disenfranchised children and families. I have seen over and over the effects of discrimination, hopelessness, isolation, generational poverty, and disorganized environments that smother a child's opportunities, that diminish the likelihood they will successfully compete for the things you and I take for granted, high school completion, a job, permanent housing, security, trust in the world. Numerous philanthropic foundations, private citizens and non profits pull together in Portland to help children who have not been given a fair shake. We are a generous community, but the children's levy is unique, demonstrating that a majority of the public believe that investing in the city's most at-risk children for the common good, is a smart thing to do for the children's future and for our cities. I'm honored by this appointment and I look forward to doing the hard work of investing the taxpayers' money wisely and carefully. Thank you for your confidence in me.

**Saltzman:** Thank you, thank you julie, for agreeing to serve on the allocation committee. As is our usual tradition we also recognize former elected officials, julie's husband, bill young, is sitting in the back there, is the former mayor of lake oswego. So we just want to welcome bill and julie. So thank you very much.

**Adams:** Alright, we will make comments, thank you very much. You're welcome to return to your seat. And anyone signed up to testify, anyone wish to testify? Karla, can you please call the vote?

**Fritz:** Well thank you very much for your willingness to serve and also for coming to tell us more about yourself and why this trust that the tax payers put in you and council is putting in you, why you're ready to fulfill those duties. And that was really helpful to know why you care about this, why you want to do it. It is a significant investment of tax payers' money and it's also a significant investment in your time, so I greatly appreciate your willingness to serve. I note that you're the executive director of dress for success?

**Saltzman:** No, that's a different julie young.

**Fritz:** No, a different – oh well my staff is googling incorrectly then. Thank you for all of your community involvement. Aye.

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**Fish:** Julie, thank you for taking on this assignment. The other day I had a chance to visit with my parks employees out at the new columbia we did a recognition breakfast to thank people for of their service. And I had a block of time that was free, so I went over to rosa parks elementary school and I met with the principal Tamala Newsome, and then we visited a number of classrooms. And she said something to me then that you said very eloquently today. You talked about your own life experience; you talked about the importance of having a loving, caring adult in the life of every child. And it doesn't have to be a biological parent. It can be someone else. It can be a mentor. It can be - but it needs to be someone. And it's one of the greatest challenges we face with children is too many children don't have that loving, caring adult who's in their corner helping them through childhood, and that's one of the roles that the children's investment fund plays, investing in proven programs which help children when they're at their most vulnerable time, transition to adulthood and productive lives. And we know that we have a great champion in commissioner Saltzman of this work. We also know how time consuming this assignment is. So thank you for agreeing to take on this important assignment and you can count on full support from this council. Aye.

**Saltzman:** Well thank you very much, julie, for your remarks and your willingness to serve. And I guess with my vote, it makes it official. You report to work tomorrow. So, Aye.

**Leonard:** Thank you very much, julie. Aye.

**Adams:** Thank you very much for your willingness to serve. Recognitions to the Mayor, you're here. This is always important, but in declining budgets among a lot of our public partners and declining philanthropy among private partners and fundraising being down, that a lot of the nonprofit partnerships looking through these applications for that kind of strategy and leverage is key, and then I appreciate the involvement that commissioner Saltzman has made through the cradle to career initiative, and willing to partner on that, look forward to you getting you up to speed on that and how that seeks to take his good work and spread it further across the entire spectrum, including increasing our, eventually hopefully soon, increasing our high school graduation rate. So thank you for your willingness to serve. Aye. Congratulations. Alright, that gets us to the regular agenda.

**Leonard:** Mayor Adams, I need to leave at noon, I note that we have two emergency ordinances, and I don't know if anybody else is going to have to leave.

**Adams:** Let's do the emergency ordinances, can you please read the title for item number 91.

**Item 91.**

**Adams:** He's probably expecting as little later. But is there anyone who wishes to testify on this matter? Is there any council discussion on this matter? Karla, can you please call the roll?

**Fritz:** Aye. **Fish:** Aye. **Saltzman:** Aye.

**Leonard:** I had initially - I was hoping jim would be here to hear this, but I had initially raised some concerns about an interim appointment, and I wanted to make sure that jim completely understood why I raised the concern. It had nothing to do certainly with jim or his - if he's here I'm going to hold off my -- there's linda. Is jim following you?

**Linda Meng, City Attorney:** No, I'm sorry.

**Leonard:** Is Jim coming?

**Meng:** Jim is on vacation.

**Leonard:** Oh okay, well we're voting so -

**Saltzman:** I'm reconsidering my vote. [laughter]

**Leonard:** We're voting, I was just - I didn't just want to do a perfunctory yes vote. I wanted to explain - as I can't remember if I did with Linda or not, but certainly with the Mayor I did, that i'd initially raised concerns about an interim appointment as opposed to a permanent appointment, and I wanted to make sure on the record that everyone, but especially jim understood that it wasn't a

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concern that I raised about him but rather the process. I felt -- and I have to be honest, continue to feel -- that the city attorney's office has been served well under linda's leadership and her predecessors, many of whom i've worked closely with, and I also am familiar with organizations within the city, and they need leadership, they need to have the continuity and the expectations of whoever it is that is the top of their chain of command. So I felt like, as tough as it would be, and I certainly respect the Mayor's reasoning on this, but as tough as it might be on our schedules and times, we needed to and should have gone through a process to select a permanent replacement who could easily have been jim van dyke or any one of a number of very competent city attorneys that worked in our office, any of whom i'd be pleased to have as our city attorney. So those - that was the reason I raised a concern and certainly am very comfortable with jim fulfilling this role on an interim basis. Aye.

**Adams:** Well, this isn't the last time we're going to see you, right?

**Meng:** I'm here, around for another week.

**Adams:** Another whole week? So we will save the accolades.

**Leonard:** We're dropping like flies.

**Adams:** That's right. We'll save the accolades. Appreciate commissioner Leonard's comments, and we looked at a number of different options and finally settled on this. I'm very excited at the prospects of mr. Van dyke serving as the interim city attorney. I've worked with him for, since I got here? Pretty much, so - he will serve us very well, provide for the continuity, that I think is very -- and stability, I think is very important, and the last year of my term and continue the creative, smart, effective efforts of the office of city attorney that has definitely been reinforced and improved upon by the person sitting in front of me, but more about that later. Aye.

**Meng:** May I have a brief point of privilege and just read, Jim had left a message, and I apologize for not being down here. You moved things around, I was watching.

**Adams:** Yeah we did.

**Meng:** Anyway, Jim wanted to say that he regretted he was out of town. He had a long-scheduled vacation, and it may be the last one he gets for a while, so he took it. And he is unable to attend. He said i'm both humbled and honored to be nominated for the position of interim city attorney. It is the goal of the city attorney's office to provide the city with the best possible legal advice and we will strive to continue that tradition. Thank you very much for your consideration. And that's from Jim.

**Fritz:** I would like to note that I have already seen jim at community events, and he's following on the tradition that you and others in the city attorney's office have of being part of our community as well as our legal advisors and so I greatly appreciate your service, and I'm glad to see jim following in similar style.

**Meng:** Thank you.

**Adams:** Alright, can you please read the title for emergency ordinance item number ninety -- wait -- I've got one that I need to while you're here and that is -- which one is that? Oh, can you please read 94?

**Item 94.**

**Adams:** The reason why i'd like this done now is that i'd like to apply an emergency, amend this to apply an emergency to this. The intergovernmental agreement provides for the 17.1 million in tax increment funding for the renovation of the city's veterans memorial coliseum. In addition, pdc is advancing \$5.9 million to cover design and other upfront costs and to make a down payment on the time critical project scope items, such as the ice floor. This has a lot to do with ice and floors and ice floors and hockey. The agreement states that the city will not make the deposit on the ice floor without a commitment to the winterhawks to continue to use VMC beyond 2013. So even if we

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decide later not to do any other renovations, we still have to fix the ice floor, 'cause it's on its last whatever. Frost. With that, I will turn it over to --

**Leonard:** Did you make a motion to --

**Adams:** So, is that all right to do now? I move to apply the emergency.

**Leonard:** Seconded.

**Adams:** It's been moved and seconded. Can you please call the vote on the motion to apply the emergency?

**Fritz:** Aye. **Saltzman:** Aye. **Leonard:** Aye.

**Adams:** Aye. [gavel pounded] We're now considering the ordinance as an emergency basis. Pdc chair, thank you for - and chief administrative officer, thanks for your patience and the other presentations, and for being here.

**Scott Andrews:** Well thank you. We'll be brief. This is another important step towards the renovation of veterans memorial coliseum. It's basically accepting the money from pdc to complete the city's portion of this project. The last-minute twist was the additional \$5.9 million which we're forwarding. I think of it as a construction loan, and it really comes out of some very complex -- and this deal turns out to be more complex all the time -- but legal issues surrounding our historic tax credits and wanting to make sure that we get full credit for the 17 million. And I won't go into the details 'cause i'm not sure I understand them. But we will be, at the end of the day, providing \$17.1 million, and the \$5.9 will come back to us next year as the project moves forward. Jack.

**Jack Graham, Office of Management and Finance:** Yes, Jack Graham. Thank you Mayor and commissioners. I just wanted to say that, as I stated before, I think that is a tremendous investment for the city. We have an asset that needs an investment of this type in it. This investment by private dollars and dollars from PDC will ensure that this major city asset is going to be around for many, many more years. I'm encouraged; I've been sitting at the table at a majority of all these meetings. The parties are working very well together. The goal is to have a ordinance in front of you, the rda in front of you by the end of february for your approval. We are working with the Portland winterhawks to get them to; we're in discussion with them to get them to sign this rda prior to coming to you that would bind them to this agreement. And so i'm encouraged. I feel that we're on the right track and this is the right thing to do for this city asset.

**Leonard:** Questions from council?

**Saltzman:** I have a couple questions.

**Adams:** Go ahead.

**Saltzman:** First of all, when you say rda is that like a --

**Graham:** Redevelopment. I'm sorry. Yes it's a redevelopment agreement for the --

**Saltzman:** Oh redevelopment. So what is the total budget now for the renovation of the Veteran's Memorial Coliseum?

**Graham:** It's approximately 31 -- I think 31 million - or 30 - 31 million, in that area. I don't have the exact number in front of me.

**Andrews:** That hasn't changed.

**Saltzman:** So the winterhawks are --

**Graham:** \$10 million.

**Saltzman:** \$10 million dollars, but we don't have that in writing yet?

**Graham:** We - when they came in front of council before, they showed their commitment through the turn sheet, that they were willing to move forward with that pending the final work done on the redevelopment agreement. In the meetings that i've been at the table with them, I have seen no

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wavering of their commitment to the project, and they've been working diligently for us to get this rda together. I mean they've been at the table so, I don't see any issues at this point in time at all.

**Saltzman:** So by the time we get the redevelopment agreement, we will spelled out their --

**Andrews:** It will include that commitment too, yes. It's sort of chicken and eggie. They're not going to commit until they know exactly what the project is, and that's what the redevelopment agreement is all about.

**Saltzman:** So we're not expending any money prior to the redevelopment agreement -- is that correct?

**Andrews:** Well, we've expended money on attorney's and staff time --

**Saltzman:** I mean on actually the renovation, like the new ice or whatever.

**Graham:** We have not done that at this point in time. The timing of it is -- is that - under the intergovernmental agreement between the city and also pdc, it will advance monies for us to move forward with a down payment on the ice floor. The timing is critical for us to move forward with that. However, I do strongly believe that, by the end of february, we will have the rda completed. The ice floor does not have to be ordered until march 1st, march 15th. So i'm pretty confident that we're going to have this redevelopment agreement completed, that the winterhawks will execute it on their part which will be binding, we are in discussions with them on that, but I am pretty confident and that the parties will work it out.

**Saltzman:** And do you, scott, share that confidence in terms of the timing, that by the end of February we should have a --

**Andrews:** Yes. I mean, everybody recognizes that this thing has been pushed off, for very good reasons, but we're to the point where, if we're going to get this project off the ground this summer and they've blocked out the time in terms of the events being scheduled, and it's in the gap that the winterhawks don't use it, that we have to have it in front of you by the end of february.

**Saltzman:** Thank you.

**Adams:** Alright. Anyone wish to testify on this matter? Karla, can you please call the vote on the amended ordinance to reflect the emergency status?

**Leonard:** We put it in emergency ordinance status.

**Fritz:** Well, thank you for your diligent work on this. I continue to be very excited about the work that we're planning for the veteran's memorial coliseum. This work on the ice hockey floor is excellent. I hope it doesn't jinx our record breaking 18 winning streak that - on the current floor. But I appreciate the briefing that I got about the need for the restoring of the floor and how long it takes to cure the concrete and all of those details you have to consider and looking at when can we look at the grand reopening. So thank you for your diligence. Aye.

**Fish:** Aye.

**Saltzman:** Well as you may recall, when the original proposal was brought forward, it was about \$54 million, and I voted no because that was just too much money, so I want to give a lot of credit to pdc and office of management and finance, the winterhawks and everybody to bringing this cost down to 31, \$32 million, definitely much more in the range, and in addition, a commitment by the winterhawks to contribute 10 of that \$31 million. So it's looking good. And, you know, I definitely want to see the rda before we get too far down the road. See it before us and be approved. And I also hope - I didn't ask a question about this, but I do hope this renovation will be done consistent with the city and pdc's green building standards. So I'll take it on faith that will be done.

**Adams:** With your help. [laughter]

**Saltzman:** Okay, so I assume that means my I vote, I vote Aye.

**Leonard:** Aye.

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**Adams:** A zamboni alone does not keep the ice on the rink for hockey games. I've learned that.

**Leonard:** Can you say that in public?

**Adams:** Yes, I've learned what a zamboni is, more than I ever thought I would. It just gives me an opportunity for a quick, our new chief administrative officer is just doing a fantastic job. And you know I've been able to see him at work on this very fast-paced, very complex project. The complexity and the speed are in total service to the taxpayers of the city, so I appreciate -- and to the project goals, I appreciate that. Again, we are amazingly well served by a fantastic chair of the Portland development commission who brings, especially in this case, actual hands-on, real-life expertise far beyond my experience or ability, and so I want to thank you for devoting basically full-time-plus to a volunteer job and I want to thank you both for your work here. On to ice on the floor. Aye. All right. And then we have 92. Hell hath no fury than 11,000 hockey fans -- pissed off. [laughter] Can you please read emergency ordinance number 92?

**Item 92.**

**Leonard:** I'm pretty sure you can't say that in public.

**Adams:** Oh really, sorry.

**Adams:** Hi, welcome. What are we looking at here? And we have a number of folk who have to leave, so distillation and brevity are always treasured, especially today.

**Mauricio Leclerc:** Alright, so we do have a very brief presentation. But if you don't mind, we'll try to skip through this - some of the slides that I think may not be as critical. So [inaudible] right of way standards to include new standards for NW Pettygrove. So I - we just wanted to present a little bit of background. First of all, what is the right of way standards, it's just guides, it is a document, you can see the front cover. I had guides development and how the streets should look like and function in the river district, which includes old town, and the pearl district. Most of the improvements happen with the redevelopment. So the idea is to anticipate development with a new special function character for pettygrove, and developments' actually taken place right now, which is why we wanted this to be an emergency. So, in a nut shell, there are typical streets and special function streets. Some of the special function streets are - have become signature streets in the Pearl District such as 13th avenue, 10th with the streetcar, and also boardwalk just to give you a few examples and the china town streets in old town. So we want - basically the idea was to make pettygrove one of those special streets, a green street in particular. And the three documents -- three planning documents, have culled pettygrove to be a green street. NW district plan, NW - North [inaudible] project, and the North Pearl District plan, which is the latest. In green street, green street has expanded to include just -- more than pedestrian and bicycle accessibility, but also storm water, as you well know. So the -- the grand vision is to [inaudible] pedestrian- and bicycle-friendly and green, with green features, connection between Wallace park and fields. And both neighborhoods support that vision. We're working on the Pearl District side of it. And so here's the North Pearl district action -- district plan. Action item T6 which actually calls for what we're doing here today, to amend the street standard to create a green street. Here is what the concept design framework for the plan which pretty much calls for a residential area around - surrounding pettygrove. Here is what it is today. It's most likely to change. It's changing right now. The ramona to one block north has been developed, and is happening -- there's development happening right now between 14th and 15th and south of pettygrove, south of where you can reach pettygrove, and that's happening right now. There's a need for potentially two -- for certain two sidewalks right now and potentially a third, there's an application coming for -- I don't know [inaudible] for this property as well. So a - there's a - that's the need to anticipate development with this amendment. So this is what it looks like today, and again it's likely to change. This is a zone in central employment. So -- so expect it to be high density, mixed use. There's also a

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bikeway recommended in the Portland bicycle plan for 2030, and it is a local service traffic street, so we're not expecting buses or large trucks or anything like that, other than emergency vehicles and service vehicles. So we met four times with adjacent property owners, we had a group of representatives from the neighborhood, on both sides and other stakeholders. And we developed a set of goals, some big ideas, some of them included the need to have a large canopy to differentiate the streets in the Pearl from a typical street. Capture the storm water, all of it, not just a sidewalk component, be an inviting street, for pets and bicyclists. Open to keep it open to motor vehicles as a two way street. Have a flexible design, is another big idea developed and be different and special from a typical street, as I mentioned and have a more organic park-like feel and provide opportunities for sitting down and contemplation. So that's the very basic. And this is what would be without the change, 12 to 13 foot sidewalks with trees called columnar trees. And the - what we're proposing is actually a set of three choices, three standards from which developers can choose one, depending on what they prefer, and they all work with one another. You can have a mix and match, if you will. Here's option A, which actually provides for on-street parking spaces and large canopy trees. That's what the standard looks like, this what it would look like with new trees and full tilt-out. You know, you can see the swells, you can see the large trees and you can see the combination of parking and other features. The option B would be in sort of four spaces, three spaces, and again with the large canopy trees and the swells and other amenities. And C is an option that has no parking, so about 19 feet straight of a sidewalk with a ample opportunity for swells and landscaping and large canopy trees and that would look like that. And a - that's what it would look like as a cross-section. And a - here's a combination, most likely we may get a combination, you know, some property owner in the north may choose option A in this case, and the person across the street may choose option C. And that's what it would look like, and they still are compatible with one another. And that's what it would look like as a cross-section. And again, as a performance criteria, it's basically between - we're recommending 13 to 19 feet wide sidewalks, large canopy trees, two to four benches, bicycle parking, special street lights, you can see up there, alumic Z15 I believe, storm water facilities. And then, so in summary, it creates a new signature street for the pearl district and the north pearl particularly, implements a long held vision for the street which began in 2003, addresses storm water management needs, and we've been working with bes on this very closely. Enhances the environment for pedestrians and cyclists, and offers design flexibility to adjacent property owners. That is as fast as I could go.

**Adams:** That was great.

**Leclerc:** Okay.

**Adams:** Questions from council? Comments from council? Has anyone signed up to testify? Oh. Well, please come up. Would you like to say anything more?

**Leclerc:** No, thank you.

**Adams:** Okay. Come on up. Our friends are back.

**Patricia Gardner:** Patricia gardner, I'm here on behalf of the Pearl District neighborhood association. And I just very briefly want to tell you that this is not just the pearl, this is also northwest district, they've been working on this as hard as we have for the last seven years. You have to understand we look at it one way; they look at it in a different way. They look at it as an important connection for northwest to the future field park which starts construction in march and ultimately to the willamette river. We look at it as an important connection to our local elementary school, which is chapman, and to Wallace park and ultimately to the hills, so it's going both directions there. And so we're just the start, and they've got their vision, and we've worked very hard to make it work together. So today is a culmination, and we are - we're inspired by some precedence that we have in our neighborhood which of course is the sliver park right next to the



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armory which has created a really wonderful space in a sea of urbanity. We have a lot of people who are going to be moving here, 11,000 North of Lovejoy. We kind of need those little heads of a break and we really need a safe route to school. The number of parents who have come up and just said, please, a place I can take my kids, I can walk them, I can take my bicycle and I don't have to worry about it, that is such a driver for us, that you need to understand that. And I just want to say, we have worked very diligently with all of the property owners to really come up with something that works for everybody, and we've been supported tremendously by the excellent staff at the bureau of transportation, they've just done a wonderful job. And what's great about this plan is it really leverages private investment. By getting this done today, we're going to be able to – it's not - it doesn't cost the city anything, but what we get back, as a city, is more than it can possibly be done, you know. And so it's just that - that opportunity to create a place with that connection between both public and private is really huge, and so that's why we've been pushing so hard to get it before you today. So please, please, please just vote for it. We would love it. Thank you.

**Leonard:** How is our jamison square loo?

**Gardner:** It's wonderful.

**Leonard:** Is it doing good?

**Gardner:** It's a complete success. It really is a complete success, and I will off record tell you what some people who were against it have said to me in – very success - very much a success.

**Leonard:** Patty was one of the main drivers of getting it so thank you for --

**Fish:** Patty, please don't enable this behavior. [laughter] We have to live with the consequences.

**Leonard:** It's really true, you are – that enables me.

**Adams:** No, I think it's so great, I'm a customer, I use it, yes.

**Gardner:** A lot of people are customers.

**Leonard:** That's great, perfect.

**Melanie Lane:** My name is Melanie Lane and I represent the ownership of 12th and pettygrove llc. And although we are not included in the ones who are currently doing development, we were brought in as a stakeholder to discuss some of these changes and to just get some of our ideas and input on this. And we really like the flexibility that this offers, the amendment changes would offer to us. So we're not really locked in to anything, obviously we don't know what we're developing, if we are going to develop anytime soon. So I just wanted to testify and state that – please pass this, it allows us the most flexibility for future development.

**Steve Fosler:** Good morning, I'm steve fosler, I am an architect in Portland 720 SW Ankeny. I'm not a property owner, but I represent a developer, property owner for two of the blocks that face pettygrove, and we have a 150-unit studio apartment project under construction on pettygrove between 14th and 15th, so we're eager for these standards to be adopted. We were not thrilled by the current standards as they applied to our project, because we viewed our project as activating the sidewalk and we needed more than 12 feet of sidewalk for the activities that we have. We are very strongly in favor of these amendments. My client also owns the property between 14th and 13th which has the office building that has ice breaker in it, so this - we would also do improvements at the same time so two blocks will be constructed this summer to these standards. We are very pleased with the process that has happened. All the property owners have been involved. We've actually been motivated and motivating and have worked closely with the neighborhood association, and I believe we've reached mutual goals very quickly. And also my compliments – my commendation to mauricio for holding this all together. It's been very difficult for him to approach all of the city bureaus that are involved; he's been very successful and very diligent. Without that, we would still have a plan and not a reality. Finally I want to mention that for our particular projects, we're going for option C which maximizes pedestrian width of the sidewalk and

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has no parking on our sides. That's a conscious choice by my client, and I want to reinforce that this is being chosen and encourage you to, if there's any pushback within certain bureaus about not having parking on a certain block face, that you're ok with that. We are ok with that, the neighborhood is ok with that and it's part of the standards. So again, thank you for this process and for adopting this. We are very excited to be constructing it within six months.

**Adams:** Wow.

**Fritz:** Which developers are you representing please?

**Fosler:** There - it's two entities. One is freedom center llc and the other is overton pearl llc. They have developed five or six small projects throughout the - that part of the neighborhood.

**Adams:** And it's the - you and I talked in passing one day, is it sort of the innovations in terms of your design for sometimes difficult sites to make pencil, is it along those lines?

**Fosler:** Yes, yes. This is 150 units on a ½ block. They're studio apartments. It's truly a bicycle oriented development. We have 175 bicycle parking spaces built into the project. There's no on-site parking. It's transit and bicycle and pedestrian dependent, oriented to students and downtown workers, entry-level workers.

**Adams:** Good work. Thank you. Not surprising from you, but still. Worth recognizing again, thank you. Unless there's anyone else that wishes to testify, can you please call the vote?

**Fritz:** Well, thank you all for your good work. It has indeed been seven years. And I was on the planning commission when we were discussing green streets with the NW district plan, and streets do cross neighborhoods and they provide the connections. And this one is going to be a very wonderful visual and experiential way of connecting the two neighborhoods. So, thank you for your work on it, I particularly appreciate that it provides options. And that the notation that it's - the investment of the city has been maurico's great work in putting together this plan. From now on it will be private investment and we'll actually be getting it built. And so it is a win win for the taxpayers as well as for the neighbors and the developers. Thank you very much. Aye.

**Fish:** I love the three standards. Thanks for the presentation. And Patty, thank you for mentioning the fields. We will be doing a ground breaking in march, and you've been a steadfast supporter and it will be the third great park in a sequence, and we hope we'll also continue to leverage development in that area, and I think it will be a great compliment for the family friendly housing that Ed McNamara put in a few blocks away. So thanks for your good work. Aye.

**Saltzman:** Great work. These are great design standards, and i'm glad to hear about some pending development. We appreciate that as well. Aye.

**Leonard:** If i'm not mistaken, I believe the fields has a loo plan for it as well, so we appreciate that. Thank you. [laughter] never stop selling.

**Adams:** You have to vote.

**Leonard:** Aye.

**Adams:** Oh ok. I want to, in addition to thanking the great participation of the stakeholders that testified, I want to thank the great staff team that I have the honor to work with. This is really fantastic, and I appreciate your relentlessness and trying to always improve upon our last best efforts. So thank you. Aye. So approved. That gets us to - that did the emergencies, right? Do we have anymore emergencies? No, ok. Then we'll go back to, can you please read the title for resolution item number 89?

**Item 89.**

**Adams:** Is there staff here to address this issue? Ok, I think I'm supposed to talk about this issue, aren't I? Which I'm behind on my talking points, ok. So the emerging vision from the Portland plan is to ensure that all Portlanders have access to high-quality education, jobs, safe neighborhoods, a healthy natural environment, efficient public transit, parks, green spaces, decent

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housing, affordable housing and healthy food, assuring equity and equal opportunity as a priority of the city of Portland and Multnomah county along with all the Portland plan partners, I wish - I think number about 27 in terms of local governments. We need reliable data to evaluate the affects, to sort of serve as a baseline for the work of the office of equity and human rights that Mayor – sorry, commissioner Fritz has been heading up. Gave you a promotion there, didn't I?

**Fritz:** No thank you.

**Adams:** Aha. So this is before council for your blessing and consideration to participate in this effort to take what we know are the strengths and weaknesses of the US census and to apply the known distortions that exist in a census collecting process of this nature. And we know there are undercounts and over counts, that can be statistically validated, but we want to validate them not on a nationalized basis but for our local set of data. And so this, along with my colleague chair Jeff Cogen is a baseline effort on which further work of the office of equity and human rights - but also will serve as the baseline for developing standards of success for all of our work will be judged. This is - we are not the first community to work on this. In New England, Boston has helped sort of lead the efforts on this. And I think it is in keeping and in faith to our efforts to make Portland truly prosperous for everyone, healthy for everyone, and equitable for everyone. So that's what's before you today.

**Fish:** So moved.

**Adams:** Alright. Anyone wish to testify? Karla, can you please call the vote?

**Fritz:** Well thank you, Mayor and your staff, for your work with this – on this, and particularly for the coalition of communities of color who have been pushing and working with us throughout the work on the creation of the office of equity and human rights. This is an early implementation item which is, as the mayor mentioned, citywide. It's wanting to be able to use this to get the correct data so that, when we're looking within all of the bureaus at benchmarks and at measurements, that we have an agreement on the numbers that we're using and recognizing that the numbers in the U.S. Census have some biases that we can correct locally. So greatly appreciate the mayor and his chief of staff, Warren and Kali Ladd, who have been taking the lead on this, working with the city's attorney's office and with the office of management and finance. And it is an example of how each of the commissioners and the mayor on the council needs to be involved in this equity work and thinking about things in a different way. Aye.

**Fish:** Last year I had the honor of co-chairing the complete count committee, with county commissioner Deborah Kafoury, and the goal was to make sure that we got a complete and honest count in connection with the census. And the reason we did that is that, first of all, there is a lot of money at stake. If you get the count right, a lot of the federal funding is based on formula, and population is a key component. So for every additional person that you count, there's a significant benefit economically to our community in federal funds. Second, we know historically that some groups are harder to count than others. And there have been – we know that with homeless individuals, we've historically undercounted, we know that with the Native American community there's been historic undercounts. And, you know, without good data, you can't really chart the course of how you're going to move forward. So we did our best. We fell a little short last year. Had our count been even more robust, we might have picked up an additional congressional district for Oregon, which would have given us more clout in Washington, but that's for another day. This work is very important. And I'm pleased that the office of equity, the mayor and commissioner Fritz, have made getting data a good cornerstone of the policy work to follow. Aye.

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

**Adams:** I want to thank commissioner Fritz for her continued efforts on this. I want to thank Kali Ladd and Lisa Libby in my office and the great team at the bureau of human relations, including

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Kathleen Saadat. Thanks for your help on this. Aye. So approved. Can you please read the title for resolution item number 90?

**Item 90.**

**Adams:** So basically I need more time, so I want till the end of february to get this done. I know that the first report sort of sets a precedence for reports to come, and I want to make sure that it's done well. So given everything else i'm working on, I need some additional time. Anyone signed up to testify?

**Moore-Love:** We have one person, dan handelman.

**Adams:** Mr. Handelman. Welcome back.

**Dan Handelman:** Thank you very much, mayor Adams. Good morning, mayor and commissioners. I'm dan handelman with Portland cop watch, but i'm going to be reading a letter that I sent to all of you yesterday. It's signed by Portland cop watch, the aclu of Oregon, martine gonzalez from the Portland school board, league of women voters, Portland JACL, Portland national lawyers guild and the Arab Muslim police advisory council. So, to the mayor and council and to the chief, in late april last year, the council adopted a resolution outlining its understanding of how the Portland police bureau will, in limited circumstances, cooperate with the fbi's joint terrorism task force. Part of that resolution declared the chief will present an annual report to council every year in january. The mayor has proposed a resolution giving the chief until the end of february to present the report. We, the signers of the letter, request the report be released in draft form at least two weeks prior to any formal presentation to city council to allow public input. We continue to urge the city to fulfill a promise of that part of the resolution to ensure transparency and to assure the people of Portland that our officers are in compliance with state and federal laws, regarding gathering information for legitimate criminal investigations. In addition to the five points outlined by the ACLU of Oregon, in their testimony at council and repeated in their june 24 letter, we request an update on the security clearance status of the mayor, chief, and officers or supervisors in the bureau who are working with the jtff. So these are the five points made by the acla that should be included in their report. Non-confidential details regarding the steps taken to ensure Portland police personnel comply with Oregon laws. And any requests, Portland police personnel made to the city attorney including the number of consultations, and types of issues raised and the action taken as a result of such consultations. The number of investigations, the types of investigations, and what stage Portland officers were asked to work with the fbi, the annual number of hours and officers participating, the number of briefings made by the fbi, to the chief of police and commissioner in charge. And then how often terror alert information was shared with city officials. In addition, the ACLU requested inn determining how well the resolution worked, the city should interview all Portland police personnel working with the fbi's joint terrorism task force to better understand any issues or problems that arose especially around compliance with Oregon laws. It is still a great concern to our organization that the city's resolution uses a vague legally meaningless status to allow Portland officers to work with the jtff, the so-called criminal nexus standard. Council heard from dozens of organizations and individuals, including their own human rights commission, about the concerns of the ppb working with the fbi. Yet past resolution which reawakened a relationship we understood was more or less terminated in 2005. In addition, it's not clear there's any meaningful civilian oversight and accountability for officers working with the JTTF. So if the bureau is re-engaging with the task force, the least the city needs to do is fulfill its promise of an annual report to the public.

**Adams:** Thank you. Anyone else wish to testify? All right. Karla, would you please call the vote on the resolution?

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**Fritz:** So thank you. I found that list of the things you'd like to see in the report helpful. Thank you for bringing that on behalf of the other organizations. And since it will be a report, I don't know that we'll be needing to adopt it at the first hearing, so I don't - I leave it to the mayor in terms of whether it's a drat report --

**Adams:** You can take your seat, sir.

**Fritz:** So I appreciate taking the time to get it right. I do ask about this in my monthly briefings with chief reese. I appreciate the fact that we now know what the jtff is doing, where as previously we didn't have as much information as we do now on what they're doing. So I appreciate the extra time, and I look forward to the report coming to council. Aye.

**Saltzman:** Well I'm fully in support of delaying the report and time to get it right, but I do want to point out that during our discussion and adoption of this resolution, I don't believe any member of council will endorse specifically the aclu request of what goes in the report, and in fact, I would probably – I think others would object to all this information being in an annual public report.

Aye. **Leonard:** Aye.

**Adams:** I want to thank Clay Neal and Amreet Sandhu for their work on this in my office. Aye. So approved. Can you please read the title for item number 93, which is a procurement report?

**Item 93.**

**Christine Moody, Bureau of Purchases:** Christine moody, procurement services. You have before you the procurement report recommending a contract award to the low bidder in the amount of \$6,283,657, which is 15% below the engineer's estimate. The city identified 18 divisions of work for subcontracting opportunities, resulting in \$2,384,728 awarded to subcontractors. Minority and women and emerging small business participation on this project at the bid time was 1.46%. The electrical and instrumentation portion of this project was in excess of \$2.1 million, of which there were no mwsb contractors available to do this work. This left about \$285,000 for other subcontracting opportunities. Since the bid opening, stellar j. has worked with us on finding additional opportunities for mwsb firms, and traffic control, concrete cutting, air quality monitoring, drywall, and metal studs and tile work, bringing the mwsb subcontracting participation at the first tier level up to 4.29%. Mark hutchinson from environmental services is here to answer any technical questions about the project and bob kinghorn from stellar j. is also in the audience. I'll turn this back over to council.

**Adams:** Alright, any discussion from council? This is a - anyone wish to testify on this matter? This is a procurement report and requires a motion to approve.

**Saltzman:** I move to approve the procurement report.

**Fritz:** Seconded.

**Adams:** It's been moved and seconded. Karla could you please call the vote on the motion to approve the procurement report, item number 93.

**Fritz:** Thank you, director moody, for your ongoing efforts to increase the minority, womens, emerging small business. It's still really low and I am looking forward to continuing to work with you on that challenge. I do appreciate the bid coming in under estimate. And it says with optimal confidence level, so I hope that that does indeed pan out. Aye.

**Saltzman:** I also appreciate the bid coming in under our estimate and also the \$6 million that will be unvested in our local economy to complete this project. Aye.

**Leonard:** Thank you. Aye.

**Adams:** Great work, thanks. Aye. [gavel pounded] So approved. And can you please read the title for – sorry, read the title and call the vote for second reading item number 95.

**Item 95.**

**Fritz:** Aye. **Saltzman:** Aye. **Leonard:** Aye.

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**Adams:** Thanks [inaudible] Aye. So approved. We are in recess until 3:00 p.m. tomorrow, Thursday – at 3:00 p.m.

At 11:53 a.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 and should not be considered a verbatim transcript.

Key: \*\*\*\*\* means unidentified speaker.

**JANUARY 26, 2012 3:00 PM**

[gavel pounded]

**Adams:** So, today is thursday, january 26th. 2012. It is 3:00 p.m. And the city council will come to order to consider two items. Good afternoon, Karla. How are you?

**Moore-Love:** I'm fine.

**Adams:** Good. Can you please call the roll. [roll call]

**Adams:** And just to confirm the participation of commissioner randy Leonard, randy Leonard has a prior conflicting scheduling item, and wishes to participate via - or telephonically. We believe that it is in the best interest of the health and safety of the city that he do so, and so under local law I want to provide anyone an opportunity to object to commissioner Leonard's participation telephonically. Hearing no objections, he will participate and we shall proceed. Can you please read the title for item number 96.

**Item 96.**

**Adams:** And to get us started we'll hear initial instructions from our legal counsel, Kathryn Beaumont.

**Kathryn Beaumont, Chief Deputy City Attorney:** Mayor Adams, I might suggest that it's appropriate to read item 97 as well. Because it would be -- if the council agrees with the hearings Officer, it would be the ordinance to implement that. You'll need to vote on them separately, but they all concern the same item.

**Adams:** Great. Thank you for that. Can you please read the language for ordinance number 97, which is an emergency ordinance.

**Item 97.**

**Adams:** Now we'll hear from our legal counsel, Kathryn Beaumont.

**Beaumont:** Good afternoon. Before we begin the hearing, I have several announcements I need to make about the type of hearing we're holding today. I have several announcements I need to make about the type of hearing we're holding today, the order of testimony, and guidelines for presenting testimony. First, this is an evidentiary hearing. This means you may submit new evidence to the council in support of your argument. Second, in terms of the order of testimony, the council will hear testimony concerning the hearings officer's recommendation as follows -- first, the council will hear -- begin with a staff report for approximately 10 minutes. Following the staff report, the council will hear from interested persons in the following order -- the applicant will go first and will have 10 minutes to address the council. After the applicant, the council will hear from individuals or organizations who support the applicant's proposal. Each person will have three minutes to speak. Next, the council will hear from persons or organizations who oppose the applicant's proposal. Again, each person will have three minutes. If there was testimony in opposition to the applicant's proposal, the applicant will have five additional minutes to rebut testimony given in opposition to the proposal. The council may then close the hearing and deliberate. The council may vote today on the hearings officer's recommendation. If this vote is a tentative vote the council will set a future date for the adoption of findings and a final vote on the

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recommendation. If the council takes a final vote on the findings and recommendation today, that will conclude the matter before the council. And again, there would be two pieces that would implement this decision, the findings and an ordinance. In terms of guidelines for presenting testimony, first, any letters or documents you wish to become part of the record should be given to the council clerk after you testify. Similarly, the original or a copy of any slides, photographs, drawings, maps, videos, or other items you show to the council during your testimony including power point presentations, should be given to the council clerk to make sure they become part of the record. Second, any testimony, arguments, and evidence you present must be directed toward the applicable approval criteria for this land use review or other criteria in the cities comprehensive plan or in the zoning code that you believe apply to the decision. Bds staff will identify the applicable approval criteria as part of their staff report to the council. Third, you must raise an issue clearly enough to get the council and the parties an opportunity to respond to the issue. If you don't, you'll be precluded from appealing to the land use board of appeals based on that issue. And finally, if the applicant fails to raise constitutional or other issues relating to proposed conditions of approval, with enough specificity to allow the council to respond, the applicant will be precluded from bringing an action for damages in circuit court to challenge the conditions of approval. And that concludes the opening statements I need to make.

**Adams:** All right, thank you. Do any members of the council wish to declare a conflict of interest? I'm a customer of safeway from time to time, and i'm in their loyalty program, with their card, but I don't shop at this site on a regular basis and i've not talked to anyone in safeway or any of their consultants about this issue.

**Fritz:** In the interest of full disclosure, I do shop at this particular safeway, however I have not had any conversations about it and I don't have any ties that would constitute a conflict a conflict of interest.

**Adams:** Does anyone wish to challenge anyone on our descriptions of potential or perceived conflicts of interest? Or ask any questions of us? Alright, does council have any ex parte contacts to declare? Hearing none, are there any other matters that need to be discussed before we begin this hearing? And this question is directed to city council or the council -- city attorney or council clerk. Hearing none, we'll begin with staff presentation. Hi, welcome back.

**Sheila Frugoli, Bureau of Development Services:** Good afternoon. I'm sheila, the assigned city planner. Today I will be presenting the hearings officer's recommendation for this land use review. Before I begin, I need to note that I submitted a memo to city council that flags two omissions in the hearings officer's report. The hearings officer has requested the corrections be incorporated into the final decision. I will identify the corrections later in my presentation. Also please note that staff from the bureau of environmental services as well as the bureau of transportation are in attendance and available to answer questions. Before you today is a request to change the comprehensive plan map and zoning map designation on two lots, when combined encompass approximately 20,000 square feet. The applicant, safeway incorporated, is requesting a change from r1 multi-dwelling residential 1000 to c.g. General commercial. The existing store is located at the Northwest corner of southwest capitol hill road and southwest barbur boulevard. With commercial zoning on the two lots, safeway intends to replace the existing store with a significantly larger full-service grocery store. Safeway has submitted preliminary plans that identify public right of way improvements, on-site improvements including landscaping in a 62,925-square-foot building. The building includes structured parking. The applicant is requesting concurrently, an adjustment to the commercial zone minimum landscaping standard. This standard requires at least 15% of the site be landscaped. The applicant is requesting to reduce that standard from 15 to 14.4%. And then lastly, to fulfill the no-net housing loss policy, the applicant intends to



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submit a covenant to ensure retention of 20 units of housing that are located off site on a site that is commercially zoned. Here we see the applicant submitted survey, west of the existing store are the two lots that are proposed for the map change. The lots are identified as tax lots 4301 and 4302. Here we see the current zoning map. The two lots as well as the abutting lots to the west are within the r1 zone. The r1 zone allows one dwelling unit per 1,000 square feet of site area. West of the safeway ownership, there is a large site that is zoned r1 but is developed with a nonresidential use. Centurylink, formerly qwest, operates its telecommunications facility on this 7 acre site. Immediately north of this facility is the west hills christian school, this school site is zoned r7, a single dwelling residential zone. Most of the properties immediately north of safeway are zoned r2. The r2 zone is another multi-dwelling zone. And then further north the area is zoned r2.5, r5, and r7, all of which are single dwelling residential zones. In this area, all of the properties that front barbur boulevard are zoned c.g. general commercial. The c.g. zone allows retail, office, and residential uses. Here we see the proposed map change. The aerial photo before you identifies the adjacent uses. Outlined in blue are the two lots that are proposed for the map change. We see the nearby large sites that are developed with nonresidential uses. These uses serve as a transition between the commercial development on southwest barbur and then the residential development farther to the north. If approved, the large apartment complex immediately west of the safeway property will be surrounded by nonresidential uses. The applicant submitted site plan illustrates the proposed landscaped areas. This shows the outline of the proposed new building. Most of the parking will be under the structure. However, a surface parking area with 21 parking spaces will be constructed at the east tip of the site. Here we see the proposed North and East elevation drawings of the new store. It will have two levels, the scale of the building will be reduced through the use of windows, entries and openings and different wall heights and wall articulation. I must note that the hearings officer did not review this specific development plan except for the site improvements that relate to the landscaping adjustment. The comprehensive plan and zoning map amendment reviews do not require analysis and approval of a specific design or development type. Based upon review and feedback from the Portland bureau of transportation and the Oregon department of transportation, the applicant developed a plan that includes right of way dedications and improvements that satisfy the approval criteria. I need to note that southwest barbur, including the approach ramp onto southwest Multnomah boulevard, is a state highway and is therefore under the authority of odot. Later in this hearing pbot staff and the applicant will describe in detail these proposed improvements that you see identified on this plan. The approval criteria for this review are found under zoning code sections 33.810.050, 33.855.050, and 33.805.040 a-f. The hearings officer received testimony from four interested persons as well as the southwest neighbors' coalition. The concerns are listed on this slide. The hearings officer stated in his report that the testimony was constructive, although concerns were raised he notes in his report that no one sought to identify or argue reasons for denying this application. The hearings officer found with conditions, the approval criteria for the reviews are met. Many of the recommended conditions with one exception responds to the testimony of concerned neighbors. This one exception is that the hearings officer does not agree that a bicycle lane, which would require additional right of way dedication, should be required. The hearings officer relied on the policy and service analysis of pbot staff following my presentation pbot staff wishes to speak to this issue. The hearings officer recommends approval with conditions that will require a recorded covenant to protect 20 residential units, a condition that will require the three safeway lots be consolidated into one lot, further a condition will require surveillance cameras for enhanced security at the back of the store. And speed bumps or traffic calming devises must be installed at the back of the store to discourage cut-through traffic. The right of way dedications and improvements must be completed and if odot

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gives permission, the applicant must install a crosswalk on Multnomah boulevard. Lastly, as explained in my memo, the hearings officer's report inadvertently left out a recommended condition. The hearings officer asked that condition I be included. This condition requires safeway trucks to use only designated truck access streets. Further, the hearings officer recommends with conditions approval of the requested landscaping adjustments. Now I will quickly show a few photos of the site and surrounding area. This is the existing house on tax lot 4301. It's oriented towards capitol hill road. Obviously this house will be removed for the construction of the new store. And then here we see on the opposite side, or back of that site, is tax lot 4302, which fronts Multnomah boulevard. The lot is vacant, and you can see the back of the existing safeway store on the right-hand side of the photo. Here we see the existing safeway store. The store faces east and a setback from the intersection of barbur and capitol hill road. In the foreground you see the large surface parking lot. And then here we see part of the intersection at capitol hill road and barbur. This intersection has signalized crosswalks. On barber there's a bus stop with a shelter and a bench, and it's adjacent to the safeway parking lot. The applicant intends to construct a new tri-met bus pullout along this stretch of barbur. The one-way westbound approach off barbur onto Multnomah boulevard defines the southern edge of the site. Here we see the large apartment complex located west of tax lot 4302. This home abuts tax lot 4301. And then directly across the street on southwest capitol hill road, there are more single dwelling residences. Also on the north side of capitol hill road directly across from the safeway parking lot, we see exterior storage associated with the barbur boulevard rental business. This concludes my presentation. But as I mentioned earlier, pbot staff would like a few minutes to discuss the required transportation improvements and discuss the reasons for not requiring the bicycle lane on capitol hill road.

**Adams:** Mr. Krueger, how are you?

**Kurt Krueger, Bureau of Transportation:** Mayor Adams, good afternoon, city council. Kurt kruger with the office of transportation. It's my pleasure to be here today to describe some of the transportation improvements that we're going to see with the approval and then ultimately the development of this project. This is a project that has been in the works for probably close to two years, and many hours of discussion with staff and the applicant. And I must commend the applicant, who's been extremely cooperative dealing with a number of significant issues. And not once questioning any of the requirements that we've placed on this, and they've been rather extensive. I'll walk through them very quickly and then just touch on the bicycle issue. We brought a number of odot staff out to this issue because we share joint jurisdictions around this property, and changes that we wanted to make to make biking and walking along barbur and Multnomah took quite a bit of effort to put different policy issues aside and come together on consensus on these improvements. So as sheila mentioned we're seeing tri-met improvement, a bus shelter improvement along barbur, the cursor can illustrate that at this location here. Currently there is no striped bike lane, this is kind of a bike rider's no man's land going uphill, which is an unsafe situation that we really worked hard to correct. So we're giving a striped bike lane designation and narrowing the Multnomah ramp here, to help bring some of the vehicle speeds down and make this a better pedestrian experience and working with odot to shorten this crossing across Multnomah on barbur here. Again, the applicant is going to be required to dedicate and improve sidewalks along capitol hill road. It's important to note that the improvements, on both capitol, and Barbur and Multnomah, are going to consist of 5 or 6 feet of dedication along each of those frontage to get the widened sidewalks and street tree furniture that we're looking for. Very significant to note, there are two driveways along barbur boulevard that we told the applicant would no longer be allowed to remain. For a retail customer with driveway access on a major

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street like barbur, this was a very significant issue and a significant loss for them, at not one point in our conversation did they question that. They understood that that was a significant issue that we wanted to avoid. There's a lot of pedestrian vehicle conflicts that exist at that location. We're making some significant improvements to the signalization at barbur and capitol hill, which will improve operations for vehicles, and we're shortening the crossing of the very busy tri-met crossing across Barbur and shortening that by a few feet and allowing pedestrians to cross barbur across a shorter distance. I know you will hear testimony today related to the bike issue that was brought up at the hearings officer level. There's essentially three significant issues that we wrestled with repeatedly and there was a lot of consultation with our city attorneys on the additional right of way that would be required to put in a bike lane. There's two legal tests that we would have to pass that the supreme court has given us. I won't go into those extensively unless we need to later in the hearing. But essentially we have to have a nexus, we felt that we are not in the best position to answer the nexus test given that at the current time our transportation system plan identifies capitol hill as a local service bikeway. To ask for a striped bike lane in a higher designation, we don't have that in our current tsp. It is in the new bike plan that has not been adopted at this time, and we cannot change the goalposts on the applicant after their application has been submitted. If we had been able to answer the nexus test positively we would have had them move to the dolan test, and that's a rough proportionality of the impacts they're putting into the transportation system versus the amount of property that we're exacting from them. We have run numbers and feel very confident that there's a good balance being reached for the widened sidewalks when we're looking at picking up the existing curb and moving that back five feet for the bike lane, that additional right of way in addition to the needed treatment for the storm water that's added to the system because of the additional impervious area, we start having to ask for 10, 11, 12 feet of additional property from safeway and that's where we run into trouble meeting the rough proportionality test. And finally, we spent many hours meeting with our city traffic engineer evaluating, even if we could find a way to get a bike lane here, there exists significant operating concerns because at this time there is no striped bike lane on capitol hill. And if bike riders were then to come around the corner and be placed into a bike lane, we would be then pushing them over two lanes into the predominant movement would be inbound on barbur that would be a left turn at capitol hill, or across Barbur. So we would move bicyclists into their own lane and then force them rather quickly to move over two lanes of traffic to then make a left turn. That may not be much of a problem if we had a designated bike lane for a much longer corridor. That's probably about as much information I want to put on the record right now. I'm available for more questions if we need to go into more detail.

**Fritz:** Can you just tell me, how do you get into the upper parking lot off of capitol hill road?

**Krueger:** So you would -- if you're on barbur you'd take either a left or right to go northbound on capitol hill, and there's a -- we're extending a left turn lane that would allow a vehicle operator to enter the left turn and then wait for a left turn opportunity to turn in to the first parking area.

**Fritz:** Ok and then if i'm going west on barbur, I get into the underground parking off of the ramp to Multnomah?

**Krueger:** That's correct.

**Fritz:** Can I get back onto capitol hill road?

**Krueger:** Yes, you can get back on Capitol Hill road. And then come back through the intersection to come back onto barbur, correct.

**Fritz:** Thank you.

**Saltzman:** Actually, that was kind of my question, so-

**Krueger:** Ok, thank you.

**Adams:** Unless there's additional council discussion, we'll hear from the appellant.

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**Saltzman:** I did have a question of Sheila, I guess.

**Frugoli:** Yes.

**Saltzman:** So the covenant to preserve 20 units of housing, is this units of housing that safeway owns somewhere, or wants to purchase?

**Frugoli:** No. They -- I believe enter into -- entered into a separate agreement with another owner to impose that covenant on another housing development that's commercially zoned elsewhere.

**Saltzman:** And that will be imposed prior to building permit issuance?

**Frugoli:** Yes. One of the conditions will require that the covenant be recorded and that submittal of the recording is given to staff to verify, and we actually will require that before we change the map, the zoning maps. So they'll have to document that.

**Saltzman:** Ok thanks.

**Adams:** Alright, we'll now hear from the appellant. Sorry, applicant. Welcome, welcome back for many of you.

**Mark Whitlow:** Thank you.

**Adams:** Would you like to begin?

**Whitlow:** Mr. Mayor, members of the council, good afternoon and my name is mark Whitlow, a land use attorney with the Portland office of perkins coie 1120 NW Couch street, 10<sup>th</sup> floor Portland, 97209. We're very pleased to be in front of you today. I'm here on behalf of safeway, the applicant; I would reserve my testimony for rebuttal if we need to. I want to introduce our presenters but I want to first ask for a block of 15 minutes if we could. Instead of 10, and two threes for supporters if we could just have one block and present seamlessly, we may not even take it all, but --

**Adams:** Unless there are objections, we'll offer that as well to the other side. Yes.

**Whitlow:** Thank you very much. So for -- well before I do introduce our witnesses, I really do want to thank the planning staff. Sheila Frugoli and her people at bds, bes, pbot, all the city agencies and mr. Kruger was absolutely correct, we've worked for over a year and a half very closely with all those staff people, and that's allowed us today to come to you with a great project and it's I think any time you see an urban infill redevelopment of this magnitude that only needs one very minor adjustment to the development standards, that speaks for itself. They've done a great job, couldn't have done it without your staff. And we really do appreciate the cooperative spirit that they've evidenced with us. And so back to our team, first of all bill jackson, the state development director for safeway, at my far right, will lead off the presentation followed by chris brehmer, principal at kittelson and associates, our traffic consultant, followed by -- on my left, eric hovee, principal with E.D. Hovee and company, our economic development consultant. So without further ado, bill?

**Bill Jackson:** Ok. Bill jackson, safeway. 16300 southeast evelyn street, clackamas, Oregon. 97015. Good afternoon, my name is bill jackson, I'm the store development director for the safeway's Portland division, which covers all of Oregon and southwest Washington. I'm speaking today to ask you for your support and approval of this project that was recommended for approval by the hearings officer in october. This project meets and fosters goal five, the economic development, and it's underlying policies of urban revitalization and business development. We will create construction jobs, retail jobs, and generate new additional tax revenue by redeveloping an outdated store in an urban location. Safeway has a long and deep commitment to Portland. Safeway's first stores in Portland date back to the 1920s. Many stores have been operating at their location for years. Recently we've been reinvesting in those properties with new developments. We upgraded, replaced on-site, or added stores at lloyd center, 39th and powell, museum place, st. Johns, the pearl at lovejoy, martin luther king, 27th and hawthorne, which is a store currently under

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construction, and now this proposal, which will continue our investment in the city. Since the store sites are small, we've been innovative in trying new denser more compact development with decked parking at Lloyd Center, understore parking at 39th and Powell, Museum Place, and Hawthorne, and roof parking at the Pearl Store. Today's proposal will be another innovation for us, a podium store that will revitalize this site. A podium store maximizes the use of the site by allowing parking on the ground floor level and the second floor for the grocery store. Safeway's continued presence in Portland has conferred other benefits to the city. Safeway's paid real estate taxes last year which the city's portion was \$700,000 invested \$80 million to build four new stores and six remodels in Portland in the last seven years, employs 1,500 people in the city, and makes a very significant charitable contribution. Customers and employees raised nearly \$5 million during the annual October Breast Cancer Awareness Month since 2007. 100% went to the Portland Providence Cancer Center and the Knight Cancer Institute at OHSU. Safeway gave 1 million pounds of food last year to the Portland Sunshine Division. I could go on about the additional donations given that helped the Oregon Food Bank, local charities, prostate cancer awareness, muscular dystrophy and people with disabilities. Today's project will continue the investment in Portland by replacing a store that opened 44 years ago and by allowing this business location to be reinvigorated and not subject to continued erosion of opportunity. Safeway will invest \$20 million in this project, hire 150 additional employees, increase the tax assessed value and create numerous construction jobs. So I ask for your support and approval today to allow Safeway to continue to invest and update its store on Barbur Boulevard to serve the surrounding neighborhoods. Chris Brehmer will now continue our presentation.

**Chris Brehmer:** Good afternoon Mayor, members of the Council. My name is Chris Brehmer, I'm a principal engineer with Kittelson and Associates. What I wanted to briefly -- oh 610 let me get my address 610 --

**Fritz:** You don't have to.

**Brehmer:** Don't need it, ok. What I wanted to do was briefly highlight some of the transportation issues and the solutions we've come up with. Mr. Kruger already took the highlights of all this, so I'm going to kind of zoom in on the map you looked at. I just want to give you a quick overview. This project is a uniquely constrained site, a lot of challenges, and we did have a very cooperative effort working with the agencies, PBOT, ODOT and Tri-Met as well as the neighborhood where a lot of iterations back and forth and I think at the end of the day have come to a really good solution. I'm going to highlight some of the constraints we're working with today and some of the challenges. We have four existing driveways on Capitol Hill Road, the two on Barbur Boulevard that Mr. Kruger mentioned, that we're closing, which trying to convince your commercial retail client to close their driveways on the highest volume road is not an easy thing. But we did work through that and I think it's going to be a good move forward for everyone. Got a Multnomah Boulevard ramp driveway that we're closing as well as a really long truck loading driveway. In addition to those challenges, we do have the Tri-Met mid block bus stop today. That vehicle ends up stopping in what amounts to, kind of a half shared right turn lane, really no dedicated place for it to go, but once it pulls out it has to merge back into the through traffic on Barbur which can be difficult to do when the road is busy. We have right turns trying to get around the bus to the ramp, and then as Mr. Kruger mentioned, the poor bicyclists trying to get up the middle between the buses and the right turns. There is several places where we have sidewalk facilities that are missing today, and a challenge just trying to get people across that Multnomah ramp drive - connection. In addition, the traffic signal as you can see in this drawing, and if you've been out there, the turn lanes on Barbur Boulevard are pretty short and there's really no place to extend them because of the bridge to the south and topographic challenges to the north. So with all those things in mind, we have worked

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together on this package and what i'm going to is zoom in on the map that you were all trying to look at before, and just highlight looking specifically at the ramp area where we go down to barbur boulevard, we're now providing a bicycle lane all the way up to barbur to the ramp. We are reconstructing the ramp area, putting in a curb extension which will shorten that pedestrian crossing distance, and reduce speeds down the ramp which is a goal the neighborhood was looking for. The new 11-foot sidewalks will be providing - ultimately giving us a more pedestrian friendly bicycle friendly facility that should reduce speeds along that segment of the frontage as well. On barbur boulevard, as mr. Kruger mentioned, we are reconstructing the corner which is allowing to us straighten out the crosswalk and get that pedestrian crossing time down. We're moving the tri-met bus stop to its own designated area and getting it closer to the signal which from a tri-met perspective helps us in that they've been experiencing mid block crossings where people don't wait for the signal they run for the bus and try to cross barbur at its widest point. So this gets the pedestrians back to the signal. Again, the new wider sidewalks, that place for the bicycles to have a designated place to go down the road, and then we're make something traffic signal upgrades that will allow those left turns to turn more frequently so that we don't have them backing up out on barbur itself. By closing the driveways, getting the truck loading moved around, adding signal capacity, we're really cleaning this area up reducing a lot of the weaving and friction that happens there. The frontage improvements themselves exceed what was called for in the previously identified barbur street plan, and again, really serve all modes of transportation. I'm going to close out on capitol hill road. We are completing frontage improvements along Capitol Hill road which will allow us to stripe in a center left turn lane. You can see there the main driveway into the facility that was asked about earlier, this gives you a refuge to get in and out of there. Wider sidewalks along the frontage, relocate the speed bump hump that's out there, and provide shared lane markings so that we can get those bicycles through there. Setting things up for future widening to the north and potential if the city chooses to provide bicycle lanes. We think this - at the end of the day it really provides a much more friendly environment all around and enhances the system setting up for future improvements as the city and state continue on their way. With that I will conclude my testimony.

**Eric Hovee:** Good afternoon my name is Eric hovee, I'm an economic and development consultant and was asked by the applicant to address the consistency of safeway's proposal for a comprehensive plan and zoning amendment with the housing policy objectives of the city's adopted comprehensive plan and also the southwest community plan. Our letter of september 7th, 2011, which is included as an exhibit, and referenced by the report and recommendation of the hearing's examiner provides four primary observations as to the housing benefits that are associated with this proposal, and I'll just briefly summarize them. First, our analysis indicates that Portland's southwest community is currently underserved with grocery store services. That is a need that can be better addressed by an expanded contemporary safeway store with improved specialty grocery departments such as expanded produce, deli, meat, bakery, floral, card shop, wine, coffee and pharmacy as well as basic grocery goods. Second, this proposal fits with the market observation and the public policy objectives that include Portland plan objectives for 20-minute neighborhoods that recognize grocery services as a vital enhancement to residential property value, together with Neighborhood stabilization and opportunity to develop diverse new housing. There's been considerable work done on this subject both by the city and by metro and by others including some of my compatriot economic consultants. Third while direct mitigation of housing the 20 units that have been described will be provided elsewhere off site, an inventory that we have conducted indicates that there's also clear opportunity within the one quarter mile of the immediate vicinity of the site for added housing development consistent with the comprehensive plan as well as policies

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and objectives of the southwest community plan. And fourth and finally, the applicant's proposal is important to maintain and enhance the critical day-to-day urban amenity that grocery can offer to meet the city's policy objectives of balanced communities, housing diversity and neighborhood stability. I note that BDS staff has similarly concluded that modernizing the Safeway store despite the loss of two residentially zoned lots will encourage upgrading of existing housing and development of new housing within walking distance of the store. I think I've concluded a bit ahead of time. I appreciate the opportunity to offer these summary comments and pass the mic back to Mr. Whitlow.

**Whitlow:** Mr. Mayor, council members, my only other remarks would be that of course we have the favorable recommendation from the hearings officer with proposed findings and conditions, we find those acceptable. We've worked through the language including the ones that planning staff mentioned that had been omitted that are now added back on and so we've gone over all of that language and we're comfortable with it and we would accept those recommended conditions. We have passed out to you 8½ by 11 copies of the story boards, the renderings, just so you can look at those, but they are in the record. And that concludes our presentation. Thank you.

**Fritz:** How many parking spaces are there now and how many will there be in the new store?

**Bill Jackson:** At the new store we'll have, I believe it's 131. And the current store, I'm not sure, but I think it's probably about 140.

**Fritz:** So it's going to be a bigger store, but this -- I'm wondering if that's going to be enough parking?

**Jackson:** We were concerned about that also. And a - we felt that due to the closeness to downtown, the -- it's not real urban, but it's more urban than other places, and was one of the concerns we had with why we were asking for the adjustment on the landscaping because we really felt we were at the minimum number of parking stalls that we felt we could use. Just as an aside, I think the Fred Meyer has more parking, but it may not be as convenient as our parking will be. So we're kind of hoping that even though we have fewer numbers, they'll be more convenient, therefore easier for customers to use.

**Fritz:** Oh, I think it will be well used. And thank you for that explanation. Mr. Jackson, do you know, these developments in other places, is a year and a half a long time to be negotiating on getting from the beginning to now?

**Jackson:** This particular project on this particular site has been a very difficult project to come with solutions to all of the challenges that it's presented. It's a triangular piece of property, it's small in size, it required acquiring two pieces of property without the assurance we would get them rezoned. The plan is something that Safeway's come up with just recently, which is the podium store. Before that we really didn't have that option, so we struggled with underground parking, we struggled with rooftop parking but when the site's so small, and when we have certain limitations on the grade that a person is willing to drive up on the steepness of the access points, we felt that we just could not figure out how to get people onto the roof or under the store safely. When the podium project came along, everybody kind of just said, well that looks like it could work. And as it turned out, you know, it fit. Then all the rest of it needed to be done, Pbot, odot, which is complicated in itself. The landscaping, and meeting all of the codes which was a goal we had was to try to have a project that met all codes, to try to minimize the amount of time, the number of hearings that we would need to go through. So we worked very hard to meet all codes and I think we were very successful in bringing forth a project for presentation to the city that met our needs and I hope would be perceived as meeting the city's also.

**Fritz:** Thank you. And that is impressive that you've managed to fit everything in with just a very small adjustment. And you noted that the staff has been helpful in puzzling all this through.

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**Whitlow:** Extremely helpful, commissioner.

**Fritz:** Thank you.

**Whitlow:** Thank you.

**Adams:** Alright. Thank you very much.

**Whitlow:** Thank you.

**Adams:** We'll now hear from supporters of the appeal – applicant, sorry. Supporters of the applicant, has anyone signed up?

**Moore:** Sorry, no one else sign the up.

**Adams:** Does anyone wish to testify in support of the applicant? Alright, if not, opponents of the application? Same amount of time?

**Moore:** I have these as public testifiers. Two people. There's no principle opponent.

**Adams:** Bring them on up.

**Adams:** Hi, welcome back.

**Don Baack:** Thank you, commissioner, Mayor --

**Adams:** So how much time do I give them? Like 40 minutes or something? [laughter] he'll fill it up if I let him.

**Baack:** No, I won't.

**Beaumont:** If these are the only two opponents you have testifying, perhaps you could grant them together 15 minutes to testify.

**Adams:** 15 minutes together.

**Baack:** That's fine, great. Mayor Adams, commissioners, it's a pleasure being here. On behalf of Hillsdale neighborhood, I signed up because it was a shorter list on this side. So I'm not really opposed to the project, I am opposed to some of the details of the transportation. I'm sure I speak for the residents of hillsdale, which is the neighborhood across the street from this application, that we are very supportive of having a new safeway store. The safeway people have been really excellent to work with, and I really commend them, and they're putting in a drinking fountain which has been one of my things to do in hillsdale and this will be the sixth one I think we put in, so this is fantastic. So we strongly support this application on its merits, but the transportation side on capitol hill road is of concern. And I understand fully the legal complications of this, so I want to suggest a nonstandard thing. And I'm pretty well known for that anyway, so you won't be surprised. If we took eight inches out of the three travel lanes we get two feet. We take two feet and add it to the sidewalk, we end up with a much wider -- a wider sidewalk and it would put in a european style cycle track so bikes can go down the sidewalk. And have a place to be rather than having to stack up in traffic. Now I anticipate the traffic coming out of this store will line up to the exit to the store. It lines up now a long distance. So I think it will be a lot worse particularly during rush hour. So to expect bikes to dilly-dally behind cars and the stopping and going you get with that kind of thing, I think would be very dangerous. And so, lacking the ability to put in a bicycle lane, I think the city taking two feet of their property and narrowing up the travel lanes would be a reasonable way of doing this. And then we'd end up with, you know, some way we can have the bikes -- on the sidewalk. Now at the intersection I propose a bike box, a green, you know, bike box we've got all over the city, where the bikes, if they're going to make a left turn, they've got a freeway to get to that by - at the signal because the bike box will give them access to that, coming off the sidewalk then going to the bike box and then making a left turn. Now there are three schools immediately adjacent to this store. On the south we have capitol hill school, and we have saint claire's, both, you know, major elementary schools. And then we have an elementary school immediately to the north and west of this on capitol hill road. And so that is really important that we encourage more bike and ped connections to these schools, which we really have very little of



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right now. Southwest 19th is on one of the sidewalk improvement projects, and it's going forward at this point in time, so southwest 19th is going to be improved and we will be much easier to get bikes and peds on that. So -- and i'm told by the owner of the property across, kitty corner and across the street, that they're looking at improving their property within four years, which would make this a very attractive place. Furthermore, if we do have any kind a rapid transportation, this is a very logical place since the bridge across the freeway is a key access to the south for a major facility for rapid transit. So in summary, this is really important. And that is -- this is not first place we're going to have this immediately same problem. We've got same thing coming up at walgreens, which will be the installed at the new walgreens at capitol hill -- I'm sorry, at capitol highway and barbur, on the South connection of Capitol highway, where is now the, you know, the sex paraphernalia stores, which is going out of business. And when that's done we have the immediate problem, the same problem we've got there, where we've got narrow lanes and we're going to expect people to cross. So let's set the precedent, let's do some things immediately and in the future we get the ability to change some things, getting more dedications, we can modify them, but let's do it now. And I don't see that as a very expensive thing for the city to build two feet of extra sidewalk. Or maybe we'd even get Safeway to help out with that, I'm not making that part of the request, that's to be negotiated. And finally on one other point that i'd like to make, and that is on the bicycle connection going down barbur, since we've got this major slip lane of cars coming, I would recommend that we request of the - that you recommend -- that you ask odot to green stripe that -- put green -- not green stripe it but paint it green. They have told us that they're going to do that at capitol highway on the north, where we've got connecting to Capitol Highway going to hillsdale, and to ask them to do it in this location, I think would be equally important. It's the same general kind of situation. And then that would make the pedestrian crossing also much more visible to people. So those are the two major things that I recommend you do. Thank you. Any questions?

**Saltzman:** What are you asking to be painted green?

**Baack:** On barbur boulevard, where the -- two places, on barbur boulevard where Multnomah boulevard peels off to the right, paint that bicycle connection that goes south, or continues on barbur, green. So it's very clear, you know, florescent green, it really shows up well, if we keep it painted.

**Adams:** Yeah, he doesn't mean literally paint -- he means the bike box green.

**Saltzman:** Ok.

**Baack:** Well the bike box green too. But the crossing, the other one would be a bike box -- but the one that I want to see painted green is the bicycle connection that goes across basically Multnomah boulevard as it exits from barbur.

**Adams:** What color green?

**Saltzman:** Bike box green.

**Baack:** I'll take any color I can get, thank you.

**Fritz:** So just to make sure I understand, you're concerned about cyclists going on -- that are starting on capitol hill road and wanting to be make a left onto barbur?

**Baack:** Actually I think they'll be going south. You know, the ones going left on barbur will probably take off -- well that may be, yes, they'll be going left on barbur to go to town. I was wrong; I was thinking they'd be going right. They'd be going left on Barbur, and so if you give them a chance to get on the sidewalk, then we've got to get them off the sidewalk if we have a bike box, then they could get in front of the traffic and then turn left. And there's a left turn signal there.

**Fritz:** Right because the ones turning to go west on barbur presumably could cut through the parking -- the upper parking lot, and probably would.

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**Baack:** Well, they end up on Multnomah boulevard if they cut through the parking lot, they don't

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**Fritz:** The top one, this one.

**Baack:** I don't think they can cut through that. Maybe they can, you know. I don't know. I don't know enough about the details of their plan. That's a possibility.

**Fritz:** Thank you for your suggestions.

**Baack:** But the other thought that I want to make is, that having the people be able to make a right turn then, a bike box there, keeps people from making a right turn and we have a lot of pedestrian conflicts crossing barbur and people trying to make a right turn. It's a very dangerous intersection now, it will be worse with more traffic.

**Fritz:** Thank you.

**Adams:** Sir.

**Keith Liden:** Ok my name is keith liden, I live at 4021 southwest 36th place in Portland. You folks should have a little two-page thing. Some of the questions and issues I raised here have been answered by the staff and its report. I'm still - remain concerned though that we have what i'm calling a planned policy and implementation disconnect. I still don't feel that some of our plans that are in place, the tsp, the Portland bicycle master plan, we're not following it completely in the review and analysis of this. I don't have any objections to the safeway proposal, and after writing two letters and participating in the hearings officer decision, I don't think i'm going to be changing the trajectory of this land use decision. But I am still curious about what we're going to have for bikes on capitol hill road and the reason that we in southwest are hammering on capitol hill road and its importance is it's one of the few crossing opportunities you have, in SW, just to go across barbur boulevard and i-5. So even though this intersection now represents a big pedestrian bicycle gap because facilities come and go as you're approaching this intersection from all directions, it's still in the long term, is a very value you'll asset for getting around in southwest. And what's still not clear to me is why a compromise – maybe what Don's suggesting or something else, was not really considered. Because we raised compromised designs here for a number of months. One possibly being an alternative to don's would be, to have a seven or eight-foot sidewalk and a four or five-foot bike lane, why won't that work? And from what I understand, there's something about the way the storm water rules work that adding a bike lane is expanding the street and that kicks in storm water requirements, but if you add a side walk it doesn't. That doesn't make sense to me. Because, I mean, impervious surface is impervious surface. But – still have some questions there, but I think the importance is, is capitol hill road and 19<sup>th</sup> and crossing, and I don't -- with all due respect I don't agree with the city engineer thinking that everybody is going to want to be on their bike, and they're going to want to be taking a left onto barbur. That's just one thing. I think as don's pointed out we also have schools and other reasons you just want to cross barbur, and a bike lane would be really a good addition. I think also just saying that bikes will be fine in this section with probably a doubling of traffic without a bike lane is -- that might be fine for the experienced bicyclist but it's not going to be very attractive to the interested but concerned people that we're also trying to attract to bicycling. I understand that in response to some of my comments that PBOT staff has been talking about their development review process after this. And looking at ways to possibly improve how they review development applications. I welcome this evaluation and I hope that you will encourage pbot to go forward with really taking a look at how they do business in the future. And there are a couple things that I listed here; I'm just going to highlight a couple of them. One is, there was called a transportation impact analysis that was submitted as part of this report. It's a 280-page report with charts and tables and so forth, barely mentions bicycling in the entire report. It's all about automobile moves, view over see ratios, queue lengths etcetera.

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And really no analysis about what are pedestrians and cyclists facing when they try to use these facilities in this area? And what needs to be done. So my question here is, how will we ever create a multimodal transportation system that we aspire to if we remain fixated only on motorists' needs when we're faced with a development application. Another one is that I think that the tsp analysis needs to be comprehensive. If you look at the staff report, in my opinion, I think the staff just essentially cherry picked pieces of the tsp to support their particular conclusions and didn't really look at the entire document to come up with a more well-rounded analysis. I do not agree that we have a problem because of designations and so forth. There still may be some un-proportionality, but not that. And I think probably the one important thing that I don't completely understand I'll admit, but it seems to be rearing its head all the time when we talk about providing bike lanes and sidewalks in southwest is the storm water requirements. And I think they should be evaluated for how they're inhibiting our ability to make much-needed transportation safety improvements for cyclists, pedestrians, and transit users in southwest Portland. Southwest Portland may be different from a lot of the city in that we don't have enough pavement in a lot of cases, we have pavement for cars but nobody else. And so we do need to add some in some instances, and it seems like the storm water rules are making it very difficult to do that. This is evident in the safeway case where apparently part of the aversion to requiring a bike lane or having a compromised solution is driven by the storm water requirements, not by anything else. It's also apparent in large projects, the capitol highway project right now was running expensive to begin with, and now with the storm water requirements it really has everybody scratching their heads how we're going to afford that thing. And then finally I just think that green streets should be as much about pedestrian cyclist safety, air quality, reducing the city's carbon footprint, etc., as much as it is about water quality and that under the current rules streets appear that they'll remain car friendly as they are, they'll become fish friendly, but pedestrians and especially cyclists remain on the southwest Portland endangered species list. [laughter] That's it. Thank you.

**Adams:** Thank you both very much. All right. Unless there's council questions, we'll now hear from any rebuttal by the applicant.

**Mark Whitlow:** Mayor, Mark Whitlow again for the applicant. It could be best for us to hear from mr. Krueger on some of the details from the staff perspective. That could truncate our --

**Adams:** That is next on the agenda, which is council discussion.

**Whitlow:** I see.

**Adams:** Anything from your perspective --

**Whitlow:** I'm trying to get it on the record. Of course, and I had some legal points I would go over and I would ask mr. Brehmer to join in. On the takings issue, we have raised it, it's in the record, we don't like to talk about this that much, but we think it would be an unconstitutional exaction to impose that condition under the case law there are a couple of things, the nexus which I think staff has gone over, they feel no nexus is present because there isn't the bike lane in the existing tsp, the 2030 bike plan has not been incorporated by reference into the tsp. And so for legal reasons you can't rely on that. You could not impose it against this application. And then on the proportionality issue, staff has done a good job of showing that they do not believe that exaction would be proportionate to the impacts of this proposed development. So under the cases, the dolan case, it's the city's burden to establish proportionality. So in this case, your staff has said that you don't have it, so really I don't think there's a legal basis to go forward with a condition if you would do that, we would object and that's the record that we've already made. So mr. Brehmer then would provide some rebuttal on an engineering analysis, with respect to the transportation issue.

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**Chris Brehmer:** There's a graphic that's being passed out to you that is part of the hearings examiners record, and I think it helps kind of inform the process of what we're trying to accomplish with the respect to capitol hill road. The top right corner shows the existing roadway and the width that's there with the six-foot sidewalk and two travel lanes. The middle box shows the proposed configuration where we're putting in the 12-foot ultimate sidewalk and we're putting in three travel lanes, 10 feet each with a total curb-to-curb width of 30 feet. Below that is a graphic that we worked on coordinating with Pbot, what does the ultimate road look like, and it has that three lanes, 12-foot sidewalks on both sides, with either 15-foot shared travel lanes for the bike and car, or you could you put a five-foot bike lane in, in the travel lanes. What we're ultimately trying to achieve here is we're building a little more than half of the street on our side of the road, setting things up so that if a bike lane is indeed desired in the long term that can be provided when the north property is built out. So we're not precluding bike lanes, we're just not able to physically build all this today with the storm water rules and everything else that comes into play. There's been suggestions along the way of taking the sidewalk along safeway's frontage and making that narrower and trying to carve a bike lane out of that. We talked about doing that, and the concern is, ok, we've just sacrificed now the ultimate goal of trying to have that wider pedestrian facility for a near term goal. So we're trying to set things up for the ultimate cross-section of the road. There was a comment mr. Baack made about potentially striping the transition from barbur boulevard to the Multnomah ramp with green painting and I – you know, from my perspective we would have no problem with that. We're going to be working out a striping plan with PBOT and ODOT. If they agree with it I think that's something that could certainly be done. In terms --

**Fritz:** You'll put that into your discussions with them?

**Brehmer:** Yes, we could do --

**Fritz:** Thank you.

**Brehmer:** There was also some mention made by mr. Liden about why do we have this 280-page traffic study that doesn't address bicycles or pedestrians. And it's a fair comment. If you read through it we do focus really heavily on the cars and that frankly is what the standards that we have to address and the traffic study require. It's a capacity analysis based on vehicles. What I think is a mischaracterization is to say that study was all that was done in pedestrians and bicycles weren't considered. As I walked through my presentation earlier we went to great lengths to work with Tri-met, PBOT and ODOT to try to address what we saw as a number of pedestrian and bicycle and transit issues and worked cooperatively with the neighborhood to frankly accommodate all of them except this being able to build a bike lane on capitol hill road today. So I think we have made great strides and we have put a lot of effort into making this work for pedestrians and bicycles. With that I have nothing more, unless you have questions?

**Adams:** Any discussion? Thank you all very much.

**Whitlow:** Thank you.

**Adams:** Thank you. Now it's time for council discussion. Mr. Krueger, staff, come forward. Any -- maybe starting with transportation working backwards, any reactions, responses to what you heard from either side?

**Krueger:** I appreciated the testimony of mr. Baack and mr. Liden. I will take back as we work through the public works permit process some of the suggestions about painting. Again we're at the mercy of Oregon department of transportation, and some of their facilities, so I can't sit here and make promises without a conversation there, but we will give it our best shot, related to the painting. I'm quite nervous about trying to skinny up travel lanes that are already pretty narrow on a street that's got curves on it. To try and squeeze a little bit out to give a little bit more to a shared sidewalk. We don't have a situation that I can think of in the city where we're encouraging bike use

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permanently to share that space with the sidewalk. So I think we need to carefully look at that if that's something we want to consider as an alternative. But that would be a discussion of an entire corridor, not an infill piece of bike lane. As many of you know, we've wrestled with infill sidewalk improvements trying to get infill bike lane improvements is exponentially much harder because the bike lane really needs a corridor to function and serve. You get limited benefit from infill sidewalk as it starts to curve.

**Fritz:** In the bike master plan which hasn't yet been adopted into the transportation system plan, is capitol hill road a city bikeway?

**Krueger:** It is. The goal identified in the bikeway is to have a -- it can be either a stripe -- or a shared facility. We are not limited from striping that with shareholders at this time.

**Fritz:** But it's not going to be upgraded from a local service street?

**Krueger:** It will be it will be.

**Fritz:** It would be a city bikeway under the -- but we haven't adopted that into the transportation system plan so the goal post rule applies.

**Krueger:** It would change. And my understanding is the city - bike plan would be adopted with the tsp update occurring in a year and a half.

**Fritz:** Ok.

**Adams:** but I don't understand, I mean, I guess this is an internal city decision if we were -- help me understand why this -- whether or not the bike lanes show up. Because the right of way will be there. Isn't that an internal city decision what to do with our right of way? At least as an option, that option is something we can decide separate and apart from what -- with this going forward?

**Krueger:** City traffic engineer has complete authority to designate striping lanes if we wanted to take out the left turn lane or narrow that up, or potentially -- .

**Adams:** Three feet is wide.

**Krueger:** It is.

**Adams:** Ok. And then the other question I had on -- related to that is the -- you just -- I want to push back and hear your response, I mean while -- are you saying we can't stripe the bike lane now because it doesn't show up in tsp? Or we don't want to because it doesn't begin and end anywhere? And one could also argue, get something down there so that, you know it helps, sort of, it's a reminder to everyone who sees it that it needs to be connected.

**Krueger:** The cleanest answer is we don't have the available asphalt width to stripe a bike lane and maintain the travel lanes at the desired dimensions to allow the vehicle traffic to work. We would need at least three or for more feet on the other side of Capitol Hill to start -- begin to stripe the bike lane.

**Fritz:** So when the properties on the north side development that's when we'll restripe?

**Krueger:** Of importance to note, the bike master plan, it actually -- the plan changes immediately uphill up stream to the north of the safeway site. So it was very specific, it specifically looked at this location and called for a different kind of treatment. And then that treatment goes away on up capitol hill.

**Fritz:** And is there a crosswalk on the east side of that intersection on the opposite side from Safeway's, by Barbur rentals, is there a signalized --

**Krueger:** No.

**Fritz:** Ok, so bikes could share that sidewalk, use the cross light -- crosswalk on -- noting that it's outside of downtown so bicycles are actually allowed on sidewalks, right?

**Krueger:** Correct.

**Fritz:** So they could, children coming from the school and wanting to cross to go to capitol hill school way could come on the sidewalk, use the crosswalk and then continue on?

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**Krueger:** That's correct.

**Fritz:** Thank you.

**Krueger:** And if I may just add, I recognize I'm the transportation expert, there was a comment brought up related to the storm water and different impervious surfaces. I just want to try to attempt this - to do this for my friends, in bureau of environmental services, there's a clear designation that when you're adding impervious surface for sidewalk that the street trees that will be required to be planted are the mitigation for that impervious surface, but it's not vehicle surface. So there's a clear differentiation between adding asphalt in the roadway versus adding impervious surface on the sidewalk.

**Fritz:** And are there street trees in this?

**Krueger:** They will be required, yes.

**Fritz:** Thank you, that's very helpful.

**Adams:** Other discussion? All right.

**Fritz:** Ms. Frugoli do we need to amend the hearings officer report to add back the condition -- have we already done that?

**Frugoli:** Yes, in my memo I attached replacement pages that would replace those pages that make the correction to the hearings officer's report. So that would have to occur as well.

**Adams:** Ok, i'm open to council --

**Fish:** I'd like to make a motion to make that amendment.

**Fritz:** Second.

**Adams:** It's been moved and seconded, council discussion of the motion? Karla can you please call the vote on the motion?

**Fritz:** I didn't hear any objection to that in testimony. Aye.

**Fish:** Aye.

**Saltzman:** Are you forgetting about commissioner Leonard?

**Moore-Love:** He's after you.

**Leonard:** I'm after you.

**Saltzman:** Oh ok, sorry, Aye.

**Fish:** It's just a test Randy to see if you're paying attention.

**Saltzman:** See if you're still here.

**Leonard:** Aye.

**Adams:** Aye. [gavel pounded] motion approved.

**Saltzman:** I would move to adopt the hearings officer's report with conditions and recommendations as amended.

**Fish:** Second.

**Adams:** It's been moved and seconded. Unless there's additional council discussion, Karla, can you please call the vote?

**Fritz:** It's really good to hear that this has been a very collaborative process with lots of neighborhood input, staff working with the applicant on a very challenging site. I am supporting the motion and not willing to do the bicycle improvements on capitol hill road at this time because it's not adopted, so the goalpost rule does apply. And we are requiring significant bicycle improvements on barbur as well as very pleasant pedestrian improvements. I'm very excited to see that. I think it's -- that the bus pullout is going to make the whole system work much better and be safer for both pedestrians and bicyclists. And i'm quite excited about this whole project. I really appreciate the hard work that both staff and the applicant and the neighborhood and thanks to the citizens who took the time to come down on this thursday afternoon to see if there's any final tweaks which indeed we heard from both the applicant and staff that there are some things that we

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can do and also we're all put on notice that we need to continue to be considering all of the aspirational goals and get them into our adopted transportation system plan. Thank you. Aye.

**Fish:** First I want to say I think we set a record today, I believe that this is the most concise hearing we've had on such a matter in my three years. We're about to set a record of concluding our deliberations in less than an hour and a half. I want to thank everyone for a very thoughtful concise presentation, staff, applicant, our citizen testifiers. There are no formal objections to this land use application, that's the most relevant thing before us. And we have a thoughtful set of recommendations and an amendment. While it is not germane to my vote, I would like to say that we, I certainly appreciate the investment that Safeway is making in our community, and I also appreciate the philanthropic investment they've made, again it has no bearing on my vote on this land use matter, but since Safeway is here I would like to thank them for their work. And also we often hear that the lengthy time that people spend working through our land use labyrinth expressed in a different way, sometimes there's even a criticism that's expressed here, so to have an applicant acknowledge a lengthy comprehensive process but also take the time to point out that staff has been helpful, cooperative, and it compliments that, is certainly something we appreciate. Our rules are designed to get to the right outcome, not to provide - to impose undue burdens on applicants and we are also very proud of the staff, professional staff that represents the city in these negotiations. So you've done something right if it comes to this point, and there are no formal objections. I too am excited about your expansion plans while I am one of three members of the council that actually doesn't live in southwest Portland; nonetheless I know this is an important destination for people in this community. So thank you, thanks to staff and thanks to the citizen testifiers, and I know that while they did not fully expect to make fundamental changes in this proceeding they have salted our - the record for issues we can discuss at a different time in a different form. So I appreciate you taking the time to join us today. Aye.

**Saltzman:** Well I appreciate everybody's testimony. This is a - I think it meets all the standards and it's an outstanding proposal. So it's a tremendous reinvestment that Safeway has been making through many of its stores throughout the city, and it doesn't go unnoticed. I believe I'm not mistaken the museum place Safeway was the first time Safeway may have done underground parking.

\*\*\*\*\*: We had Lloyd Center for many years.

**Saltzman:** But Safeway has really, in its redevelopment of stores throughout the city really set the bar very high. And this looks like it's going to, again, meet that bar if not exceed it, and I think the pedestrian improvements and everything, the circulation improvements are just going to be remarkable. So I'm pleased to vote aye.

**Leonard:** Aye.

**Adams:** Good looking store. Great job on the site planning. It's definitely going to improve the gateway to the entire part of southwest Portland. I appreciate the comments of the folks from the neighborhood and the great problem solving work of the staff teams, and I too want to thank you for the reinvestment in your stores around the city. We have a food desert, a grocery store initiative, and if you were to pull out of this site it would immediately become a food desert. So thank you for instead reinvesting in it. Aye. [gavel pounded] so approved. Now we'll move -- please call the vote on the next item.

**Fritz:** I have to say that there are many veterans of southwest Portland transportation improvements and Ms. Frugoli is one of those who worked very hard on the southwest community plan and various other planning projects, and indeed Don Baack, who is a leader -- has been a leader in the community for as long as I've been active and living there. So it's an immense pleasure to see this great new store going in. I've been going to the old store since my children were in their

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baby buggies and my youngest is now a senior in college. So I will personally be patronizing your store and looking forward to that. But it's a part of the Barbur street plan and it exceeds many of the standards in that, and it does represent a significant investment not only in a great new store and wonderful employment opportunities, but also in improving the pedestrian and bike facilities in southwest Portland. So if we could just get that sidewalk -- anybody from odot here? No. Just mention, you know the connection from the burlingame area with a sidewalk would be so lovely. So we'll keep working on that. There's always more to do about it do, but I do want to thank you very much for your diligence on this one. Aye.

**Fish:** I was just thinking Mayor, I was being light hearted earlier but has there been a time in Portland's history when there were actually two members of the council from Southwest Portland.

**Adams:** You know, gobs of it are -- we'll have to ask our historian who's been here the longest. Commissioner Leonard? Are you near?

**Fish:** We can ask ebenezer Leonard.

**Adams:** Are you near a google machine? [laughter]

**Fish:** Anyway, again, thank you all for your excellent presentation today. Aye.

**Saltzman:** Well I know as soon as commissioner Leonard goes to work for the archives we'll get that answer. Anyway I want to thank the staff also for their hard work, bes, bds, transportation, and hope i'm not leaving anybody else out, but good work also. Aye.

**Leonard:** Aye.

**Adams:** Thank you. Aye. [gavel pounded] so approved. We are adjourned for the week.

At 4:20 p.m., Council adjourned.