



CITY OF
PORTLAND, OREGON

OFFICIAL
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **8TH DAY OF OCTOBER, 2014** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Fritz, Novick and Saltzman, 5.

Mayor Hales left at noon.

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

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

The meeting recessed at 12:47 p.m. and reconvened at 12:51 p.m.

| COMMUNICATIONS | | Disposition: |
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| 1038 | Request of Michel Reeverts to address Council regarding Last Thursday is placemaking (Communication) | PLACED ON FILE |
| 1039 | Request of Jeff Hilber to address Council regarding Last Thursday's effect on NE Portland (Communication) | PLACED ON FILE |
| 1040 | Request of Rochelle Saliba to address Council regarding Last Thursday (Communication) | PLACED ON FILE |
| 1041 | Request of Charles Johnson to address Council regarding #PCMinPDX, Climate March follow up from September 21 (Communication) | PLACED ON FILE |
| 1042 | Request of Crystal Elinski, We of 10,000 to address Council regarding white man training (Communication) | PLACED ON FILE |
| TIMES CERTAIN | | |
| 1043 | <p>TIME CERTAIN: 9:30 AM – Accept report on the Slavic Community in Multnomah County by the Coalition of Communities of Color (Report introduced by Mayor Hales) 45 minutes requested</p> <p>Motion to accept the report: Moved by Fish and seconded by Saltzman.</p> <p>(Y-5)</p> | ACCEPTED |

October 8, 2014

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| <p>1044</p> | <p>TIME CERTAIN: 10:15 AM – Adopt the Climate Change Preparation Strategy and associated Risk and Vulnerabilities Assessment to reduce climate-related vulnerabilities for residents and businesses and respond to impacts as they occur (Resolution introduced by Mayor Hales) 30 minutes requested (Y-5)</p> | <p>37090</p> |
| <p align="center">CONSENT AGENDA – NO DISCUSSION Mayor Charlie Hales</p> | | |
| <p align="center">Fire & Police Disability and Retirement</p> | | |
| <p>*1045</p> | <p>Amend contract with Managed Healthcare Northwest to increase compensation in the amount of \$104,000 to provide payment for additional discounted medical provider services shared with the Bureau of Fire and Police Disability and Retirement (Ordinance; amend Contract No. 30000931) (Y-5)</p> | <p>186830</p> |
| <p align="center">Office of Management and Finance</p> | | |
| <p>*1046</p> | <p>Pay claims of Steven Leben in the sum of \$83,000 involving the Bureau of Transportation (Ordinance) (Y-5)</p> | <p>186831</p> |
| <p>*1047</p> | <p>Authorize contract with Aon Consulting, Inc. to provide benefit consulting services and insurance broker of record to the City not to exceed \$1,611,105 for the period of July 1, 2014 through June 30, 2019 (Ordinance) (Y-5)</p> | <p>186832</p> |
| <p>1048</p> | <p>Amend contract with Hyas Group to increase compensation and extend current contract for investment consulting services for the City's Deferred Compensation Plan for \$72,000 (Second Reading Agenda 1005; amend Contract No. 30001011) (Y-5)</p> | <p>186833</p> |
| <p align="center">Commissioner Steve Novick Position No. 4 Bureau of Transportation</p> | | |
| <p>1049</p> | <p>Set a hearing date, 9:30 a.m. Wednesday, November 12, 2014 to vacate a portion of E Burnside St west of NE Martin Luther King, Jr Blvd (Report; VAC-10095) (Y-5)</p> | <p>ACCEPTED</p> |
| <p>1050</p> | <p>Accept an Engineering Report on a proposed encroachment into the public right-of-way for a sub-surface tunnel under SW Meade St (Second Reading Agenda 1009) (Y-5)</p> | <p>186834</p> |
| <p align="center">Commissioner Amanda Fritz Position No. 1 Portland Parks & Recreation</p> | | |

October 8, 2014

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| <p>*1051 Accept and appropriate a Nature in Neighborhoods Capital grant in the amount of \$422,667 from Metro to improve access to and circulation at the Whitaker Ponds Nature Park site and authorize an Intergovernmental Agreement (Ordinance) (Y-5)</p> | <p>186835</p> |
| <p style="text-align: center;">Commissioner Nick Fish Position No. 2 Water Bureau</p> | |
| <p>1052 Authorize an agreement with Clark Regional Emergency Services Agency for the installation and co-location of radio equipment in the amount of \$29,335 and provide funding for site improvements in the amount of \$16,000 at the Prune Hill, Clark County, Washington site (Second Reading Agenda 1016) (Y-5)</p> | <p>186836</p> |
| <p style="text-align: center;">REGULAR AGENDA</p> | |
| <p style="text-align: center;">Mayor Charlie Hales Office of Management and Finance</p> | |
| <p>*1053 Authorize a contract with Nelson Capitol Construction Program Management, LLC in the amount of \$125,165 for construction project management and cost estimation services at the Veterans Memorial Coliseum as solicited through RFP No. 117059 (Previous Agenda 1004) (Y-4; Hales absent)</p> | <p>186837</p> |
| <p>1054 Authorize water revenue bonds to finance water system additions and improvements (Second Reading Agenda 1020) (Y-4; Hales absent)</p> | <p>186838</p> |
| <p style="text-align: center;">Commissioner Steve Novick Position No. 4 Bureau of Emergency Management</p> | |
| <p>*1055 Authorize application to the Rockefeller Foundation for a grant in the amount of \$1,000,000 to develop and implement a citywide resilience plan, become an integrated member of the 100 Resilient Cities Network, and create a Chief Resilience Officer within City government (Previous Agenda 1008) (Y-4; Hales absent)</p> | <p>186842</p> |
| <p style="text-align: center;">Commissioner Nick Fish Position No. 2 Bureau of Environmental Services</p> | |

October 8, 2014

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| *1056 | Amend contract with R&G Excavating, Inc. for additional compensation to complete existing contract work due to increased bid item quantities for the Columbia Boulevard Wastewater Treatment Plant Lagoon Reconstruction Phase 2 Project No. E07145 for \$2,469,860 (Ordinance; amend Contract No. 30002275) 7 minutes requested (Y-4; Hales absent) | 186843 |
| Water Bureau | | |
| 1057 | Amend Bull Run Watershed Protection Code to include the U.S. Department of Interior Bureau of Land Management as a management partner, update enforcement provisions and adopt an updated map of the Bull Run Watershed Closure Area (Second Reading Agenda 1028; amend Code Sections 21.36.010-21.36.040) (Y-4; Hales absent) | 186839 |
| Commissioner Dan Saltzman Position No. 3 Portland Housing Bureau | | |
| 1058 | Approve application under the Multiple-Unit Limited Tax Exemption Program for Block 67 located at E Burnside St and NE Couch St between NE 2nd Ave and 3rd Ave (Second Reading Agenda 1032) (Y-4; Hales absent) | 186840 |
| 1059 | Approve application under the Multiple-Unit Limited Tax Exemption Program for Block 8L located at NW Naito Parkway and 1st Ave between NW Couch St and Davis St (Second Reading Agenda 1033) (Y-4; Hales absent) | 186841 |

At 1:17 p.m., Council recessed.

October 8, 2014

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **8TH DAY OF OCTOBER, 2014** AT 2:00 P.M.

THOSE PRESENT WERE: Commissioner Saltzman, Presiding; Commissioners Fish, Fritz and Novick, 4.

Commissioner Fritz arrived at 2:06 p.m.

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

| | | Disposition: |
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| 1060 | TIME CERTAIN: 2:00 PM – Appeal of Central Eastside Industrial Council against the Design Commission’s decision to approve with conditions the LOCA/Goat Blocks mixed-use project at 1004-1036 SE Belmont St (Hearing introduced by Commissioner Fritz; LU 14-125908 DZM AD) 1.5 hours requested Motion to deny the appeal and uphold the Design Commission’s decision. Prepare Findings for October 22, 2014 at 10:15 a.m. Time Certain: Moved by Fritz and seconded by Fish. (Y-4) | TENTATIVELY DENY THE APPEAL AND UPHOLD THE DESIGN COMMISSION’S DECISION; PREPARE FINDINGS FOR OCTOBER 22, 2014 AT 10:15 AM TIME CERTAIN |

At 4:12 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.

October 8, 2014
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.

OCTOBER 8, 2014 9:30 AM

Hales: Good morning, and welcome to the October 8th meeting of the Portland City Council. Karla, would you please call the roll?

Novick: Here. **Fritz:** Here. **Fish:** Here. **Saltzman:** Here. **Hales:** Here.

Hales: Good morning, everyone. We have our usual format this morning in which we have some communications items up front, we have a consent agenda -- I don't believe that there have been any requests to pull any items from the consent calendar, is that correct? And then we'll move onto other regular items. If you're here to testify on a regular calendar item, we typically give people three minutes. You just need to give us your name, you don't need to give us your address. We also have a tradition here in the chamber of respecting everybody's point of view, so if you agree with somebody and want to demonstrate that somehow, wave or otherwise give them a thumbs up. But we ask you to not make vocal demonstrations in favor or against your fellow citizens while they speak, because everyone ought to have a chance to have their say regardless of whether their point of view is in the majority in this room or not. If you're a lobbyist and you are here to speak on a calendar item, please disclose that because the code requires it. With that, we will begin with communications items.

Moore-Love: I believe that we have a pre-gavel for the --

Hales: Oh, sorry, yes. We do have a pre-gavel item. I want to welcome Karen Graham here, who is part of Oregon's Partners of the Americas. Karen, welcome. Tell us about Partners for the Americas, and thank you for being here this morning.

Karen Graham: Good morning. Is it protocol to stand or sit?

Hales: Sit, please.

Graham: With me is Javier Tellaeche who is a business fellow, but I'd like to tell you a little about Partners of the Americas. We started 50 years ago. We just celebrated the 50th anniversary. It was part of the Alliance for Progress, it was called Partners of the Alliance. And the idea was to have partnerships between areas in North America with areas in Latin America. And Oregon just had the good fortune to be partnered with Costa Rica. Michigan is partnered with Belize, Washington with Chile. We're an all-volunteer organization. We develop projects together, and here in Oregon and Costa Rica, our major projects are the adult exchange. So we have seven visitors from Costa Rica and their hosts with us today. I'd like to introduce them to you. Francisco Kirros [spelling?] is from Pérez Zeledón. Erida Gonzalez [spelling?] is from Ciudad Quesada. And Pricilla Alfado [spelling?] is also from Ciudad Quesada. Rosa Amelia [spelling?] is from Liberia in Guanacaste. And Lucida Hernandez [spelling?] is from Sarcerro. And they're the newest subcommittee in Costa Rica. And Leda Quintana [spelling?] is from Nicoya. So they are here visiting. This is the end of their month-long trip. They have been in Hood River, Bend, Astoria, and for the last week here in Portland. We live in homes. We developed the -- the whole purpose of the program is lifelong fellowships and cultural history, learning about each other. Partners International does major projects. They have a farmer to farmer program, so we send farmers down there to teach other farmers. They have a youth and development program, where they're using the sports metaphor to take people out of the barrio -- young people -- and kind of put them on a different life path. Those kids come back so enthusiastic after eight months of that training. It really is life-changing. Another thing that Partners does is a business and legislative fellows. And Javier is here working with Steve Cohen for the next

October 8, 2014

five weeks from Bolivia, looking at the food security. I will let him talk about what he does. But all of these programs are supported by World Bank, USAID, the State Department, and Kellogg Foundation, other donors. So, it's kind of an unusual organization, like rotary on the one hand with an international office, and chapters that develop their own things, and also like sister cities because of all the exchanges. So, I will let Javier speak.

Fish: Can I ask you a question first? I'm pretty confident that President Kennedy brought us the Peace Corps, and President Clinton brought us AmeriCorps. Who do we credit for the Alliance for Progress?

Graham: Kennedy. It was part of the whole Peace Corps --

Fish: It was Kennedy.

Graham: It was Kennedy. And Kathleen Kennedy Townsend is supporting partners 100,000 Strong in the Americas, it's the Obama initiative for getting more university students traveling back and forth. And Partners is the major organizer of that effort.

Fish: Thank you.

Hales: Great. Good morning.

Javier Tellaeche: Buenos días. I am Javier Tellaeche, I come from La Paz, Bolivia where I am currently spearheading the process of the construction of Bolivia's first local food security law. In that manner, I got picked by Partners of America to do a fellowship here in Portland to understand how Portland is addressing the food issues and how they are addressing their strategies related to food. I've been working very close with the Bureau of Planning and Sustainability. I'm having meetings with people and understanding how you are addressing how you do things, what strategies have you started using, and how I can apply that back in my country. Basically, that's what I do. And if you do need more information or want to keep in touch, I will be happy to give you anything extra.

Hales: Thank you.

Graham: We want to thank you very much for your time in allowing us to meet you. Thank you.

Hales: Thanks for coming in. Hopefully, you will always use the city of Portland as a resource in these exchanges. Hector Miramontes is the head of our international programs here. We have a number of sister city relationships around the world. In some cases, they date from that same era. But I think it's really important that we carry on these friendships and exchanges. We're seeing more and more public administrators coming to Portland in these kinds of exchanges, fostered in part by PSU and the Kennedy school of government there. So, it's really a valuable thing in both ways. My son actually is an urban planning student at Portland State and got to spend time in Costa Rica as an exchange student, so he learned about planning in the context of another country from that experience. So thank you for keeping this going, and always use our city and our city staff and departments as a resource for the work.

Graham: Thank you very much.

Fish: The mayor also has a big house. [laughter]

Hales: That's right. There's always a spare bedroom.

Graham: We're having Oregon-Costa Rica's 50th anniversary next year, and we're having the international meeting here in Portland. And we hope to do it on the cheap with homestays for everyone coming from Latin America, so I'll be contacting you.

Fish: You'll let us know. And just following up on what Charlie said, I have a daughter in college, and she spent four terms now abroad -- Costa Rica, Chile, Spain, and Hong Kong.

Graham: Ah, good for her.

Fish: And thankfully, her college promotes this, so this is part of getting a modern education -- is being exposed to different cultures.

Graham: And having a second language is critical. Obama's idea is that the western hemisphere will be able to compete as a hemisphere with China and India in the future, and that's part of the reason for this 100,000 Strong.

October 8, 2014

Hales: Great. Well welcome, and come back soon.

Graham: He's going to be here for a month, so you'll get to see him.

Hales: Good, and thanks very much. Alright. Let's then move to the communications items starting with 1038, please.

Item 1038.

Hales: Thank you. Come on up, Michel. Good morning.

Michel Reeverts: Good morning. My name is Michel Reeverts, and I'm here to talk about insurgent citizenship. We are the citizens, and citizens serve a constitutive role in shaping the political and physical spaces of our city. An overall system needs to be implemented in regards to Last Thursday, and not a single solution of a permit -- this does not serve as an answer. Fees, registration, and placement only become barriers. They do not invite the public to freely participate. It denies the child, restricts creative movement for happenings, and bars those that cannot afford. It eliminates spontaneity and stifles interactions. Last Thursday is and has been the only free stage for artists for 17 years. This free platform has fostered the most creative, unusual, exciting, and unsterilized event in Portland, landing it into the travel guidebooks, international magazine articles, and exploding in popularity, bringing over 80,000 people to the Alberta district during its five monthly evenings. Last Thursday is a true model of a down-trodden neighborhood success in bringing people and commerce to the streets. That attempt soon became the economic engine for businesses before becoming the iconic urban festival of Portland. Last Thursday produced a public space that has crossed cultural boundaries, backgrounds, values, and associations, and is now a significant public art event for the city. Having survived the discrimination by zoning and accustomed to being forgotten, separated, and disinvested, this marginalized community used urban space to redefine their economic and cultural wellbeing. They have used their creative resources to build community, and it is inclusive. Last Thursday is place-making at its finest. It demands a novel approach in order for the once red-lined Alberta district to keep their cultural identity. The challenge is put forth to you to mediate between those with and without power, with a broader perspective for both citizens and this city. We demand a restructured relationship with respectful discourse and better political association. We demand a revised grant program to address the changing demographic of our community and last Thursday. RACC is spending \$80,000 for a park on Williams Avenue. When Friends of Last Thursday had achieved the requirements for a permit under two different mayors and had delivered a comprehensive planned budget for only \$25,000 for a full summer of Last Thursdays. Give Last Thursday special designation for street vending, such as permitted the Rose Festival. Last Thursday requires a change to policy to preserve the uniqueness of the internationally-renowned event. Thank you.

Hales: Thanks very much.

Item 1039.

Hales: Good morning.

Jeff Hilber: Good morning. Of all the work I've done in City Hall, this is the first time that I have had the privilege to speak to you all in this room.

Hales: About time.

Hilber: My name is Jeff Hilber. My sincere condolences, Commissioner Fritz. My work experience includes an almost unparalleled professional resume as a project manager and project-solver. I worked overseas on million-dollar projects, demanding the highest craftsmanship possible. When I decided to know my neighborhood better, I joined my neighborhood association and have lived in Concordia since 1995. After joining the board there, I was asked -- I was there, I said, I'm here to do whatever work you need to have done. And somebody came up to me and said, you know, you look smarter than that. I was asked to edit the local newspaper. There's no better way to get to know your neighborhood than to be the editor of your local newspaper, I thoroughly enjoyed that job. And you all received hand-delivered copies of my edit every month. CNA -- the Concordia Neighborhood Association -- asked if I would be the representative on Alberta Street when the city

October 8, 2014

was asking for volunteers from the neighborhood associations for Friends of Last Thursday. Sitting in on the meetings and report back -- that was my agenda. I wasn't there out of any idealism or thinking that there was money to be made. I attended the meetings and reported back what I saw to my neighborhood association as required. The Friends had spent a few months being internally contentious, and when the divisive people left, the group that remained was handed a set of instructions to fulfill. A year into my representation, I was asked to become the liaison to all of the city agencies, attend the meetings, and police roll call before the event. This fit my skill set. I looked at this job as reconciling the unique needs of each agency, the event itself, and the impact problems throughout the neighborhood. I put my personal phone number out for people to call me if they had a problem, and I would meet with them personally about any problem they had concerning this event. Little did I know that I was going to become one of the top managers of the second largest event in the city. After the Last Thursday season in 2012, this group devised plans to solve all of these needs. I was proud to be a part of that solution. I didn't want this type of boorish behavior in my neighborhood, either. But I was puzzled by OLCC's unwillingness to address the behavior that results from them selling as much alcohol as they can. In January of 2013, we were told by Mayor Hales that the office was no longer going to staff our monthly meetings, and that we could meet with these agencies on our own. By now, we had worked with everybody, so this was not a problem. Everybody knew who we were. We went to each one of our agencies with the new plan. We went to PBOT, Multnomah County Health, and the police. And everywhere that we went, we were met with congratulations for the new plan. They said that it would make it safer, more efficient, and help the event survive while allowing these agencies and the event to meet the goals set. It sounds pretty successful for a volunteer organization. Then we met with the new mayor and his entire staff. We were originally tasked to figure this out and solve the perceived problems. So, here we were to make our presentation.

Hales: Jeff, I need you to summarize soon because you're over your time.

Hilber: OK. Nevertheless, we were treated rather shabbily. Demands were made on us that we knew that we could not fulfill. We were -- essentially, we had to resign because we could not fulfill the demands that were made by your office on us. My question here is why -- as a volunteer organization, and as a volunteer -- was I treated like this? Is every volunteer in the city subject to this kind of treatment, and should they take notice of what happened to this group? Nobody comes to Portland to see the next street fair. They come looking for Last Thursday, the last free performance stage that's currently under demolition by the mayor and his staff.

Hales: Thanks.

Item 1040.

Hales: Good morning.

Rochelle Saliba: Good morning. I'm Rochelle, and thank you for your time. Some of you might know me from working on Last Thursday for two years, and countless hours in this building. A lot of people have talked about Last Thursday in this building. I want to talk about what Thoreau said. He said all good things are wild and free. Seems strange to talk about Thoreau, the great solitary giant, and Last Thursday, the amazing cacophonous beast in the same three minutes. And how can I talk about Last Thursday in three minutes when I did spend countless hours in this building wrapping my arms around it and doing what the city charged us to do, which was make it a better Last Thursday? You can't make a better Last Thursday if you change Last Thursday, because Last Thursday is something special. It's a little bit wild, and it's a lot a bit free, and that's what makes it what it is. If you co-op it, give it to a mainstream organization to run, corral musicians and vendors, charge them, assign them spaces, then you turn it into every other street fair in America, and then it's not Last Thursday. Then you've lost that free thing, that wild thing, that little bit of magic that people come and they stand on the street. And they sense it. They don't know what it is. Some of us know. I came to work for Last Thursday because I really honor the constitutional principles of free speech and free assembly, and I think that Last Thursday is a higher-ordered magnitude of that.

October 8, 2014

When we sat in these rooms, in this building, and worked with the city agencies, and developed protocols that are used today to manage Last Thursday and ensure a safe event. We had good faith with those agencies, but we only had good faith with two people in this building, and one of them is sitting here today -- Commissioner Fritz. It takes more than two people. It takes more. It takes all of us to be willing to say yes, and that yes costs so little. Right now, I have a proposal, a partnership proposal. There are people on the street in the Alberta district who have been waiting for the city to reach out in good faith. They've been waiting to give the money, the resources to bring the people. They really are looking for the good faith that we haven't seen, and so my proposal is invite us into the building. Bring us in. Have us sit down. Let us show you that if you reach out in good faith to us, we will deliver this. All it takes is your yes. It cost so little for so much gold and for such a rare thing. If people can't come on the street and experience that magic -- if it's just like every other street fair in America -- we've lost a great thing. We've lost an important thing. And I think that it's worth keeping. Thank you.

Hales: Thank you very much. And thank all three of you for your passion for this event, and look forward to working with you. We spent \$73,000 last year of city funds to support Last Thursday. And we want to work ourselves out of that job and have it managed on a community basis rather than by City Hall. So we look forward to more discussions, and appreciate all three of you coming in this morning.

Saliba: OK.

Hales: OK, let's move onto 1041.

Item 1041.

Moore-Love: Mr. Johnson informed us he is ill and he is stuck in New York.

Hales: OK.

Item 1042.

Hales: Good morning.

Crystal Elinski: Good morning, Commissioners. And it's good to see all of you here pulling through. I was just thinking about the last speaker, and some other examples of simple things that you could give good faith in. Every time that one of us -- as you well know, I represent 10,000 -- and every time that we give a suggestion that's easy to do, why not follow through on it? It seems a lot of time is spent on multi-million-dollar deals behind closed doors. My friends at Rosemount Bluff worked really hard on that on their own time to get it accessible for the citizens. I'll just use up those extra two minutes, as well, since it looks like you're involved with the last one. But speaking of the last topic and accessibility to the people on the ground, Rosemount Bluff could have been protected, but the city said that they were taking it over -- that would be Parks -- and they went straight in there and sprayed. So for years, these people were making a beautiful park with a trail, and the city went in and sprayed. Another example that I was thinking of where the citizens came up with a good idea and it wasn't followed through by the city was R2DToo. So I think a lot of times, we could work better together than kicking people out. It's something -- I don't know, did you hear Democracy Now this morning?

Hales: No.

Elinski: Any of you -- no? I listen to it, it helped me a lot when my father died. Just every morning at 7:00, first I did my yoga and then Democracy Now. But today, it's very related to us and something that we should pay attention to. I was thinking about this recently from a conversation I had with Nick Fish. I guess that I just get tired of the hypocrisy of saying one thing and doing another, and in many cases it doesn't have to be that complicated. All you have to do is listen to people writing you letters and showing up for the three minutes, plus two.

Hales: Crystal, you don't get an extra two, but go ahead and finish up.

Elinski: Ok, alright then, I'll start. At any rate, Nick Fish and I -- I just wanted to say that I said that I thought it was hypocritical to mention Bill McKibben's name in keeping our water clean at the last city council, but at the same time, allowing the reservoirs to be covered. And that still has not been

October 8, 2014

dealt with, and it's another one of things that we expedite things like Randy Leonard's neon sign, but we don't deal with these -- we could have asked for an extension, multiple times, and it's still not over.

Novick: Crystal, we did.

Hales: We did. Six times.

Elinski: I was told by Nick Fish to go to Amanda Fritz's office to find out about the citizens aesthetic committee where we put water in the reservoirs, add fountains and a little pathway, and remember that we had a reservoir. Of course, Amanda Fritz's office didn't know about it, and they told me to go to ONI, the Neighborhood Involvement, and they told me to go to the Portlandia Building, and then Tim called me, but yes, so --

Fritz: So we are going to be having a process in November. It will be a public meeting in November and one in December to discuss the future of the reservoirs after they're disconnected and not used for drinking water.

Elinski: And R2DToo and Rosemount Bluff -- I would love to hear about that too.

Fritz: Well, that's not the topic of those particular --

Elinski: And I thought Parks -- and you know what I'm talking about. But on the 29th, there is a meeting on Washington Park at the Zion Lutheran Church, at the Goose Hollow where they will be discussing the aesthetic reservoir idea.

Hales: I want to encourage you to participate in those meetings. You've used your time this morning. So we have to move on.

Elinski: But we need to follow through on these things that are bad for the environment and not throw around names as we think we are doing something good. I think that --

Hales: I want to encourage you to go to the meetings.

Elinski: The best ideas that have come out in City Hall have been, in their free time -- in the three minutes that they can get -- it's hard for people to come here and they're turned off by the inaccessibility. I've noticed all these years -- and I thought about how long you've been here, and you said you didn't vote on the reservoir. It is your area, and you are implementing it, but you did not vote on it. Well I --

Hales: Crystal, we're all implementing it, and you need to let us move on.

Elinski: But the work you're doing on a daily basis cancels out --

Hales: Crystal, we're not going to have a debate this morning. [speaking simultaneously] We're not going to have a debate with you this morning. You need to let others get on with the rest of the calendar.

Elinski: I'm submitting to you the idea on immigrant sanctuaries, since you showed up for Fernando at the Augustana Church.

Hales: Crystal, we're going to cut off your microphone. You need to stop. You've been here for five minutes, and we need to get on with the calendar. Thank you. OK. Let's move on to consent calendar. Again, I don't believe that there's anything to be pulled off so let's take a roll call on want consent calendar and then we'll go to time certain.

Roll on consent calendar.

Novick: Aye. **Fritz:** Aye. **Fish:** Aye. **Saltzman:** Aye. **Hales:** Aye.

Item 1043.

Hales: Good morning, and welcome. I think we have a distinguished panel to come up and present this report this morning. So, come on up. If you need some more chairs, grab a couple. I think Lee Po Cha is leading off, but he's joined by others. Welcome. Good morning -- Oleg's starting, OK.

Oleg Kubrakov: Good morning, Mayor and City Commissioners. Thank you very much for having us here to present the Slavic community report. My name is Oleg Kubrakov, and I work in the IRCO Immigrant Refugee Community Organization. I came to the United States in 2005 because of religion oppression, and I felt invisible as the Slavic community member, but we have around 150,000 Slavic people here in four counties. Because of my work at IRCO, I slowly learned about

October 8, 2014

government system, and now I understand it is important to advocate for the community needs. This is why we are here today. Parents do not know their rights, do not know how to protect integrity and culture of their family. Community concern about emergency preparedness because of their language and cultural barriers. This is just a couple of examples for important community issue. Thank you for listening to us. Thanks.

Hales: Thank you, thanks for your leadership. Thank you. Good morning.

Lee Po Cha: Good morning, Mayor Hales and City Commissioners, my name is Lee Cha, I'm the immediate co-chair of the Coalition of Communities of Color. We are very grateful for the opportunity to speak before you and continue to report to you on the research that the coalition is doing. Today, we will be talking to you regarding our Slavic community. As a fellow refugee myself, I think it is very interesting for us to understand the integration process of all our community into the city of Portland and to our new home. I think that it's interesting to know how the Slavic community -- if you were to look at it in the long term, I think that if you're looking at the integration process, maybe it may seem to be that they may integrate much easier than any other race. But you may find that we equally struggle like any other, whether they are Asians, Africans, or Latino. So, I think that it's interesting of this work. And as a person who has been working with this community for the last 30 some years, it is very refreshing to learn the struggle, the process, you know -- the good things that are happening to us, and also the struggling that we all struggle. And I think the information that will be shared will be informative -- at least for us as an internal community. We are very grateful for the data and the information that has been found. Also, you will then hear recommendations from our respective community, and certainly, our partner from Portland State, Dr. Curry-Stevens will be sharing with you the rest of the information in terms of the data findings and the comparison to other communities who may also be residing in the city of Portland. In short, I just wanted to take the moment on behalf of the Coalition to continue our thanks to you as city leaders to also support this study from the very beginning. And certainly, the county has been spearheading that and also other foundations have supported this research effort, and it's benefiting to us all. So with that, I thank you for the time and thank you for listening. Let me pass this onto Dr. Ann Curry-Stevens.

Hales: Good morning.

Ann Curry-Stevens: Good morning. Ann Curry-Stevens from Portland State University. It's a pleasure to be with you today.

Hales: You can slide that big box over to the right. She's bringing you a dedicated microphone, Ann.

Curry-Stevens: OK, thank you. So the first piece to recognize is that the Slavic community -- albeit formally recognized as a white community -- is struggling deeply. And one of the biggest messages we have for you today is to bring attention to the scope and the depth of the challenges that this community suffered as a result of the recent recession. This is a community that has come in a relatively fragile state and has lost significant ground. Those are sort of the big pieces to walk away with. To begin our presentation, I wanted to just remind us around the relatively rapidly changing composition of Multnomah County, and that over the last 15 years, we've gone from 85% of the population being white to 71%. This is a rapidly changing demographic. And amongst our school aged children, when we include the Slavic community, majority culture has tipped. And the majority culture in our public schools today are kids of color. So, this is an issue that's going to rise in urgency. Certainly, in terms of the education and the challenges facing successful completion is being dealt with on a number of avenues, and the numbers bear an important reminder for us of the urgency to deal with this community's inclusions. The Slavic community formally refers to those from the former Soviet Union who primarily arrived here as religious refugees in the fall of the Soviet Union, and represents a wide array of countries with a significant settlement pattern here, meaning that they are the largest immigrant group after the Latino community. They are the largest refugee community, and Russian is the most common language spoken after English and Spanish.

October 8, 2014

This is a geographically dispersed community without strong community hubs. Certainly, investments in the communities to build their leadership, to build their own spaces would be very helpful. Mayor Potter referred to this community as sort of having sleeping influence, and today, we see the community as really emerging. So, their civic engagement is underway, is in development, and really needs to be supported and fostered. This is also a community that is growing very quickly with the highest fertility rate of the communities of color, profiles that we have shared with you to date. This is also a community that suffers from invisibility. You'll see in a second the reach of the data systems that have no information on what's happening for this community. It's also invisible in terms of its numbers. In the full report it's described -- our work surveying the community members after the 2010 census revealed the initial insights that this community is probably close to a third under-reported. If you can imagine coming from the former Soviet Union, and responding to door knockers at your door asking you to tell who you are and your family -- is a rather intimidating process, in addition to the surveys that get administered by telephone or in written languages that don't include Russian. This is a community that's deeply undercounted. You've heard us say our reports have been able to cover 28 different institutions and systems. There are very few of them, and that's the data in red that cover the Slavic community. In the vast majority of data systems, this community is completely invisible. For example, we don't know the profile in public office. We don't know the profiling of the workforce successes and challenges. We don't know what's happening in terms of housing discrimination or health disparities, and those are pretty significant omissions. So, it's present in eight of the 28 systems. The next important piece is that this is a community that suffers disparities that are equivalent in reach to many other communities of color. And as I said already, it's a community that's been decimated by the recession, facing the worst losses of any communities of color in terms of poverty, income, and housing issues. And that said, there's considerable optimism. Part of the larger report itself collected some data from young Slavic Russian leaders who were school-aged, and there's just huge, tremendous optimism for the future. That said, we have relatively -- we don't know if that's a deep slice or a narrow slice. We don't know data on child welfare, juvenile justice, healthcare systems around how some of the more standard measures are faring for this community. I'd like to draw your attention to House Bill 2134 that passed two legislative sessions ago, and is going to include mandatory attention and identifying of the Slavic community amongst a greater range of profiles. This bill will have application to OHA and to DHS and all that it contracts and subcontracts with. We're hoping that there's greater voluntary compliance with that in order to join the greater detailing of what's happening for this community. I will move through some of these data pieces fairly quickly. The next set of charts profile what's happening to the white communities in comparison to the Slavic community. The scope of the difference in bars just simply says we've got significant disparities. Female single parents raising kids have about a third less income to live on. That's a tough life at 33,000 a year. At 25,000 a year, it's a pretty dire experience. We also have routinely looked at a few variables that compare what's happening in the U.S. to Oregon to Multnomah County. And similar to the pattern we've seen elsewhere, the closer one gets to Multnomah County, the worse the disparities get. And our national equivalent populations across the U.S. on average fare much, much better. Child poverty rates. The same type of pattern. We're looking at close to one in three Slavic children living in poverty. That's approximately one in three compared to one in seven in the white population.

Fritz: And just go back to the previous slide, please. Where in the United States are the Slavic communities doing significantly better than white communities?

Curry-Stevens: I don't know.

Fritz: OK. That's an interesting issue to look at that.

Curry-Stevens: It is, yeah.

Fritz: As you said, it does mirror what we've seen with other communities here in Portland. But that leaps out as different, so that would be something -- like others -- that I would be interested to

October 8, 2014

know. What the communities where Slavic communities are prospering, what are they doing right that we could perhaps mirror?

Curry-Stevens: Absolutely. Educational attainment. This is a community that has narrow access and success in higher education. A bachelors in professional degree levels are about half that of the white community, and it's a community has very high levels of close to one-in-two who haven't completed high school. We were able to do a customized run of data -- with thanks to Pat Burke and his team at Portland State -- to look at the achievement scores. So these are OAKS testing scores, where we're looking at about 15 percentage points lower in terms of the successfully meeting of the OAKS test scores. In math, you see the variation for the other communities. You can also see the size of the ns, how large the populations of language speakers are across the Multnomah County schools. The report contains the equivalent data for the separate school districts. In reading and literature, we're seeing the same pattern, approximately. And again, slightly more than 15 percentage points difference. Really challenged in getting through the school successfully these days. Not in your report but recently coming to light has been a few pieces of data on wealth. Wealth is a really important measure of the community's ability to absorb disruption. So able to survive through job loss, through bankruptcy, to be able to change jobs, take a risk, open a small business, move -- sort of all of those require some degree of a base to give you that security. It also becomes an intergenerational form of wealth to be able to provide for your kids. What do we have for Russian immigrants? These data compare different immigrant groups. The first one is a pretty old study -- 1992 -- but it seemed worthy to share with you because of the reach of the wealth comparisons. So, amongst the immigrant groups, this is a community that's really deeply challenged. It's no surprise that the European community has a whole lot larger asset base, and that this is a community that's struggling alongside many others. This is interesting data because it also includes the value of one's home. We think of this community generally as having had high levels of housing assets. This suggests that many of those housing assets are probably with significant mortgages, and therefore not actually realized. And then this is more updated data up to 2003, where we take a look of older immigrants who have been here for more than 20 years, and those who have been here for less than five years. With this metric of data of communities that have been studied, the Russian community is faring by far the worst, especially for those longer term residents who've been here for 20 years. So, again, really wanting to amplify that this is a community struggling in the same ways that other communities of color are struggling. Looking at the impacts of this recession, their access to better jobs has deteriorated by 50%, and doubling the hiring and their profile in service jobs. Incomes. The average household has lost a quarter of their income. Child poverty rates have surged. Unemployment has more than doubled. More of the Slavic community have lost their homes and have lost the value of their housing. I'll show you a bit about that data with charts. On the left here, the Slavic community is comparing the lighter maroon, the lighter purple at the beginning of the recession, and then the dark maroon towards the end of the recession. And you can see that profile of them having lost their foothold in management jobs and picking up a stronger foothold in service jobs, which tend to be many of our worst jobs. The equivalent on the right is just the comparison around what's happened to the white community during this time period, and the news is that the white community has held its stance. I think we know that the recession generally is felt more heavily amongst communities of color. The scope of it tends to rarely come to our attention, I think, so that's what some of the charts do. Poverty rates have raised very quickly amongst the same time period -- a three-year time period -- going from 16% to 30% for children and for families. This is the unemployment rate where the unemployment rate has more than doubled. While it has doubled for whites and gone up by two and a half times for the Slavic community.

Fish: What's the age group that you're tracking for unemployment?

Curry-Stevens: This is all about 15 years old. It's the adult, it's typically recognized as the adult population, 16 and over. Is there any question?

October 8, 2014

Fish: No, I'd be interested in looking at people over 21 versus 16-21. Because I think it's two separate challenges.

Curry-Stevens: Absolutely. The value of the ownership of homes. So, how much equity is in your home? There's been significant losses for the white community. The size of the loss of \$100,000 on average for Slavic-owned homes is a huge loss of an asset base. In summary, this is a community in a precarious position with urgent needs for investments, visibility, services, and a heightened role in public policy. With that, I will turn the microphone to Victoria Libov.

Hales: Good morning, Victoria.

Victoria Libov: Good morning, Mayor and Commissioners. I do public speaking very often, but this is very special for me. I am a refugee from former Soviet Union and came here 25 years ago, and I am from the Slavic community. And here I am 25 years later, having a chance to present the needs, disparities, concerns of our community. This report is pretty depressing. It's not the first time I've seen it, and every time, I get depressed. However, there is a great sense of optimism, and the belief that our community is no longer a sleeping giant. But the communities -- in partnership with the city and the support of the community and this report -- can really be successful each time. So, there are four major recommendations that I would like to propose to the city. First of all, as we all said, it's an invisible community. I just have a tan, but I'm white. So, the data system needs to add Slavic as a racial category in all city data systems, including city contract. A lot has been done -- and this report indicates this -- but we're still pretty much invisible. The second recommendation is regarding the workforce. As the data suggests, the unemployment rate is much higher than the average one for the white population, and even among other community of color. There are a lot of talented, smart people who survived Soviet Union, and the history is known that that's a hard place to live and not getting any better. So we would recommend increase the hiring, retention, and promotion of Slavic workforce in the city. We had this conversation with the human resources office for a while, and I don't really see any changes, even though we had this conversation a while ago. The communication. This huge community has its own communication channels, which are mainly the word of mouth. And we know, sometimes, the word of mouth is a reminder of a broken telephone, and the information definitely needs to be distributed in sufficient ways. We are recommending to the city to develop Slavic-specific -- preferably Russian, Ukrainian, those are the majority of languages -- communications materials and strategies to increase awareness in Slavic communities about city services. The last one that gives me the most optimism is over these 20 something years -- people from former Soviet Union started to come in 1988, in large numbers after Gorbachev open the doors for us to leave. And yes, we do have community leaders now who are active, and the level of the civic engagement is increased, and there is space to build the capacity. So, help us to help the community build the capacity, invest in partnership with the Slavic community to build the community capacity to increase the outcomes and provide the wrap-around, culturally-specific services. Thank you very much for your attention to the matter.

Hales: Thank you, thank you all. Questions for our panel?

Fish: Let me kick it off on the job front. What's been your experience working with groups like Worksystems, Inc. and other organizations that we partner with to do the job training skills, work, and then matching the people to jobs?

Libov: Well, I'm the right person to answer because my day job is employment services manager at IRCO, so I do partner with Worksystems, and I work with other organizations. Again, what we call our mainstream workforce development system is not culturally-specific. It has the universal access. Anybody can come in and get the services. But at the same time, there's not enough of the language-specific, there's not enough of the work with employers who would hire the community members because of their skills. And I'm also talking about the employment with the city. As I said, a lot of people are very talented and have a professional background, but I don't know if you have -- maybe one or two somewhere in the entry level stuff --- who are from the former Soviet Union.

October 8, 2014

Fish: Let me also just make an observation and ask your feedback. Mayor Hales and I are working on the superfund, and one of the challenges of superfund is how do we clean up the river while also preserving good river-dependent jobs? In my experience, when you go to Gunderson, when you go to Vigor, one of the things you learn is there are many Slavic --

Libov: Welders.

Fish: -- highly-skilled welders who are working in job classifications below the skill level that they had in their former homeland. But were being hired for these jobs they brought such tremendous skill. Is that true, and how might we capitalize on that?

Libov: It is true. And what actually happened specifically with the welders -- we at IRCO through our employment services and in partnership with PDC and the bureau -- when the economic opportunity initiative was under the city when you started, we had the program where we were able to connect these welders with Mt. Hood and PCC vocational trainings, and that's how they upgraded their skills, and that's how we got the certification as welders here. And yes, Vigor and Gunderson and other places where they work. The problem is the capacity of the program is 40 people, and not all of them are welders. So yes, we help them, we invested in them, and they are contributing members of the society now. But that's just a very minimum number of people. There are many more. With a community estimated of 100,000 people -- where a lot of them are what we call with golden hands, there is a greater need than for the training that is designed for English language learners. Vocational. And that's where we are with that.

Fish: Thank you.

Hales: Yeah, helpful. Thank you. And other questions, comments?

Saltzman: What is the geography of the Slavic community? Where do they live?

Libov: Everywhere.

Saltzman: Where do they predominantly live?

Libov: Oleg, would you feel comfortable in answering this question?

Kubrakov: Yes. I will say 50% or 45% in Multnomah County; around 40% in Clark County, Vancouver; and the rest of them, Clackamas and Washington County.

Saltzman: Of that 45% in Multnomah County, do you have an estimate of what percent is in the city of Portland versus Multnomah County?

Kubrakov: I don't have this information.

Saltzman: OK, that's fine. Also, my impression is the Slavic community by and large is very religious -- in fact, that's the reason that many of them are here in this country.

Kubrakov: Yes.

Saltzman: I didn't see any mention of the religious affiliations in this report. Is it here, and what do we know about that? And what is the role of the church?

Libov: That's a very good question, very interesting question. Actually, there are a lot of churches here in Portland, and that's what was never possible back there, that's why we came as refugees here. But that kind of a double edged sword -- if I can say -- is that on one hand, people have the congregations that is their life and they are centered around it, they have their friends, they have their families, and there are churches that have basically the whole small towns and villages who moved slowly here, and they are in one congregation. But at the same time, it keeps people in that comfort zone that is pretty enclosed. That's where they don't have the access to the public information, that's where the word of mouth is happening which very often that is actually not very accurate, to say the least. So it hasn't benefited the community. It's closed in and has its own network to rely on. But at the same time, it makes the community pretty much isolated. Did I answer your question?

Saltzman: Yes, thank you.

Fritz: Except when you're invited to go, which I have been able to do. So I think that's a great question, Commissioner Saltzman. And also, we have neighborhood associations and other structures. As you said, it's a community association. Although it's tied to a particular religion or a

October 8, 2014

particular congregation, it is nonetheless a social structure. So we as politicians -- as we have -- need to step out beyond what is -- you know, the separation of church and state doesn't mean that we never talk to each other. It should not mean that we never don't talk to each other. I know that I and my colleagues -- in my culture, at least, as an immigrant, you wait to be invited. So I encourage your community, your churches to invite us. We need to cross the bridges and make those friendships.

Libov: Thank you, Amanda. Definitely.

Fritz: I missed getting your name into the record. Could you tell us again?

Libov: I am Victoria Libov. I work with IRCO, that's my day job, an employment services manager, and came as a refugee from former Soviet Union in 1991.

Hales: Thank you, Victoria. My question is one of process. I hope and expect that you're also presenting the report to the Multnomah County Board of Commissioners and to the school boards -- at least some of them in the area that you've researched. It looks like you are, good.

Libov: Yes. And we also have some follow-up meetings individually with commissioners and the chair. So we would like to ask you if we can continue the conversation.

Hales: Exactly -- you know, if we are going to act on this as a community, we have to act on it here but also in the county and in the school districts and others have to work together. Not just the churches, but also other governments to deal with these issues, particularly the issues of poverty where the county is the lead government for dealing directly with people in need. But we have a role in that, so that's why I want to make sure that all of us as policy-makers have got this in front of us and have this kind of constructive, informative dialogue with you so that as we work together to build budgets for next year and so on, that we have this right in the top of mind.

Libov: You will definitely hear from us very soon.

Hales: Good.

Fish: Charlie, can I pose a question? One of the concerns that runs through the reports that are presented to us about culturally competent services is dealing with language barriers. A couple years ago when we were previewing all the changes in our city's websites and technology, there was the promise of being able to automatically convert everything into different languages. And matter of fact, it was a program that you could buy that you could drop something down, pick the language -- and it was more accessible. And I wonder -- since we're talking not just about our websites -- that's the city website and the bureau websites -- we're also talking about any brochure that we hand out. Commissioner Fritz, I think, has pushed the envelope quite a bit with a Summer Free For All. She produced flyers in many different languages. I wonder if it's time for us to take an inventory across the city of how are we doing in terms of the communicating with -- if there's 22,000 members of the Slavic community, and we're not respectfully communicating to them, that's a problem. I don't know whether we -- Commissioner Fritz is looking at me.

Fritz: I'm just so grateful you've teed up --

Fish: OK, yeah, please.

Fritz: The Office of Equity and Human Rights has a fall budget monitoring request for coordinating translation services and providing their expertise to all of the bureaus, so it will no longer be an excuse for bureaus to say we did not know who to contact.

Fish: And I think having a comprehensive inventory of the kinds of things we put out. Like, Water Bureau puts out a brochure that describes all of our discount programs. And we worked closely with Elders in Action to make sure it's readable, but I'm not sure that -- I don't know what all the languages we publish it in. So perhaps it's time to have is a consistent standard across all of the bureaus, and perhaps this budget ask is the way we get there.

Hales: Good, thank you.

Fritz: Mayor, I want to follow up on your question about the school boards. Because I'm looking at page 24, which shows the different school districts in Multnomah County. And unlike some of the other communities that we've looked at where some of the other districts are doing significantly

October 8, 2014

better than Portland 1J, for the Slavic community, it doesn't seem like anybody has really figured it out. So I just wanted to call attention to that. And again, looking at other communities across the country, what is it that we could be doing and encouraging the school boards to do that would better serve this important section of our community?

Hales: Great. Other questions?

Novick: Just one comment. I noticed that one of the points you make about employment is that recognizing foreign credentials and work experience continues to be an importance to the community. And I think there is going to be an effort in this next legislative session to talk about how we can reduce barriers for employment in jobs that require some sort of licensing by giving some recognition to foreign credentials. And I'm hoping the city will be part of the lobbying effort on that, and maybe we can begin to make some progress.

Libov: Thank you very much for saying this, and if you need community members to stand behind you, we're onboard.

Novick: Thank you. Yeah, we will take you up on that.

Libov: Yes, certainly.

Hales: Those barriers are huge for people who have spent years developing their professional careers in another country who come here and have to start over. I have a friend who's been through that process. She's a Russian woman. It's crazy, you know -- she's a professional and she knows her work, and she was forced, really -- in order to get back into her own profession -- to spend years and thousands of dollars relearning what she already knew.

Libov: It's not efficient and not cost effective for all of us. There was one program here for the nurses, foreign nurses, and it's no longer in place. It was through Clackamas Community College -- no funding anymore. But the registered nurses from other countries were able to re-gain their credentials within a year. It was very small, and it's gone. So yes, definitely. Call me.

Fritz: We have just celebrated Hispanic Heritage Month, and for the first time in my memory, we had a proclamation read entirely in Spanish. I'm wondering if one of you could speak to your community in Russian partly so that folks who are watching this and not getting it translated would be able to understand what has just happened here. But also because I personally find the Russian language is the most melodic. I don't understand a word, I love to hear it spoken because it's such a beautiful language. So I would like to invite you to do that, to speak to your community in your language.

Libov: What do you want me to say? [laughter]

Fritz: What do you want your community to know about their city government and how they can get connected and get services and, and feel like we are welcoming them. You could just say something like that.

Libov: [speaking in Russian] Now do you want me to say it in English? [laughter] I just basically said that it is a great honor and brings happiness to us being able to have a voice and have an opportunity to talk to the public officials, knowing that we will be heard and can see that. While back in the country where we all came from, our voice was only counted around our friends and family and our own teachings. That's what we say.

Fritz: Thank you, I'm sure the captioning folks are happy that you translated that. [laughter]

Libov: I didn't do it word by word.

Fritz: That's OK. How do I say thank you in Russian?

Libov: спасибо.

Fritz: спасибо.

Hales: Thank you all very much. A great report. Thanks. Is there anyone else that signed up to speak on this report?

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

Saltzman: Thank you.

Hales: Thank you very much. Good morning.

October 8, 2014

Mary Eng: Good morning, Council. It's a pleasure to see all of you, and I hope Nick Fish joins us shortly. I'd like to thank you very much so much for the three minutes graciously allotted by the City Charter. I wanted to share with you sort of -- I want to talk about my grandpa, Elmer Cangus [spelling?]. My knowledge about Elmer is that he came from immigrants from Finland who were extremely poor and very malnourished, and they were very short of stature. They lived in a sod house that was on the side of a mountain for quite a while. And they eventually made it to the northwest, and became a little more well-off. I know that as immigrants, my grandfather was very shy about speaking what was sort of a Swedish and Finnish hybrid language. And my mom didn't learn much, but there was one thing on the wall that said *sisu*, which was a Finnish word for courage. In the history of Russia, Finland was frequently a part of the Russian community and then they would break again. My grandfather actually came from an oppressed, indigenous people called the Sami people partially in Finland, who potentially have some ethnic background with the Mongolian invasions that happened a thousand years prior. Sometimes if you look at my mother's face, she looks Russian or kind of almost Asiatic with really beautiful cheekbones and pretty eyes. And my grandfather in some ways deserves recognition, I think, for being in a minority where he was very afraid and had a hard time assimilating. He worked very hard. He ran away from home as a 13-year-old boy and worked in the mines delivering water to the miners. And I wanted to extend the story of the toil and suffering of that branch of the family to help maybe immigrants who are currently -- freshly new immigrants -- realize that the struggles that your grandparents face will still follow you, and you may feel a little bit outside of the mainstream community, or that you have not really even assimilated this many generations on. That there's some handicaps that might have arisen from their struggle. And just I feel very special about our closeness and some of the Viking invasions that happened into Russia, and settling of certain cities in Russia kind of that were really one family, very specifically, but just say hello to them.

Hales: Thank you. Thanks very much.

Crystal Elinski: My name is Crystal Elinski. I was going to mention again about the Hispanic heritage proclamation a couple weeks ago. It happened in this building, they had it down in the lobby, and a lot of people were discussing it and talking about how for the commissioners, for the staff people who work here -- a lot of times it feels like their work is heavy, they have tough decisions to make, all of that. And we're seeing it more like trends. If you follow the trend, you're sure to be in the right place at the right time. As I've told Commissioner Fritz about following families, children, the homeless, remembering where they're coming from and what they're saying -- and that goes for the city of Portland, to not be pretending that we are Portlandia. We are actually many areas of town where a lot of immigrants and poor people live in different conditions that our media does not talk about, and we certainly don't talk about here in City Hall. So, I mentioned that for many years we were trying to get immigrant sanctuary here in the city. The people of the Hispanic heritage group said they were looking into it as well. I know that the trend works because for you to show up at Augustana Church in support of an immigrant, that means that you are listening to the churches. They're communicating with you. They're inviting you. And we've invited you. I've been in different organizations that -- in fact, the Center for Intercultural Organizing invited you every single Wednesday downstairs for coffee to talk to us about what the needs are. I don't know if you have a Twitter, and anyone you know on Twitter, send them a Twitter and say, invite me. Go out more often to the community and less often -- as I mentioned before -- having these business deals. If you've got a budget and you do the money right, your job will be so much easier if you simply listen to the trends that are going on. Another one was with the immigrant community is child sex trafficking. I know that the Children's Levy is perhaps a legacy for Commissioner Saltzman, but it would be a way in to see what's really going on behind the scenes and not laughing about it here in City Hall or elsewhere saying, oh, we would never be involved in child sex trafficking -- the capital of the country. And that has a lot to do with the way that we treat our immigrants. Finally, another issue I would like to have addressed is when the

October 8, 2014

churches are having homeless people live in cars on the property, again, the city needs to step up. When the sheriff is saying, no, we're not going to do secure communities any more, the city and the county need to realize, OK, sometimes we implement policies that don't work, and sometimes we're just stuck, we don't have ideas. So go to the community, we have the answers. And I want to thank you very much, everybody.

Hales: It was a great report, thank you. Thank you. Good morning.

Benjamin Pickering: Good morning. First, I would like to thank the Russians for their speeches and their buildings they've got going up down in Washington. Those are awesome. I love the structure. And the people there are really nice. The Russians, I love their fashion. It's way cool. Is that the way you say it, [indistinguishable]. But I went to the church, and I was going to the church, which they just moved and opened it up as a Christian church now, but their Russian church is [indistinguishable], which is awesome. They had an interpreter there. I learned a little stuff, but their music is awesome and what they have got going in the community is great and awesome. That's all that I want to say.

Hales: Thank you very much.

Elinski: As far as your translations, I want you to know that I love your Parks and Recreation translation newspapers. I use them in my classes. This one has -- in other languages -- it still has Gary Blackmer as the auditor.

Hales: We need to fix that, thank you. Thanks very much. No one else to speak on this item?

Fish: Did we need a motion, Mayor?

Hales: Yes, we do.

Fish: I move the adoption of the report.

Saltzman: Second.

Hales: OK, roll call on that please.

Item 1043 Roll.

Novick: Thank you very much for the report and your testimony. I really hope that there's some things that we can do to make a difference. Aye.

Fritz: Very similar to the report for Native American communities, this really does make the invisible visible. And these numbers don't lie. This problem is real, and we must continue to step up. It's been since 2009, I believe, since the Coalition of Communities of Color first released their report shortly after the State of Black Oregon report came out. And that was when I recognized the invisible and started working on the equity issues. So, I'm very grateful that Mayor Hales is continuing the work of his predecessor in expanding on that. We can and must do better. Thank you very much for your partnership. Aye.

Fish: I really appreciate the discussion. Thank you for the report. The last time that I visited Parkrose High School, the superintendent told me that there were 45 different languages spoken at that school. That presents short-term challenges, but most importantly, it presents long-term opportunities. And our job is to fashion policies that harness this great, rich cultural diversity and the talent pool that's coming here from around the world. I think that some of the suggestions in this report seem common sense, and we should be able to act on them. I appreciate the good work. Aye.

Saltzman: Thank you for this report. I noted in the introduction that this is the last of seven reports that the Coalition of Communities of Color has provided to Council and other entities on the various minority communities in our city. So, I appreciate the well-researched, thorough documentation of the issues and the problems, and we will do better. Aye.

Hales: Thank you. Not only do I want to thank PSU and the Coalition for the report, but I thank my colleagues for a good discussion here today. Our numbers -- facts are friendly, and this is amazing data. I have a chance to confer sometimes with other mayors, and there are a lot of us who are focused on the idea that our cities ought to be places of opportunity, whether the federal government is helping us with that or not. And I suspect that there may not be another city where there's this combination -- that is, this much demographic change. Sure, there are other cities experiencing

October 8, 2014

demographic change, but Portland is very much so. And this quality of analysis of that change by academic and community partnership -- I've never heard of anything like this anywhere else. So we're blessed to have both this challenge of this amazing diversity that we now have as a city, and we're blessed to have this kind of clear-eyed analysis of the problems and the challenges that face us as a city. I think that this is an amazing service. We all obviously care about what we've learned here and we'll continue to learn, and look forward to putting it to good use. Thank you all. Aye. OK, let's move to 1044, please.

Item 1044.

Hales: Our Planning and Sustainability Director is bringing show and tell as well as a distinguished county commissioner and our auditor and others that are here to speak about this today. So, I think that we've got a great team lined up on your panels this morning to talk about this. Just a little reflection. I was on the council in 1993 when we adopted our first climate change strategy. There's been some water under the bridge -- if I can use a bad pun -- since then that has changed everyone's understanding of how important this work is. We've made a lot of progress. Some of us had the opportunity to brag elsewhere about our progress, and we have as a city done more and gone further than other cities have. But we have a lot of work to do, and that's why the award is wonderful. I know Susan and our team will talk about the award, but we also have a great deal of work to do. So with that, I will let you start, Susan. Thank you all for being here this morning.

Susan Anderson, Director, Bureau of Planning and Sustainability: Thank you. Good morning, Mayor and City Council. Susan Anderson, Director of the Bureau of Planning and Sustainability. And yes, we do have show and tell, and special guests for you this morning. For the past 20 plus years, Portland has been working with business partners, with utilities, with the state, Metro, the county, and thousands of residents in every neighborhood in the city on planning and sustainability solutions to reduce carbon emissions. Our efforts have been very successful -- Michael will tell you more about the success the city has had over the past 20 years -- and our work has been recognized nationally and internationally. Just recently, Portland was commended as one of only 10 cities around the world to receive an award from the C40 Climate Leadership Group. The C40 is a network of the 40 largest cities in the world. Obviously, we're not one of the 40 largest. Portland and a few other smaller cities that were sort of ahead of the curve on the issues has been asked to join the group so that we can push forward this work kind of all together. They kind of think of Portland as the cool little sister to the big kids. But, unfortunately --

Hales: The smart little sister.

Anderson: Yeah, maybe so. But you know, I think in some ways we're not really that smart, it's only that we're grading on a curve, and no city is really doing that well. We've got a long way to go, we have so much work ahead of us if we're really to reach our goal of an 80% reduction in carbon emissions by 2050 and be prepared for the changes that are ahead and the changes that have already started to happen. Why don't we have Michael present the mayor with this award?

Hales: Very cool. It's very heavy. We're going to put it right up here where everybody can see it and enjoy it. It's a lot of good work by not only members of this council, but also a lot of people in our bureaus -- some of whom are here to talk about this today over a few years. It's an honor.

Anderson: Yes. Much of this work is with Commissioner Saltzman over the past 10, 15 years. So I very much appreciate his leadership on this. In terms of the change in climate, climate preparation or adaptation is an issue that unfortunately we're starting to hear a lot more about. We recently completed our climate preparation strategy, and we'll present that today. The strategy was developed jointly among many different bureaus in the city, the county, private business partners, we had external advisors, scientists and experts. What they found is that in many ways, Portland is extremely fortunate compared to much of the world, especially compared to coastal cities, compared to places that are already very arid. But even so, we're beginning to see the impacts related to heat, related to human health, related to water temperature and precipitation. The reports that you have in front of you explain just what those impacts are or are projected to be, and how

October 8, 2014

vulnerable we might be. Before I turn it over the presentation to Michael Armstrong and Michele Crim, Commissioner Bailey has to take off in a few minutes. As a partner -- the city and the county have done this work together now for a decade, and so we ask them to come here -- and then we're going over there later this week to do the same presentation. But I wanted the commissioner say a few words about the county's participation.

Hales: Welcome, Commissioner Bailey.

Jules Bailey: Thank you. And thank you, Susan. Thank you to all of you for the opportunity to be here. I'm Jules Bailey, I'm County Commissioner for District 1. It's a pleasure to be with you, Mayor and Commissioners, and to be able to be part of the team from Multnomah County that's here to cheer you on and to say that we're going to be doing our part. This has been a joint city-county action plan that's going to take coordinated strategy, and I salute the city for your incredible award. I think it's evidence of the continuity of leadership that the city has had over time -- Mayor Hales, you referenced that -- and also to the work that still needs to be done. And the county is ready to engage with you on that work. I think that it is clear that climate change is one of the greatest threats that we face. It is also clear that the impacts of climate change are disproportionately felt by those who can sometimes least afford it and who struggle most. In Multnomah County, we deal with the underserved, primarily. And it will require all hands on deck to ensure that as we work with the communities that are struggling from the results of climate change as we deal with the influx of potential climate refugees into Portland, as we ensure that we have equity as a core part of our sustainability strategy that Multnomah County will stand hand-in-hand with the city as we engage on that effort. More than that -- Mayor, as you know, we have the pleasure of co-chairing the levees committee -- we will see infrastructure impacts for climate change as well. We will see increased flooding that require a rebuilding of our levees. We will see increased electricity use to deal with severe weather events, Multnomah County runs energy assistance programs that will be even more critical, and even things like disease vectors. As we look at the increased disease spreading and mosquito-borne illnesses, Multnomah County Vector Control, Department of Emergency Management and others stand ready to work with you on implementing this plan and making sure that we're ready for anything that comes our way. So, this will be a long process. I'm honored to be part of the team at Multnomah County doing this, and I would cheer you on and note that at our commission meeting tomorrow, we'll be tackling the same subject. Thank you very much.

Hales: Great. Thanks for your partnership, thanks very much.

Anderson: Before I turn it over to Michael and Michele, I wanted to thank the other bureaus and the other partners that were a part of this. From BES, Alice Brawley-Chesworth and Kaitlin Lovell. From Water, Lorna Stickel, who's retired, but who all of us know and has been a part of this process and many others. Kavita Heyn, also from the Water Bureau. The County Office of Sustainability, Tim Lynch; the County Health Department, Kari Lyons-Eubanks and Matt Davis. And at my own office, Michele, Ingrid Fish, and Roberta Jortner. After Michele and Michael do their brief presentation, we have three other people who want to be a part of this presentation. Joanne Fuller -- who is the director of the County Health -- to talk about her perspective on the health issues related to increasing temperatures in particular. And then invite my colleagues Dean Marriott from the Bureau of Environmental Services and Mike Houck from the Planning and Sustainability Commission. Thank you.

Hales: Great, thanks very much.

Bailey: Congratulations again.

Hales: Thank you, Commissioner. See you soon. Appreciate your help on this. Michael and Michele?

Michael Armstrong, Bureau of Planning and Sustainability: Great. I'm Michael Armstrong, I manage sustainability programs for the Bureau of Planning and Sustainability. I'm going to offer a little bit of context for this work, and then let Michele talk to you about the details of this strategy.

October 8, 2014

As you said, Mayor -- and as Susan referenced -- Portland has a long history of working on climate change. I personally like to carry around the five and a quarter inch floppy diskettes that contain the data from the first climate action plan back in 1993.

Hales: There's an artifact.

Armstrong: Exactly. Mostly because it amuses my colleagues, which is part of my job. [laughter]

Anderson: Actually, it's because I did those and he likes to show how old I am. [laughter]

Fritz: Are there still machines that play those things?

Armstrong: None that BTS allows -- [laughter] -- for which we are grateful. On the one hand, it seems like we are impossibly out of our time, and on the other hand, I guess I would point out that we adopted our first carbon dioxide reduction strategy in 1993. A year before in 1992, then-President George Bush signed the United Nations Framework Convention on Climate Change that came out of the Rio Earth Summit. This work has not been radical, it has been responsible. And so I think we're continuing in that tradition today in doing the prudent thing in preparing for the climate change that we're already experiencing. So we have this history of working on this issue, and we have encouraging results to show in terms of reducing carbon. The chart in front of you shows emissions associated with Multnomah County activity -- so community-wide, throughout Multnomah County in the blue line on the bottom. Compare that to the national trend at the top, and there's a real gap that opens there over the course of the 2000s. That's very encouraging. I think it's a sign of our early work. There's no single thing that made that line move, but it's really a combination of a whole host of efforts that Susan referenced around energy efficiency in buildings, in appliances; more fuel efficient vehicles. It also has to do with transitioning to lower carbon energy sources -- more solar, wind, geothermal; also shifts away from things like fuel oil, which are very carbon intensive. It also has to do with things like shifting toward more biking, walking, and transit. All of these things together roll up into these numbers. This trend is encouraging, because I think it reflects our early work. It's also encouraging because the national trend has started to bend down, and we absolutely need to see that. If we're out on our own and no one is following us, that's not going to end up helping. And that is one reason we do participate in things like the C40. So this needs to be an effort much larger than just Portland. So that, too, is encouraging. We also recognize -- as Susan alluded -- that the climate is already changing and we're expecting to see more change. And so while the early climate work was focused primarily on reducing carbon emissions, we also have begun to evaluate and really put into place strategies for dealing with the changes we're experiencing. This is a graphic that shows how almost all of the work we do on climate change either reduces carbon emissions or it helps create a community that's able to succeed over time, even with changes in the climate. It also reflects that a lot of the things we do will help on both those fronts. Those are times in the middle. Almost all of those activities aren't only one or the other, they're all gradations. But it gives a sense of, you know, saving energy in our homes clearly reduces carbon emissions. Similarly, doing a better job with flood management clearly is going to equip us better to deal with the changes we're expecting in precipitation. But there are a lot of things in between. A lot of our land use planning needs to support both. Things like natural systems, ecoroofs, green infrastructure -- they're going to be an important part about how we handle changes in our rain patterns. They also help sequester carbon, keep the city cool which then requires less energy to cool our buildings. So a lot of these strategies do both. As we went into this strategy development process -- as Susan noted, this is a city-county joint effort, which is really important, because so many of these issues span things like physical infrastructure and how that ends up affecting public health. We really want to do this hand-in-hand with the county. A lot of what we do affects how they end up doing their work, and vice versa. And so it's been really important to do that jointly. We still needed to break the work down into some pieces just to make it manageable. So we organized the effort around three sort of topic areas: infrastructure and the built environment, natural systems, and then health and human services. And this is where Michele will talk through some of the specific findings. We coordinated a lot of work with all of these different bureaus,

October 8, 2014

county departments, many, many individuals -- because they are the experts. And so we equip them to make sure that we are starting with the same understanding of the science, the physical impacts that we are expecting, and then we relied on their expertise to play those through. How will that change the services you provide, the demand for them, the way you deliver them, our ability to accommodate all of these changes? I think one of the outcomes of this process is that city and county staff across a whole wide range of interests are engaged, informed, they are experts in doing this. And so the capacity-building that has resulted is very constructive, and kind of an essential outcome where it's not simply a report, but a lot of us now are much more plugged into how these changes will affect our daily work as the city and county. So, what you have in front of you are two documents. The orange one is a fairly technical risk and vulnerability assessment that goes through these physical changes we are expecting and then plays it out across these different categories of infrastructure, natural systems, human health, other kinds of services. And then the shorter document with the picture on the cover is the proposed strategy -- what are we going to do about it? I will turn it over to Michele to talk through those. And I'd guess I'd leave just one analogy that guides this whole effort -- and I'm borrowing this from someone else -- but as we prepare for climate change, we can't assume that the future climate looks the same as it has in the past. It's sort of analogous to driving forward while looking in the rearview mirror -- which sounds crazy, but actually can work fine if you are on a really straight road -- but all of the evidence is this road is not straight. And so this work is trying to have us look out through the front window. And it's a little cloudy, we can't see everything perfectly, but it's a heck of a lot better than looking in the rearview mirror and trying to gauge the future by what we see behind us.

Hales: Thank you. Good morning, Michele.

Michele Crim, Bureau of Planning and Sustainability: Good morning. Michele Crim with the Bureau of Planning and Sustainability. I'm going to walk you through briefly some of the primary risks and vulnerabilities that were identified in the orange-covered document, and highlight some of the actions that are contained in the strategy. The risk and vulnerability assessment identified five primary risks that we feel are a priority for Portland, and they generally fall in two seasons. For summer, we're looking at projections of hotter, drier summers with more high-heat days. This means that we would be expecting to see higher average daily temperatures, but also that we would expect not to cool off as much at night. And there are also more projections for more heat waves. Those temperature increases then are likely to be exacerbated by a phenomenon known as the urban heat island effect. The map on this slide here shows some early work that was done by PSU to identify the urban heat islands in Portland. So these are the areas in the urban environment that are hotter than the surrounding rural areas. And you can see here the parts of town that are cooler in the blue -- places like Forest Park, or neighborhoods that have higher tree canopy cover. And then the areas of the city that tend to be warmer -- you can see major roads like 82nd, Sandy, MLK, downtown, industrial areas. So these are parts of the city that tend to be hotter relative to the other areas. This map was generated by some early work done at PSU. Currently, researchers there are in the process of gathering more measurements across the city and county, and will soon come out with a more detailed map that will show the entire county so we can see what the urban heat islands look like there. These temperatures and the exacerbation with the urban heat island create significant issues from a public health perspective related to heat-related illnesses like heat stroke and heat exhaustion. It can also reduce the water quality in our streams. It can impact operations at the wastewater treatment plant. It can also result in impacts to the transportation infrastructure, such as pavement buckling or rail warping. You probably have maybe experienced or seen when temperatures climb above 90 degrees, TriMet needs to slow the trains down because the overhead cables get hotter and they start to sag a little bit, which means they need to slow the trains down for safety reasons. So these temperatures -- in addition to public health -- can affect our transportation and natural systems as well. Two other big risks associated with hotter, drier summers and more high-heat days include drought and wildfire. Drier summers can lower stream flows and increase

October 8, 2014

issues with invasive species, and also can put stress on our green infrastructure facilities. The increased potential for wildfire -- not just in the urban wildlife interface, but also wildfires in the region -- can impact local air quality. And we've seen some of that in recent months as well, and that certainly has public health impacts related to triggering asthma or other underlying medical conditions. On the upside, in terms of water supply -- based on the latest population and demand estimates and the expected performance of Portland's water supply system, the Portland Water Bureau is confident that it has sufficient water supply resources for the next 30 years at a minimum. Moving into the winter, we're expecting warmer winters with the potential for more intense rain events. This results in the primary risks of flooding and landslides. Occurrences like this can put increased demand on emergency response services. It can impact our transportation and other infrastructure, and can cause -- particularly flooding -- can cause issues like bridge scour and can damage boat docks and other waterway facilities. In addition -- as has been mentioned -- it can create issues related to vector-borne disease. Mosquito populations can also result in increased mold spores which can trigger asthma and other health issues. The second document -- which is the one with the picture of the people planting in the green street facility in the front -- is the strategy. And the actions in that strategy I would say fall into four broad categories. The majority of the actions fall into the first category, which is to keep doing what we're already doing. A lot of those risks that I just talked about -- flooding, landslides, wildfire -- are already risks that we face today. They are things we're experiencing today, and they are risks that we're working on addressing today. In a lot of cases, we just need to keep doing what we're already doing. Some great examples of that in particular relate to work around green infrastructure and natural resource protection and restoration efforts. Another category is getting ahead of some of the coming impacts. We know that things might be changing in the future. We're not necessarily on a straight road anymore. And so we need to get ahead of a couple of things. Some examples of action in that category include -- if we're having hotter, drier summers, Parks and BES have identified the need to look at different plant palates -- what are the plants that we're planting in our restoration work, greenstreet facilities -- trees, shrubs, etc. -- that are more likely maybe to be successful in these summer drought conditions in the future? Another example relates to public health. And as Commissioner Bailey mentioned, really needing to identify and understand how these impacts are likely to affect different populations. And there are some communities that are likely to be more vulnerable to some of the impacts -- particularly heat -- than others. So we need to make sure that our emergency planning efforts and our communication strategies are prioritizing those communities. Another big category has to do with monitoring and research. City and county staff identified a variety of things that don't necessarily require that we take action in the near term, but are things we should keep our eye on so that we can better understand what's going on and be better prepared to take action when and if the time comes. A couple examples of that. If we have more intense rain events in the winter, river levels may rise. How does that affect the number of bridge lifts that happen, and does that affect maintenance schedules on the bridges, for example? Another example might be if we have these increased temperatures, how does that change demand for park facilities, community centers, fountains, other recreational places where the community is maybe seeking those places out in an effort to cool off? And so what does that mean for Parks in terms of their programming of their facilities, for example? And lastly, there are some cases where we need to employ what Michael said in terms of looking out the front window instead of the rear-view mirror as it relates to some key area and decision-making processes that the city and county have. An example of that is asset management. The bureaus consider a variety of risks, such as earthquakes or infrastructure aging when they are doing their asset-management work, and so we need to incorporate climate change risk and vulnerabilities into that assessment as well. Another example is the comprehensive plan. We've been working to build climate change impacts and vulnerability into the goals and policies in the comprehensive plan to help ensure we have a more resilient city in the future and that our land use decisions are taking climate change into account. In conclusion, our next steps are to continue

October 8, 2014

building on the existing work that's going on, move into implementation, research monitoring. And then secondarily, we are in the process of updating the 2009 climate action plan. In the past, the city and county's climate action plan has predominantly focused on reducing carbon emissions. So we'll be incorporating the key findings from this work into that new climate action plan so that the city and county's climate plan will continue to focus on reducing emissions, but will also have this additional component -- the second circle that Michael showed -- that begins to bring in the preparation work as well. With that, I'll turn in back to Susan. Thank you.

Hales: Questions for staff?

Fish: So, two recent events in my life. One -- some folks who testified before the blue ribbon commission looking at our utilities have opined that the Water Bureau and the Bureau of Environmental Services don't do a great job of describing their work to the broader public. And second -- Mike is smiling -- second is a Davis Hibbitts poll saying that not only does no one know what we mean when we say green infrastructure, but the last slide said, stop using the word infrastructure because it doesn't resonate with people. So it reminds me that since we're still actually in some places debating climate change -- I mean, there are people in our community and state who are very prolific on this question -- it suggests that one important piece of all of this is how we talk to the public about it. And I think the extent to which we can be consistent across platforms in the city obviously strengthens our case. That we can use language that is accessible to people that maybe don't follow this as closely as the experts. I just found it sobering that apropos of nothing, Davis Hibbitts said, stop using the word green infrastructure, because we've had focus groups and no one knows what you're talking about. So it ends up being another example of us talking to ourselves but not necessarily the people we're trying to serve and move. So I've asked my bureaus to come up with an alternative to green infrastructure, just because gray and green will be embedded in all of our work. We're not going to stop making progress, but I would just -- as part of this exercise -- ask humbly your help for all of us and for our bureaus in how we talk about this work in a way that reaches people that maybe don't follow it as closely as the experts. And that includes the kinds of words we use, the framing of the issue, and then the opportunities we have on a regular basis to talk about this in ways that resonate.

Hales: Well, fair enough --

Fish: I take that challenge that we can always do better on. The question is, what's the frame?

Hales: Yeah, I mean, fair enough. I wish everyone well in coming up with a word that comes more trippingly off of the tongue than infrastructure. But actually, Davis and Hibbitts -- as you probably recall -- also did another survey recently called the Oregon values and belief study. And one of the things that I thought was interesting in that survey was that statewide -- not just in Portland, but statewide -- I think it was 75% of the respondents sided with the statement that said, climate change is real, and I need to change my own life and habits to deal with that. Statewide. It was something like 75% or 78%. Somebody might know the specific number, but it was a very large majority statewide. And there was actually not that much of a difference between the perception of that issue here in Portland and in the rest of the state, which also was surprising to me. So, I think we've got some understanding in the broad community about these issues, even if the words that we in government use aren't always resonate with people.

Fish: I totally agree, Charlie. Because I think the value system is there. It's how we tap into it. We've done something a little different at the Bureau of Environmental Services now, which is when we come forward with a green infrastructure project, we show both sides of the ledger. We show environmental benefits -- some of which we say, what price do you put on clean air, clean water, shade, temperature, lush settings at intersections? And then we do the other side of the ledger, which is it costs less than going a traditional gray approach. Harnessing nature costs less than just putting new pipes in and building our pipe capacity, since we can never have enough pipes doing that approach. So we're doing both. I think that -- since I'm relatively new with my two assignments -- the more coaching we get on how we talk about this and what are the most user-

October 8, 2014

friendly terms that communicate our values to people that -- as Charlie says -- understand, that are connecting the dots, that understand the problem and just make sure that we're talking to them.

Anderson: I really appreciate that. I think we've been working on climate change for 20-something years, and 98% of the time I never talk about climate change. I talk about jobs, about the health of people, about making their homes more comfortable, about making it easier to get around. And so, I totally agree with you that we need to talk about the things that people care about. And that's trees and water flowing and the other words you used. Sooner or later then, people will get the infrastructure word and the sustainability word and climate change words -- but totally agree with where you're at.

Hales: Thank you. Other questions or comments for our staff before we call up the next panel?

Novick: Actually, yeah -- one thing. By the way, I think the administration has recently started to use the term climate disruption, which I like a lot. Because you know, change is good, right?

Disruption is bad. But I also think it's more technically accurate. Great document. One thing I think we might consider in the future is talking about the need to prepare for the steps that I at least hope the federal government will take to reduce fossil fuel use. I mean, I think that we have to assume that either the world ends, or at some point the federal government puts a price on carbon. And I think that it's worth talking about the vulnerability to our population to a price on carbon and things we can do to mitigate that vulnerability. Like, let's assume that there's a carbon tax of X which scientists think will be necessary in order to point the economics in the right way. What does that mean in terms of how much people would have to spend in their cars if they continue driving the same amount? And explain that making it easier to take transit, walk, bike, etc., is a way of mitigating the impact of that cost. That might not be where the public is right now, but I think it's a realistic way of looking at it, and an important way of looking at it. Another example is -- Michael knows this is one of my favorite examples, I think it's something that tends to be ignored -- there's a huge carbon component to various kinds of food. And we know that beef, lamb, pork, etc. are much more carbon-intensive than for example, lentils, which are one of the prime examples of a low-carbon food. So I think part of preparing for the federal government putting a price on carbon would be explaining to people that when there's price on carbon, beef and lamb will cost more and lentils will cost a lot less. So I actually think that classes in preparing delicious lentil soup should be part of our climate change mitigation adaptation strategy. The general point is, we should -- I mean, the right wing talks about, how, well if there's a price on carbon, then that's the end of the world. I think that we should acknowledge that if there's a price on carbon, there is an economic impact but there are strategies to mitigate that impact.

Hales: Good discussion. Thank you all very much.

Fish: Mike, we will be grading you today on your communication skills with your presentation.

Hales: Good morning, welcome.

Joanna Fuller: Good morning, Mr. Mayor and members of the council. Joanne Fuller, and I'm your Health Department Director, because as the Health Department Director for the county, I also represent public health for the whole community. It's my pleasure to be here today to talk to you about the public health impacts that are reflected in this report and the strategies that we're going to be using to try to address those public health impacts. I first want to acknowledge the staff of the Health Department. Susan acknowledged the staff of the Health Department and their work in providing this report. I want to acknowledge the work of Lillian Shirley, who served as the Health Department Director during the time period this report was prepared, and really brought forward the concept that public health has a role to play in transportation and infrastructure planning. Because there are choices that can be made in those processes that can be positive for public health and can be detrimental to public health. So, we're really happy to continue that partnership with the city in doing that work. I'm going to be very brief. There is significant public health impact for populations for climate change. That shouldn't surprise anybody. There are areas that we expect to happen more rapidly than others, and that's where we're focusing in this work. One of the first impacts is

October 8, 2014

increased heat-related illness. This affects populations differently. Seniors are physically more vulnerable to heat-related illness. People who are homeless, people who work outdoors, people who don't have air conditioning are all going to be populations that are going to be disproportionately impacted by an increase in high temperatures which then results in heat-related illness. And so we need to try to address that on a population-by-population effort. Increases in respiratory diseases such as asthma. We know that as there is heat, as there is increased pollution, as there are increased particulates in the air, populations are more affected by respiratory illnesses. And in particular, you've been hearing from communities of color; poor and disadvantaged communities; communities that live closer to transportation like freeways and industrial sites are going to be more impacted by this. And so we know that we need to work community by community with people to try to help create ways to both prevent and then address respiratory illnesses as they increase. And then changes in vector-borne diseases like West Nile Virus. We talked about flooding, we talked about wetter winters -- that creates an opportunity for changes in our vector population. We need to tackle that while still maintaining habitat. We don't want to just obliterate our wetlands and eliminate the habitat that is often times associated with those vectors. So we need to make sure we're doing what we can about that.

Fish: Joanne, what do we mean when we say vector-borne illnesses? That's a term of art.

Fuller: Yes, we're primarily talking about mosquitos in this. So, mosquitos as carriers of diseases. When we think about public health, we think about health equity. You've been hearing from the Coalition of Communities of Color -- you heard this morning about the Slavic community and disparities. There are in America and there are in our community real disparities in terms of health equity among different racial and ethnic populations. And so we need to think more about what we can do to outreach to communities that may have physical -- or may not have the physical or economic adaptability to deal with the greater health risks that we're looking at in the future. What that looks like is -- you were talking about translating materials into languages. Part of that looks like is outreaching to communities and engaging in a conversation, working on building social supports and physical supports to try to help communities that don't have the same economic advantages be able to address issues that are increasing for them. You know, one of the challenges that we've got right now is that we go into this climate change environment with already existing health disparities. Part of what we're doing in the health department is trying to engage in broad strategies to address those health disparities as we go in, and then we know that those disparities are going to kind of be a pile-on effect as climate change impacts different communities different than others. So, what kinds of strategies are we talking about? We're talking about educating populations about heat-related illness. In the last year, we created a tool kit that was one of the first of its kind to try to reach seniors and other vulnerable populations in the community to try to help them both identify when they're involved in heat-related illness, and figure out what steps they could do to address that and to prevent it. That's the kind of thing we need to be able to do population by population as we work on these efforts. We're working to track the impact of high ozone days on health, and develop strategies for making sure that vulnerable populations -- in the languages that they speak -- know about their vulnerability. We're looking at air quality improvements. We have a grant right now that's going to be working with schools to try to develop curriculum, pilot curriculum to help teachers to teach about climate change, and in particular, to help students think about air quality. One of the things to think about is the connection of how you get to school -- meaning in a car -- and air quality that happens in your community. So, really trying to connect the dots for people about their individual actions and how that affects their health. And then, managing vector populations in a way that we can both protect human health but also ensure that we continue to maintain ecological diversity in our natural environments. And then, we need to track some emerging issues. One of the things that people are talking about these days is climate refugees. You know that we live in a climate that is predicted to be less impacted than some other areas around us. As we experience climate refugees, we're going to be experiencing more stress on the population.

October 8, 2014

We may experience people who come here and we don't have places for them to live. And we may be experiencing higher issues of mental health as depression and stress as people are dealing with both the economic and social impacts of climate change on their lives. Thank you.

Fish: Just one quick question. If we have a major snowstorm, we invoke our disaster policy council if necessary. If there's inclement weather, we have a plan that attempts to mitigate the impacts on people experiencing homelessness, and a plan that goes into action. If we have a stretch of really hot weather and we know it has a negative impact on older adults, do we have a health response plan that is similar in terms of directing people to cooling centers and places where they can escape the heat? Is that in place, or is it a work in progress?

Fuller: That's a work in progress, and that's a part of what we need to build with this. We have taken some actions that I would consider sort of intermediate steps between nothing and having a complete plan. For example, the county has opened libraries for extended hours and published that that's a place that people could go to stay cool with the air conditioning during those days that are of extreme heat. We have case managers that have outreached to particularly vulnerable populations of elderly and disabled people, but we haven't kind of taken the next step to really sort of open what might be the equivalent of the disaster relief center that was like the cooling center for people to be able to go.

Fish: I remember a few years ago when I was Parks commissioner, we had a spell of really hot weather, so we used our community centers as cooling centers. We put the word out, and people could come and be in an air conditioned space. That's interesting, thank you.

Fuller: Yeah, and I think we need to continue to work on that plan.

Hales: Thanks very much.

Novick: Joanna, I just wanted to say that I am glad that you brought up mosquitos, specifically. Because I think that people might not recognize climate disruption as an enemy, but they recognize mosquitos as the enemy. And if we develop a line of saying something like, every time you burn a gallon of gas, a mosquito gets its wings -- maybe that would be helpful. [laughter]

Fuller: Thank you, Commissioner.

Dean Marriott, Director, Bureau of Environmental Services: Good morning, Mayor Hales, members of the council. I'm Dean Marriott, Environmental Services Director. The Bureau of Environmental Services really is going to be on the front lines as far as dealing with climate change. The public has invested over \$13 billion so far to allow us to clean sewage and manage stormwater every day to keep Portlanders safe and to protect our environment. Changing rain patterns -- as you've heard -- could impact public safety by increasing flooding. It could adversely impact urban watersheds and put into risk all of the good investments we've already made to restore our watershed health. Increasing temperatures and rainfall could affect the wastewater treatment process itself. We were very pleased to play a major role in the inter-bureau teams working on this climate preparation report. Portland is a leader in implementing solutions designed with nature in mind. Treating stormwater using green solutions helps to cool and clean the rivers and streams which will be getting warmer with climate change. Green streets, green roofs, green parking lots are all flexible ways for dealing with increasing rain events. They're much more flexible than a particular-sized pipe that you put in the ground and then you have to rely on that. So, these green solutions continue our efforts to manage stormwater, our day-to-day business, and they help us sequester CO₂, which helps move the city closer to meeting goals for the climate action plan. Studies are finding, for instance, that ecoroofs -- which we've invested a lot in here in Portland -- can be an important tool toward moving buildings towards carbon neutrality. The climate change preparation strategy and the risks and vulnerability report that you've already been briefed about this morning are instrumental in connecting solutions. For example, trees. We've been planting a lot of trees to benefit stormwater and urban watershed health. They're also the same trees that are going to help alleviate the urban heat island effect, which you just heard about. And we've been very pleased to work along Planning and Sustainability, Multnomah County, our other city bureaus that are our

October 8, 2014

partners in this, also our local nonprofit organizations like Friends of Trees that have been working hard on this issue for many years. We're happy to be a part of the solutions to this problem. Thank you.

Hales: Thank you.

Mike Houck: Mayor Hales, Commissioners, my name is Mike Houck I'm here today because André Baugh, our chair in the Planning and Sustainability Commission, was unable to be here and asked if I could stand in for him. In August, we voted as a commission unanimously to recommend that you adopt these two documents. Staff has briefed and updated the Planning and Sustainability Commission throughout the development process, and shared all of the work they've done doing public outreach and so forth. The commission commends staff for creating a well-researched and strategic climate change preparation strategy. The preparation strategy considers the impacts that underserved and underrepresented Portlanders may experience as a result of climate change, and prioritizes preparation actions in communities most likely to be vulnerable to climate change impacts, such as urban island effect. The commission is pleased to see that the key findings and actions from a climate change preparation strategy will be integrated into the city and county's updated climate action plan. This plan is an excellent example of cross-bureau and cross-jurisdiction collaboration, and we ask that the city continue to work with surrounding jurisdictions - particularly Metro -- as responding to climate change is clearly a regional issue. In fact, yesterday, I spent part of the morning talking with Metro Councilor Bob Stacey about this very issue and basically giving him a heads up that the Planning and Sustainability Commission is very interested in Metro expanding beyond its currently very narrowly-focused mitigation strategy that the state has mandated Metro and the region address with regard to reduction of greenhouse gases. I really do think -- and I'm pleased to hear the conversation about green infrastructure, because responding both for mitigation and preparation to climate change is going to really require us to ramp up on green infrastructure, whether that's the appropriate term we use or not. And by the way, my critique of the City of Portland -- especially Bureau of Environmental Services' communication with the public -- really didn't have anything to do with language. It had more to do with bragging about the incredible work that the bureau has done. The Big Pipe project and all of the other excellent work that the Bureau of Environmental Services and the rest of the city is doing. So it's more about really letting people know what tremendous successes we've had than any language issues. Commissioner Fish -- actually, I think you used potentially one of the ways to communicate with the public. You used the term harnessing nature. I think people get the term green. I think they get the term nature or natural systems -- a lot of people, in fact, say natural infrastructure as opposed to green infrastructure. So I would agree we need to ramp up our communication with the public and make sure that we're being clearer. What that terminology may be, I don't know.

Hales: There's a contest underway, I think.

Houck: Yeah, thank you very much.

Hales: Thank you. Thanks for your service and continuing volunteer service. Questions for this panel? Thank you all very much. Do we have others signed up to speak on this item?

Moore-Love: Yes, we have five more people signed up.

Hales: Come on up.

Mary Eng: Hi, it's pleasure to see you, Council. Thank you so much for the three minutes allotted to citizens to speak on such items as per the City Charter. I wanted to bring up -- mucho thanks to Steve Novick for bringing up the idea about diet. I was going to hit that one, and I thought I might be really left wing to like come out of the vegan closet here, because you always hear me talking about so many other issues. But I think that one way to make it a little less threatening and scary for people is some of the campaigning around that centers around maybe meatless Mondays, or just doing it on a gradual basis or incorporating more healthy plant-based diet in just even one meal a day or something. So thank you very much. And I heard a great thing on NPR the other day about what's happening in Los Angeles with drought-resistant plant incentives, where people who convert

October 8, 2014

what would formally be extensively watered lawns into drought-resistant planting zones with sage and succulents are getting some kind of an incentive either from the water bureau or -- I believe it is something -- property taxes, or something. But we could maybe try to find a way to help people manage that on their own local basis. I thought about bringing up another idea called guerrilla gardening, which I heard about. It's kind of like a do-it-yourself punk rock thing to just take a little space that seems completely neglected and throw some plants on it. When people start even using tiny bits of plotting to grow some vegetables and things we can do something to improve the food basis. And then I just kind of wanted to map out for you my own struggles with the smog. I moved to Los Angeles in 2003. By 2005, I was having cramped lungs, where I was in pain surrounding the smog. But I loved being in a multicultural city and a lot of the opportunities that arose there. I moved back in 2007, and then moved back to Portland in 2010. So I've kind of had this back and forth thing. But for me, I thought of going to Portland as this green mecca, and finally I can breathe and I don't feel like I'm suffocating. But what I'm finding is you might need to say sayonara to me eventually, because the air in Washington is just fabulous. In the time I spent there, I felt like a calling to come back to Portland and help and participate and engage, but I also felt that there's an environmental refugee pattern even in my own life where I may seek more verdant pastures and green air.

Hales: Thank you.

Eng: Also, Ms. Elinski wanted me to read her statement, I don't know if that's permissible.

Hales: Just leave it with Karla, thank you.

Ben Pickering: [indistinguishable] resonate the mind. Just there's a lot of ideas out here. The lady brought up landslides going on. It's like the earth gets dry, and then it puts water on it and it -- we just had a landslide not too long ago over in Washington. It was devastating and it hurt a lot of people. The other thing I wanted to bring up, too, is the water issue. I mean, you always see the guys coming down off of the logger mountain roads and build these trucks and vehicles and different things. And the world is quick on building buildings and doing stuff like that. But in time, if you were to process it, I mean, is it possible -- they bottle up water, but you know, it would help too when they make sandbags and cause different floods to stop flooding so they don't get around the house, or they use sandbags when flooding happens. If they made factories -- they make these big garbage cans and crates and different things, but when you take something and put it on the water, it fills up with water. It would be cool if they made a factory that made square things. In time, I don't know in a year's time if you had a way of hauling crates and then using the crate, instead of bottling up water, bottling up the ocean. We're surrounded by numerous bodies of water. I mean, factories where they make crates that are big enough to where you can capture the water and then put it in areas where you can use it for blocks -- and so many of them, just like blocks where you could use it to block water, too, and make so many of them. You understand what I'm saying? I don't know. Just an idea. Everybody comes up with all kinds of other things. And mosquitos, they have the candle things you light them and keep the mosquitos off. They have the strips, too, or the spray stuff. What if they had something -- I always see tons of kids and stuff, they had something about the mosquitos going around and people, I mean, not everybody in the world hears about all of the things that go on with the mosquitos and viruses and different things. But the strip trees where it's like a blanket you put around a tree and it keeps them from -- the radius of something -- they have the spray stuff. But what if they made stuff like that or -- made it safely and -- I don't know, but anyway, thank you.

Hales: Thank you very much. Good morning, welcome. Who's next? Go ahead.

Daniela Brod: Hi, Mayor and Commissioners. Good to see you again. My name is Daniela Brod, I live in southwest Portland. Thank you to the Portland Bureau of Planning and Sustainability for creating a climate plan, for doing the risk assessment, and especially for the climate preparation report. As some of you know, I used to work for the city, and for 17 years, the local creeks and rivers and the neighborhoods that straddled them. My last assignment was leading a \$50 million

October 8, 2014

initiative to build and plant more green natural infrastructure in the city and as a way to meet regulatory obligations while saving money and providing multiple benefits important for a high-quality urban life. I'm here today as a mom of two young children. I brought with me Nora, who's four. I am a life-long Portland resident and fourth generation Oregonian. I'm here to say that climate change is the number one issue of our time. When I'm not mothering my children, I'm working with a national non-partisan nonprofit group called the Citizens' Climate Lobby to pass a revenue neutral fee on carbon. In June, I was in D.C. with 650 other volunteers when I met and talked with several members of Congress and their staff. I had the privilege to visit with Senator Merkley when he said, we are here, and this moment is a test of mankind. There's an urgency that national action now in the next three to seven years is necessary to avoid global catastrophe. We're very hopeful that we will reach our national objective, but we do not have any delusional ideas that the problem go away any time soon. The main point I want to make here is that in the context of this urgency to act, now to get carbon emissions out of our national and global economy, it's imperative that we realize that we have huge and long lasting lag effect that we will have to deal with. And the best place to do this preparation and adaptation is at the local level, right here in Portland. Why do I care about this? I worry about my children and their ability to enjoy the same things I do. As our climate changes, we will start to realize -- if we haven't already -- that our parks and our green spaces are our cooling systems, that our fellow birds and animals are our source of joy and inspiration. We will eventually realize that our fellow human beings who have less than we do are feeling the impacts of hotter, dirtier air more acutely than we are. I'm working hard for my children to get a good education and become productive members of society, and I hate the thought that it will be harder for them than it is for me. I have two requests. The preparation report is very important. I implore the bureaus to pay attention to it, and to find the time and resources to implement its actions. It will not be necessary to require additional programs or resources. It will, however, take prioritization and moving certain projects and programs up in the schedule. I request that you set up systems to prioritize these actions for funding. Secondly, please scale up efforts to include Metro. It makes no sense that Portland is doing climate preparation and not Metro. Metro's value to this region is regional scale and regional coordination, which is so important with the systemic and large-scale problem like climate change. Thank you very much for your attention.

Hales: Thank you, thanks for your advocacy.

Fritz: Daniela, it's nice to see you again. Nora, you are absolutely the best behaved young lady. I'm very, very impressed about your patience sitting with your mom and doing so nicely. Thank you very much.

Hales: Nice job. Thank you both. Mr. Fogerty, welcome. Just push the little button there.

Scott Fogerty: Thank you very much. Good morning, Mayor and Commissioners. I want to congratulate you on this really excellent award. I think it's really a testament to what the leadership of this city is doing and what the partnerships that have evolved from this topic have accomplished. And I applaud you in your efforts -- actually, let me back up. Nora is also a tree lover, by the way. She said she likes to climb apple trees, right? And she drew me a little picture while we were sitting out there. So yeah, she is a very good girl. I want to applaud your efforts and your staff efforts at addressing climate change and for this very bold -- I think -- and very encouraging resolution. I'm very encouraged that Multnomah County is involved as well. I think clearly these topics have no boundaries in terms of geography and we need to look at it holistically. While I understand the bulk of the push is to reduce our carbon output, we also have to think about -- and I noticed it in the presentation -- about sequestering that carbon. And at Friends of Trees, we take this very seriously. We feel that a healthily urban forest sequesters carbon in the wood, soil, and roots of the trees that we help plant. And a healthy urban forest touches on every one of the topics that we've heard about today. It addresses things like human health, it addresses things like air quality, it addresses things like energy use. Because if you plant trees on the west and south side of your home in the hot months of the summer, your energy use will be reduced because you don't have to use as much air

October 8, 2014

conditioning. So, it's a holistic approach, and Friends of Trees is very serious about taking this approach. We're also looking at what we call our climate trees program. We have worked with some nurseries to plant specific trees that can be drought and more heat resistant. They aren't your typical trees you'd look at normally in the northwest, but we are looking forward to see what kind of species will thrive in these conditions to mitigate heat island effect and summer drought issues that we heard about. Also, during the winter and spring months, trees basically help reduce the stormwater flow. The flow of the water into the stormwater system at the front end. So, the whole year round, our urban forest is working at a very low cost, high return value to us. And finally, Friends of Trees specifically works in the low income, low canopy neighborhoods. You saw the heat island effect up there -- a lot of the neighborhoods we've been working in very specifically for the past 10 years. I'm pleased to say this year -- our 25th year, by the way -- we're offering \$25 trees in those neighborhoods to help citizens be able to afford a cheaper tree that will help mitigate a lot of these issues. Now, trees aren't the panacea, but I know that you value these assets for the multiple benefits they provide to our community. As we move toward a warmer planet, I advocate for you to help fund and provide resources to increase our green infrastructure -- sorry I used that word, but I haven't thought of a better solution word yet -- well into the future, and that we finance these efforts through various creative means. So again, we are very supportive of this resolution. We thank you for working on it and pushing it, and congratulations on the award.

Hales: Same to you. Thanks for your help. Anyone else?

Moore-Love: We have one more, Andrew Rice.

Hales: Come on up. Good morning. Welcome.

Andrew Rice: Good morning. Thanks for the opportunity. My name is Andrew Rice, physics professor at PSU. I have a class in about half an hour. I also do research in climate science, and I took a close read of the report over the weekend, but I just wanted to -- since Commissioner Novick opened the door on this -- the carbon tax. We're working with the NURC -- National University Research Council -- on looking at the effects of carbon tax on Oregon-wide greenhouse tax emissions. That will be coming out in December. Can't tell you much about it now, still doing a lot of quality assurance on the data. Just stay tuned, and I'm sure we would be welcome to talk to you individually about it to you or present it as a whole. Today, I just want to say that I gave the report a read this weekend, and then I'm -- what impressed me really about the body of work is how integrative it was. I read it at least a dozen city and county agencies that have provided input, their own expertise in the issues associated with not just assessments of vulnerabilities in our citizens and social systems and national and built environments -- and I won't use the infrastructure word. So not just the vulnerabilities, but also looking at strategies that cut across, identifying strategies for the city and the county to prepare for and adapt for coming climate changes in the northwest. I think this integrative approach is particularly important, because climate change will cut across many different dimensions of society in the national environment, and we need to prepare for those in the coming future. Obviously, preparation we do today will be cheaper than dealing with the issues down the line -- fighting fires, essentially, as they come down. So, that's about all I would like to point out. I just think it's an issue that's becoming increasingly recognized with scientists, policy makers, citizens, that sort of approaching climate change in the future with regard to adaptation is going to be an important issue. That's it, thanks.

Hales: Thank you. And we look forward to having your research further inform our work. Thanks very much.

Rice: Thank you.

Hales: OK, no one else signed up to speak. Unless there's any further council questions, I think we're ready for a roll call on the resolution.

Item 1044 Roll.

October 8, 2014

Novick: Thank you very much, everybody, for your hard work. And we do need to pat ourselves on the back for the work that we've done as a city while recognizing -- as Susan said -- it's nowhere near enough. Aye.

Fritz: Thanks everybody for your hard work. Indeed, we need to continue to walk our talk. Aye.

Fish: Thank you for an excellent report. Taking a page following Mike's guidance, I would say that a singular achievement of this council working with the community was the 2009 city county climate action plan. I think it was one of the most significant environmental milestones in a generation. Our work today is continuing the progress by focusing on the action steps. I'm very proud of the consistent work of this council on that. I noticed from the presentation that a lot of the key challenges fall within my portfolio, so I'm going to catch up on my sleep this weekend and then we'll get back to work. But everything from the impact on our water supply and drought -- and I can assure you, we're not going to be facing drought in the near term, thanks in part to our well water supply and the Bull Run watershed -- but we have to plan for the future. Things like green roofs and harnessing nature, to getting superfund right, to all of the pieces of this puzzle. I just want to close today by saying that the two utilities that I have the honor of leading stand ready to do their part to address this great challenge. And I thank everyone for their good work. Aye.

Saltzman: Thank you for this very thorough report and progress, and also the challenges that lay ahead of us. I think it is interesting to note that we continue to have a trend in Multnomah County of lower per capita greenhouse gas emissions, and I think lower overall emissions, too. Because it used to be a rap on why we had those lower per capita emissions and lower total emissions was because our economy sucked. Well, that was true about four or five years ago. You know, the economy is doing better now, and it's nice to see we are maintaining our downward trend in greenhouse gas emissions on a per capita basis and I believe on an aggregate basis. I think it shows the will and determination to make things happen can be done here in Portland. This award is certainly a testament to that. So it's not just in fair weather that we are maintaining our advocacy and our diligence in reducing greenhouse gas emissions. So thank you very much for the road map you're providing all of us to a better future. Aye.

Hales: Susan, Michael, Michele, thank you for your good work on these policy documents. I think part of what I take away from this discussion with those of us reminiscing about how long this work has been going on and some of it being on floppy disk is that this is a long-term problem that requires sustained activity. And we have been sustaining it now for 20 years. It's paying off in terms of actual effects and a lot of quality of life and cost benefits for our citizens, but we also have a long way to go. Because Portland is this little sort of mouse that roars in the climate discussion in the international community, we do get to participate in the C40 discussions, and that's where this award comes from. I was really struck during my attendance at the C40 summit that if the cities that are involved in that effort -- if just the cities that are involved in that effort do what they plan to do, we'll avoid a billion tons of carbon in the atmosphere every year. A billion tons. That's a big number and a measurable improvement in the scenario. It's not enough. National government still needs to do things. More cities need to join the sorority of cities that are working together on this, but a billion tons is a good start. So I'm proud that Portland is a leader. We have more work to do to be a leader. In fact, we have to work harder to be a leader, because other cities are joining us and because some of the easier things have been done. But this is a good document and good map for where we should go next, and I appreciate your good work. Thank you. Aye. OK, let's move on to the regular calendar. We can queue up the first item and I will turn the council meeting over to Commissioner Saltzman, our presiding officer, because I have to go welcome the vice president to Portland because he's here. So, we'll get this item read and I have a couple of comments and then unfortunately I'll have to race off and try to get back for 2:00.

Item 1053.

Hales: Susan Hartnett is here with a presentation. Let me reset the context. We pulled this item from last week's calendar to work around another national visit. It seems to be the season. Susan

October 8, 2014

Gibson-Hartnett is here to walk us through the contract. We are here because the Veterans Memorial Coliseum has significant deferred maintenance, it has a modest annual operating loss, and even though it's a great building in a great location, it is not active enough days of the year to pay its bills. I'm not excited about any scenario that just gets by, but I'm interested in looking at the whole spectrum of possibilities and possible partnerships that will give this council some good choices, or at least one good choice about this building. So, this contract is a piece of that effort. I think it's responsible for us to have reliable cost estimates about what those different scenarios would cost, and if there are other creative ideas that come into this discussion today or any time, I just want everyone to know that I am not dug in on any particular outcome or any particular scenario other than again, I'm not interested -- I'm personally unwilling to spend money on just getting by and passing this problem on in probably a worse condition to our successors. That's why we're here, that's why the contract is before us. And Susan, I will turn it over to you, and unfortunately, I have to leave.

Susan Hartnett, Office of Management and Finance: Thank you, Mayor Hales. Good morning, Commissioners. Susan Hartnett, I'm the city's spectator facilities and development manager in the Office of Management and Finance. I am going to do a real short PowerPoint presentation to give you an overview of what is actually a two-part contract with Nelson Capitol CPM, and it does include work that contributes to the Veterans Memorial Coliseum option study that the mayor was alluding to. The contract exceeds \$100,000, which means that it requires Council authorization. The first part of the scope in this contract covers ongoing and planned construction project management for work at the city's Rose Quarter facilities. And I'm including a few examples just so you have an idea of the range of activities going on over there. One piece is implementation of the first phase of ADA transition plan work in the garages. There were more than 100 items of ADA non-compliance found in the city garages and surface parking lot, and this first phase that we're working on right now will address those items that relate to parking stalls, their sizes, and slopes. There will be a second phase that will address stairways and other walkways within those buildings. A little piece of information that may not be aware for everyone is that the ground lease that we have with Portland Arena Management for the Moda Center and other portions of property over there put the responsibility for major maintenance in the plaza on the city at this point in that contract. And the raised planter boxes -- those are the ones that have all of the trees in them -- are 20 years old. The waterproof lining in those boxes has failed and we are beginning to see evidence of water in the building spaces below, so those boxes need to have their waterproof lining systems replaced. And then the last example is there is an ongoing list of things that need to be addressed on a pretty regular basis at the VMC itself. One thing that we're working on this year is repairing some of the delaminating plywood in the fascia, which is that large white band at the top of the building. That is one of several projects that we're working on at the VMC. The second part of the contract is for construction cost estimating that will be part of the VMC option study. It's approximately \$65,000 of the \$125,000 contract that will go for the construction cost estimating and Nelson Capitol's participation in that project overall. I'm going to give you a little information on the study, because it's obviously of interest to you and to the community. So, what we're trying to do with this study is to provide information -- pretty full and robust information -- to the council on four options. I think it's the first time that we've actually tried to look at these four options at one time and provide the same level of information for the council to fully understand what the implications of all of them are on a number of different levels. At the top of the list is looking at renovation or remodeling scenarios. We're looking at five of them, and we are going to be using a lot of the work that was developed during 2010 through 2012 and remain consistent with the direction that the council gave at that time, which would be to build on the facility's primary functions as a spectator assembly exhibit and meeting facility. So we're really not looking for sort of outside the box ideas that have been explored in the past. We'll also look at options to continue the current operations. I did hear the mayor say that continuing to cobble along may not be one of the options he wants to know

October 8, 2014

about, but it is kind of what we've been doing for a number of years, so at least understanding the implications of that makes sense. We are including the option of closing the facility either as a temporary measure or potentially on a permanent basis. I will mention that we have events committed in that facility into 2016 and potentially into 2017 and 18, so a decision to close the building really could not be implemented for several years.

Fish: That includes things like high school graduation, sporting events, and other things?

Hartnett: Correct. Those events generally are booked about a year in advance. The 2016 event that we're committed to is the synchronized skating regional championships. Into 2017 and 2018 is potentially the Phil Knight 80th birthday events, which would bring -- I think at this point they're talking about 16 to 20 NCAA teams to town to help celebrate. And you probably all are aware that the Trail Blazers have made an NBA all-star bid for 2017 and 18 with an emphasis on 2018. Both of those events would rely on the VMC for providing room for events and activities. The study is also going to look at what types of redevelopment opportunities could be opened up and realized if the building were demolished.

Fritz: Oh, I did not know that part. So why are we doing that?

Hartnett: The demolition portion of it?

Fritz: I support looking at how much would it cost to demolish it, but in looking at redevelopment?

Hartnett: Well I think in order to talk about the outcome of demolition, it would be premised on the notion that it provides a redevelopment opportunity.

Fritz: But does this study scope out what those should be?

Hartnett: No.

Fritz: So it's just looking at how much does it cost to demolish it.

Hartnett: Correct. And the potential upside of that opportunity is not going to be scoped into this. Looking at if that were a direction the council were willing to go, what are the challenges that we face? Obviously, the fact that the building is listed on a national register is a significant component of that. I think there are also issues related to just the sheer tons of concrete in that building, and trying to figure out how we would reasonably demolish it and what the cost of that would be is something we've never looked at, we should look at seriously. Not from the standpoint that I think it is the direction that I'm hearing from Council, but because looking at all of these options and understanding the implications of all of them will help you make a decision as to what is the right direction. Does that help?

Fritz: Yes, thank you.

Hartnett: OK. And I was going to say, PDC will participate in that component of the study in terms of what kinds of redevelopment opportunities might be opened up with that type of site.

Fritz: But that's the piece that I don't think needs to happen. I'm very supportive of finding out how much it costs to demolish it, but in terms of looking at what else could we use it for -- that's not a direction that I'm interested in going.

Hartnett: And I think it is more along the lines of -- in the hypothetical, if you had a four-acre site, what types of development might occur that would be supportive of the Rose Quarter, not what specific set of uses would you put into a specific set of buildings. I think it's on a much more generalized -- we're not funded at a level of specifics.

Fritz: That goes into the 96 options of what else we could do with the site or the Coliseum that three of us decided we didn't want to go in that direction. So I'm not sure what the value of having a consultant spending time -- or even PDC spending time -- looking at what else we could do at that site. We need to know how much it would cost to demolish, and that's the information that the council needs to decide -- do we want to demolish and enhance, or just keep it going?

Novick: Commissioner, are you saying you are willing to contemplate demolishing the facility but not doing anything with the property afterwards?

Fritz: I think once we look at the cost of demolishing it, it's going to be very clear that that's more expensive than fixing it up. Certainly, knowing some of the costs of demolishing Centennial Mills,

October 8, 2014

for example -- when we look at the challenges of demolishing a structure on the national historic register which is a memorial to our veterans, I think that that's the cost I want to know about, not what are the jolly things that we could do in its place.

Novick: Well it sounds like to me -- speaking purely for myself, I would like to have an idea what we could put in its place and how much money we could make off of it. But it sounds like this contract isn't going to be authorizing doing that in any detail.

Hartnett: For clarification, the only funding in these contracts related to the demolition is the cost to demolish. It will be primarily staff effort that looks at what are the other challenges we would face, and in very general terms, the redevelopment opportunities that would be presented by having that building no longer there.

Fritz: Presumably, that would be informed by the one to two-year process and the 95 suggestions and everything else that we already plowed through.

Hartnett: So my understanding of that is that one of the basic premises in that study was that the VMC did not go away. That its uses could change, but very clearly the building -- Mayor Adams was quoted at the first stakeholder advisory committee in saying the one thing you have to retain is the skin of this building.

Fritz: And yes, that was because we previously had a long, long discussion about demolishing it for a baseball stadium.

Hartnett: Yes, and that was a single idea as opposed to a more generalized, what could we do with a four acre site in the Rose Quarter, and in what ways would it contribute to enlivening that district and perhaps supporting further development in the Lloyd district?

Fish: Susan, one of the things we're trying to insulate you from in this process is another pie in the sky exercise that gets us to a dead end. I mean, I've been on the council long enough that every single idea has been thrown our way, and most of them never got to first base. I remember jump town. And I suspect someone will say jump town would be a nice idea. There's people downtown that still think we should have a football franchise. God bless them. I don't think it's likely to happen, but they'll have a plan for a football stadium. There are people in this city -- including in my office -- who've never forgiven us for what happened to minor league baseball. So we'll have someone say we could put a major league baseball stadium there. We could spend a lot of time going to these dead-end options and spending consultant time, and I want to share Amanda's concerns. I don't want to put that burden on to staff. Because other than knowing generally that we could put housing or office -- and PDC is very knowledgeable about that, they don't need to have a consultant to give them a range of those options -- I'd hate for this to be another back door for people to come with pie in the sky ideas to be presented to a council that has historically said we're not going to demolish this building. And so I think we're also trying to protect staff from having to go through a needless exercise.

Hartnett: I appreciate what you're saying, I appreciate what Commissioner Fritz is saying, and I think the scope of what we're doing does not move into those areas at all. We're not going to be asking that question broadly. We're going to be asking it in a very narrow way. And again, we're not intending and expecting to bring forward any specific ideas about what might happen if the site were to be available for redevelopment.

Novick: Susan, you're saying the contract is for studying the cost for demolition.

Hartnett: Correct, and only the cost of demolition.

Novick: And that's what we would be authorizing today.

Hartnett: That's correct. And none of the other contracts -- which I'm going to be talking about in just a second -- do anything to further that notion of redevelopment on the site. It's simply to get a little slice of that option when we come back and talk to you.

Fish: Susan, I just want to acknowledge that when Mayor Hales came to council this morning, he turned to me and said, I looked over the agenda, it's a nothing agenda, this is going to be a very short morning. [laughter] I said -- I started banging the table, I used every tool in my tool kit to

October 8, 2014

dispel that bad karma. We're going to be here a long day. Thank you for your patience. We're going to have a lot of questions and we appreciate you hanging in there.

Hartnett: I understand. I mean, this topic has been around for a long time. I understand that. Let me give you a little bit more information about what we're going to be looking at in these scenarios. There are four contracts for consultant contracts. Boora Architects -- who are going to be doing architectural services -- are primarily going to be repackaging the schematic design that was completed in 2012 into what I consider three additive scenarios under the renovate-remodel option. We would start with the basic repairs and replacements -- things like our mechanical systems, and necessary fire life safety compliance. Just that as a package -- if we were just going to make the building essentially habitable, what that would look like and cost. To that, we would add an additional scenario that addresses some of the needed and desired improvements to both the user and tenant experience. Things like new seats, a new scoreboard with decent video replay, perhaps new improvements to locker rooms and offices -- things like that. The third package would add enhancements that could actually draw new events to the facility, or perhaps improve its financial performance. Things like improved and expanded concession areas, additional stage rigging capacity that would allow more concerts to come into the facility, things like a curtain system that might allow alternative configurations and sizing of the arena bowl and again make it more flexible for a variety of events. Boora will be doing a little bit of design work to flush out that third scenario, but primarily, they will be working with what's already been completed. Two additional scenarios will be kept in the mix. They're ones that keep the primary function of the building intact but offer more significant changes that may be of interest. One would be to utilize a movable floor system and remove a portion of the bowl to accommodate indoor track and field events. This is a topic that has been discussed previously on a couple of occasions, and seems like it meets the goals of retaining the primary functions within the building but opens up some new event areas that might be of interest. The other would be a little bit more extreme. It's an idea that came out of the 2002 study which would involve removing the glass curtain wall, but retaining the roof and creating an open-air arena. When it was looked at initially in 2002, this idea actually looked quite promising from a financial standpoint, and we thought it made sense since it was still consistent with the keep it as a spectator facility, keep it usable for community needs -- it was at least worth looking at from the financial standpoint. Convention Sports and Leisure International is going to be doing a market analysis of these five renovation scenarios, and also looking at if there are market sectors that could actually contribute further to the building's ability to financially perform reasonably well. Tied to the market analysis, CSL will also be developing a business case or pro forma analysis for each of these scenarios. Nelson Capitol CPM -- their contract is what will contribute the construction cost estimating for the scenarios and for the demolition option. I will say that Nelson Capitol has quite extensive experience in renovating older spectator facilities, and I think it's going to be really helpful from their lens in looking at the renovation cost estimates so that we know what we're bringing to you at the end of the day are reliable estimates, something that you can know that we can actually accomplish that within the dollar amount that we're talking about. Construct is a local company that is going to be performing a full energy assessment on the building. I was actually surprised to find that we have never actually done a full energy assessment on the building. I was actually surprised to find that we've never actually done a full energy assessment on the building. We've looked at various improvements to systems, but we have not actually asked, where are we losing energy? What are the ways we can conserve energy? Where do we get the most bang for our buck if we make replacements and changes to the energy systems in the building? So they'll be contributing that to help inform the renovation scenarios and the financial analysis that goes along with that. At the conclusion of the study, we plan to be able to provide to you in-depth information about those four options. We'll have a market analysis and the energy assessment that are contributing to help guide some of the specific elements that will include in each of the additive scenarios will have up-to-date construction cost estimates for the five remodel-renovate scenarios as

October 8, 2014

well as the demolition option. We will have analysis of the challenges associated with demolition options, specifically the historic register issues that that raises. And the report will also include for each of the four options an analysis of the impacts to the broader community interests such as our annual use by the Rose Festival Grand Floral Parade and high school graduations, as well as the financial implications to the spectator facility fund, because I know that's of concern always for the council. The current schedule calls for us to bring a report back to Council for a work session in late March. I will tell you that that schedule could shift a little bit. We have a kickoff meeting with all of the consultants next week, and as we are able to talk in detail with the team about the coordination of these various work products and making sure that each one of the consultants is able to provide the other the information they need in order to complete their work, it may push the schedule out a little bit. But that's what we are shooting for right now, late March. As I mentioned earlier, we really do not anticipate bringing forward a specific proposal or detailed funding options, but trying to lay out the foundation for Council to look at four options and give direction on which way you'd like to see this decision-making move next. I would also mention that the ordinance includes an emergency clause so that work under this contract can stay at pace with other contracts which are actually in place at this point. With that, I'm happy to answer any questions.

Saltzman: Questions?

Fritz: Can you tell me if the percentage of minority women and emerging small business involved in this contract?

Hartnett: Off the top of my head, I cannot. I'd have to go back and look at that. We did utilize the city's RFP process, and so that was a specific evaluation in selecting the various consultants. I can email you that if you'd like.

Fritz: Was Christine Moody involved in this?

Hartnett: Yes, absolutely. She and her staff.

Fritz: Good. She in particular always looks after that. I would like to know that answer.

Hartnett: Sure.

Saltzman: Any other questions?

Fish: Susan, I have a few. I apologize. It's a long day and my colleagues would probably like to break for lunch soon. But this is a really important issue, so I have a number of questions I want to put on the record. The first is, why didn't we do something as comprehensive as this five years ago?

Hartnett: I don't think I can give an answer to that question. You know, first of all, I wasn't around at that point. I think at that point the interest was in seeing if we couldn't find a specific solution and generate the energy and commitment to that, which really culminated in that 2012 proposal. I think on some levels, it's even perhaps more difficult to look at a range of options without having a specific idea for how you get to the solution. And that may be part of the reason why we haven't done this type of sort of full range of options in the past.

Fritz: Commissioner Fish, I had a conversation with former Mayor Adams, and I think a lot of that work was done. I heard Susan say earlier that work will inform this. It's not like we're starting from zero. There has been a lot of analysis done.

Fish: Yeah, it's just -- we've been working this issue for a long time. And the idea of having good, reliable data to drive decision I think is very important. You know, it's often been debated -- my opinion -- along sort of caricatures. Demolish it, because I think it's an ugly building. Preserve it, because it's a masterpiece. That puts us in the realm of aesthetics. We ought to have a broader discussion -- what's the long-term viability of the project? How can we maximize public use? Consider a range of options -- because ultimately, I think the council has signaled time and time again we want to preserve this building. So I applaud you for doing this now, but I almost wish we had this exercise a while ago. Number two, if you add up the cost of all of the contracts -- including contracts you do not need our approval -- what's the total investment we are making in this project? I think you identified either four or five separate contracts. So what's the total price tag?

Hartnett: \$307,687.

October 8, 2014

Fish: And who is paying for that?

Hartnett: That's coming out of the spectator facilities fund.

Fish: OK. Is PDC contributing any portion of the money they've set aside for the VMC?

Hartnett: No. Although I'd certainly note that PDC has contributed very significantly during the 2009 to 2012 time period when the stakeholder advisory committee was meeting. And the 2012 renovation project was significantly funded by PDC, including the schematic design.

Fish: There's been a renewed public conversation about the possibility of landing an NHL franchise. It's about a \$300 million price tag. It's compatible with the existing facility at the Moda Center. There's been a little bit of a buzz about it. I have no inside information other than what I'm reading. Is there a risk here that we're going to do this analysis and there'll be a fundamental change in the status of the Winterhawks that could impact our thinking?

Hartnett: That is always a possibility. I think any time you're talking about sports, and major league sports, the possibility for teams to move around, to come into your city, to leave your city are there. And I think they are oftentimes forces outside of a city's control. I do think that were we to land an NHL hockey team, it would be an important question about whether or not the city can support both a national hockey league team as well as western hockey league team. The Portland Winterhawks have been in one form or another a team in Portland for a long, long time. I think 1925 is when they were first founded here. And they have a very rich and deep commitment within the city, so I don't know that it would spell their demise. But I don't know whether or not the community can actually support two hockey teams.

Fish: Susan, my final question is -- from what I've read, there's differing opinions about what led to the demise of the last proposal we cobbled together. I've read that it died on the shelf. I've read that the Winterhawks got buyer's remorse. I've read lots of different scenarios. From your point of view, why did that plan that we put a lot of time and energy into ultimately fail?

Hartnett: I think that solution was trying to answer too many questions at one time. We were trying to address both the renovation needs of the facility as well as a 20-year operating horizon. That's a pretty complicated set of questions. And you will recall we had a pretty complicated set of agreements in front of you. I think there were nine documents that the council was being asked to consider. All of our partners were also being asked to commit, make that same level of commitment. I don't know if it was just complexity, or if some of the events of the moment -- such as the sanctions that the Winterhawks found themselves faced with at almost exactly the same time we were coming to council -- were as much of a contributor. I really don't know how those things weighed for each one of the partners. But I think that it was perhaps a bit top heavy, and that's been part of the reason why we've been trying to take apart some of the pieces and look at them individually. You'll recall in May of 2013, we did bring back to the council an extension of the operating agreement with Portland Arena Management. So we at least know that the day-to-day operations of the facility will continue into the future under a certain set of conditions. I think that frees us up to talk more about what can the facility's function be within the community and what kinds of services we can look to utilize it for.

Fish: Thanks very much.

Saltzman: Other questions?

Fritz: I'm sorry -- a couple of things. Because I found you also gave me information in the office about the spectator fund, and one of the things to note is when our teams get into the playoffs, that's when we make money on these facilities. And otherwise, sometimes not. So, that's another reason enjoy sports and cheer on our teams. Secondly, just talk about the current annual maintenance needs of what we're putting into the facility now, and what we absolutely have to put into it in the next year or two.

Hartnett: A couple of things come immediately to mind. One of the things we're dealing with right now is a beam in the exhibit hall that needs to be repaired. I mean, we're starting to talk about some fairly major structural things. The fascia that I mentioned earlier is delaminating right now. All

October 8, 2014

we're trying to do is patch it, but at some point it will need replacement. It is plywood and in our environment, it will only last so long. The roof of the main building will need to be replaced. We are replacing this year the roof over the warehouse and carpenter section, as well as dealing with mold abatement. Because frankly, we let that roof go for too long. Every year, we deal with things like water pipes that break. We had the memorial fountain up and running again last month, and it's now not working again. So it's a constant chasing of things that need attention.

Fritz: My recollection looking at that spreadsheet is that we're spending about \$750,000 per year in maintenance now.

Hartnett: That's correct.

Fritz: Maybe anticipate up to a million dollars a year. So there's also a cost with not making this decision.

Hartnett: That's correct. And we will be highlighting that in the report back to you.

Saltzman: Thank you. Do we have people signed up to testify?

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

Saltzman: OK, welcome. Just give us your name, and you each have three minutes, and there's a clock in front of you.

Brian Libby: Thanks very much, Commissioner. My name is Brian Libby and I'm a journalist focusing on architecture and design for publications like the New York Times and Architect Magazine. However, I'm here on behalf of the Friends of Memorial Coliseum as the co-chair. We would like to say we applaud City Council for commissioning a detailed study of the coliseum's physical condition and its finances. As Commissioner Fish noted, these are the kinds of hard numbers we should have had all along. We do know that the coliseum hosts well over 100 events a year, so it's already a community asset despite its deferred maintenance. But we believe that even if the study confirms or shows the building operating at a modest loss, a restoration will push it into profitability. And today, examples abound of such renovation stories -- many of which I concentrate on in my own journalistic writing -- such as Key Arena in Seattle, Long Beach Arena southern California, and even Lincoln Center in New York. We respectfully urge Council to keep in mind, though, that which can't be quantified on a balance sheet but is in our minds is equally important, which is the coliseum's cultural and civic value. It is Oregon's most important veterans' memorial. As the late Governor Victor Atiyeh has testified here at city council with us in the past, it's the centerpiece of Rose Festival and the Grand Floral parade. And then, of course, there is the uniqueness of the design itself, which we believe has untapped economic value. Veterans Memorial Coliseum is equivalent in size to four city blocks but remarkably stands on just four columns. It's virtually the only arena in the world with a 360 degree view to the outside through the glass, so when the building's curtain is open, you can look out at the Willamette River and the entire downtown Portland skyline from your seat in Memorial Coliseum -- and I've never been in an arena that does that or even comes close. We believe obviously it's a breathtaking example of mid-20th century modern American architecture at its best, which is wide open and full of natural light. As you know, Portland has long aspired to be a sustainable capital and a design capital. But tearing down Veterans Memorial Coliseum would fly in the face of those ambitions. Great cities quite simply don't tear down their most acclaimed national register listed buildings. That's why Memorial Coliseum in our mind isn't just a building project to study, but a referendum on what kind of city we want to be. For that reason, we respectfully urge Council to continue with the study, but ultimately restore the building with the knowledge that it can be a catalyst for a broader neighborhood redevelopment. This is a chance to leverage millions in private sector contributions while drawing from already allocated city urban renewal funds, yet without taking away dollars from other initiatives like affordable housing, health and safety, or education. This is why organizations ranging from the Portland Business Alliance and the Oregon Sports Authority to restore Oregon and the national trust for historic preservation have already joined our coalition of

October 8, 2014

citizens calling for restoration. And it's why an overwhelming majority of those polled in the Oregonian this week oppose demolition. Thank you.

Saltzman: Thank you. Marilyn?

Marilyn Clint: Good morning, I'm Marilyn Clint. For the past 27 years, I've been the event manager for the Grand Floral Parade. Back in 1961, Rose Festival was one of the stakeholders celebrating the opening of Portland's new Memorial Coliseum. That year, six Rose Festival events were held inside the coliseum, including the queen's coronation, a queen's ball, and our most iconic event, the Grand Floral Parade. The Oregonian that year called the coliseum an extraordinarily fine vantage point from which to watch the parade, which formed outside the coliseum and marched straight through, utilizing the large doors at either end put there for that very purpose. Now, more than 50 years later, both the queen's coronation and Grand Floral Parade still utilize Memorial Coliseum. It's the only major parade in the world that marches through an indoor arena. Since 1961, about a half million people have watched the parade from their seats inside, paying prices that range from \$2.50 back in 1961 to \$30 today. While that total is probably a little bit less than the people who stand outside and watch it for free every year, it is a significant amount to the Rose Festival because the revenue from those seats is one of our most important revenue parts in Grand Floral Parade's budget. The arena also serves as a perfect spot to welcome travelers from across the country and around the world, many of them seniors who appreciate the opportunity to sit in the comfort of rain-proof, reserved seats. The coliseum parking lot has been the site of our parade telecast for decades, and the parking garage and adjacent streets serve as the perfect formation area for one of the top five parades in the world. Today, Veterans Memorial Coliseum is event central for the Rose Festival's beloved parade. And on parade day -- which is the largest special event of the pacific northwest -- the queen's coronation, the Grand Floral Walk, and the Grand Floral Parade are all seen live inside the coliseum by the arena spectators. Many of these spectators are people from other nonprofits in Oregon, and a large percentage watch free of charge. It is unfortunate that the experience of watching the parade is less enjoyable today because the building itself is so badly in need of restoration. The bathrooms, for instance, are far from state of the art. And the reader board just doesn't work anymore. So for an event like ours that relishes having the curtains open on parade day, there are limited options for adding an electronic element to the visual experience. Rose Festival staff and board have worked closely with different coliseum managements and local advocates over the years on issues ranging from construction to renovation to recognition of our veterans, and we look forward to continuing that work in the future and to continue to showcase the city of roses to the world from this historic site on Portland's eastside. Thank you.

Saltzman: Thank you. Sir?

Ronald Carr: Hi, my name's Ronald Carr. I am a Navy veteran of the Vietnam War and retired Coast Guard officer, and I'm bringing a veteran's perspective. Last time I had the privilege to speak here, I told the story how when I came back from Vietnam, it wasn't until 15 years later that anyone said thank you for my service. My tears at that moment expressed how grateful I was for the acknowledgment that was given to me and others on that day. It is my belief that most servicemen and women don't want much except to serve their country and be recognized for that service. As military personnel, we don't get caught up in the politics of why we have to serve, where we are asked to serve, or where we're asked to fight, and sometimes where we're asked to die. We willingly serve the greatest country in the world for our families, for our friends, our communities, and pretty much for the American way of life. We understand that freedom that America provides is citizens as well as others that come to this country. We stand up for the down trodden and fight against evil in the world. It's naive to think this service can be done from the safety and comfort of our homes, our own safe communities. We know and understand that's not realistic. So the country singer Toby Keith wrote a song called American Solider, and in the chorus he sings, I will always do my duty no matter what the price, I have counted up the cost, I know the sacrifice. I don't want to die for you, but if dying is asked of me, I'll bear that cross with honor 'cause freedom don't come

October 8, 2014

free. I'm an American soldier. And that sentiment represents all service members and branches. Sometimes, we're asked to go all over the world. We're put in harm's way over there so you don't have to be in harm's way here. So the many people who lay down at night to rest in this blessed country can do so with peace of mind. If you ask just about any military person, I believe they will tell you they do not consider themselves to be heroes. They're just doing their job and the best they can to keep this country safe. If I were to think of one thing that we would like, that would be to be remembered. That our service and sacrifices would not be forgotten, that everyone -- including future generations -- would understand and remember what it has taken through the years to enjoy the freedoms we take for granted every day. We just want to know that what we have done to serve had value, and that our time on this earth has meaning. It certainly does to those who are closest to us, but it should also be that way for everyone else that gets to live in this free country. To my point. One way to show appreciation to all those who have served and sacrificed through the years is by preserving those iconic structures and symbols that pay homage to the greatness of our country and to the warriors who have given so much. Our building is the Veterans Memorial Coliseum, situated in the heart of our beautiful community and erected over 50 years ago to honor our war veterans. I'll just address what it means to those it honors. Yes, much like our flag, the Veterans Memorial Coliseum has seen years of service, and yes, she is showing some wear and tear and is in need of some attention. But even as you stand outside and look at her today, she is beautiful. She is an iconic monument to so many, representing the best of our community in so many ways, and she has a place in history right where she is. She needs work, but means so much to our veterans, their families, and all those who are grateful for what had this structure stands for. Once she receives the attention she needs, she will continue to stand well into the future as a beacon of freedom to remind us all what should be most important in our lives, and that is that the spirit of freedom that exists in our people and the lengths they've gone to and sacrifice these have made will continue to be honored and remembered. Thank you very much.

Saltzman: Thank you. Thank you all. Karla, please call the roll.

Item 1053 Roll.

Novick: I need to make a few preliminary remarks only tangentially related to the issue before us. One of which is that I do think it's important to remember that the Veterans Memorial Coliseum is an unfortunate part of a monument to the displacement of African Americans in Portland, as Ed Washington reminded us last month. Another is that in spite of that, I personally would be inclined to preserve the building if we and our citizens were made of money. But we're not. And speaking solely for myself, I do not think the preserving of this building is as important as investing in maintenance of parks, investing in emergency preparedness, investing in housing, and investing in transportation. So, although I'm currently outnumbered, I would submit that unless we can figure out a way for this building to make money, then either it should be closed -- or, if there's a way to demolish it and ultimately recover the cost of demolition, demolished. Now, I know that I'm currently outnumbered, but that brings me to another point. I have told Commissioner Fritz that I would very much like her to run for reelection, and she has stuck to her position she is not running for reelection. So I would like to take this opportunity to remind her if she really wants to preserve Memorial Coliseum from rapacious vultures such as myself, her best option is to run for reelection. And finally, one more thing I forgot to mention. If we did demolish the building, I think that we could build a memorial to veterans that more people would actually see -- a stand-alone memorial at far less of a cost of continuing this building. I also want to thank Susan for her work on this, for the tour she gave me a years ago of the coliseum, and for countless hours spent puzzling through this complicated issue. Thank you very much. I vote aye.

Fritz: Your predecessor in that chair would have made a very similar speech -- certainly, some parts of it. We have had this battle over the last year -- interesting that we're going to continue to have this battle. I continue to believe in the value of the Veterans Memorial Coliseum -- which we changed the name to the Veterans Memorial Coliseum. And I personally called TriMet to get them

October 8, 2014

to change it on the MAX trains, which gives me delight when I take the MAX that way. I appreciate the diligent work that Susan Hartnett is putting into this, the background discussions we've had in my office. I'm comfortable moving forward with this study because I truly believe it's going to show that there are ways to make the Veterans Memorial Coliseum very much a viable and money-making thing, as well as being a place that Portlanders have treasured for more than 50 years. Aye. **Fish:** Susan, thank you for your excellent presentation and the thought and care that went into it. I did have some concerns about having a demolition option. You've allayed those concerns by defining that part of the exercise narrowly, and I think the record makes clear that we're not trying to open the door to a big discussion about demolition but we want to have the data to compare among the various options. Long before I had the honor to be a Portlander, I had a passion for basketball. And one of the great rivalries in basketball, of course, was Phoenix and Portland. Every time on an NBA game came up when I was a kid, they would pan -- do a panoramic shot of Portland, and they would end at Memorial Coliseum. I was always struck by the building. It's a building that I think is beautiful and distinctive. I remember the first time I had the chance to be inside the building and experience the uniqueness of this structure. As has been explained, part of the uniqueness is the vistas, the interplay between air and light, then just the fan experience. I've lived in cities that are still grieving over acts of civic vandalism that you can't get back. I agree with Brian, I think this is in part a referendum on what kind of city we want to be and become. The Veterans Memorial Coliseum is an important part of our civic fabric. It is a cultural and civic icon, and we should do everything in our power to honor that building by preserving it, investing in it, and doing the Portland thing, which is finding a way to adapt its use to be viable for the future. We've taken this issue up a lot of times, and I've yet to hear a persuasive argument for demolishing this building.

Novick: Commissioner, may I make a comment on one of your observations?

Fish: I think we're a little late, Steve. Let's take it up privately. I vote aye.

Saltzman: Aye. The ordinance is approved. Want to poll the council, do you want to take a break for lunch and put the rest of the agenda on at 2:00?

Fish: Mr. President, I have some staff that has waited a long time, and I was going to offer a compromise. Could we take a five-minute break, or ten-minute break? We have a bunch of second readings which you could bang out right now.

Fritz: Let's just plow through.

Fish: Well, I was going to ask for a five-minute compassion break. And then just come back. Could we do the second readings, take a five-minute break, and come back and do the final two presentations?

Saltzman: OK, sounds good. Let's do second readings real quick. Starts with 1054.

Item 1054.

Saltzman: Second reading, vote only.

Item 1054 Roll.

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

Item 1057.

Saltzman: Second reading, vote only.

Item 1057 Roll.

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

Item 1058.

Saltzman: Second reading, vote only.

Item 1058 Roll.

Novick: Aye.

Fritz: Aye.

Fish: Aye.

October 8, 2014

Saltzman: I would just like to note that we're getting 60 units of affordable housing at 60% of median family income with this development. And I'd like to thank personally Jeff Pickhardt, the main developer of this project for taking my phone call over a year ago to talk about this. Aye.

Item 1059.

Saltzman: Second reading, vote only.

Item 1059 Roll.

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

Saltzman: The ordinance is approved. We're taking a break 'til 12:50, and then come back and finish the morning agenda.

At 12:47 p.m. Council recessed.

At 12:51 p.m. Council reconvened.

Item 1055.

Saltzman: Commissioner Novick.

Novick: Colleagues, I would like to begin by addressing a couple of preliminary items and concerns. One is that I want to make it very clear that this money -- if we're lucky enough to get it -- doesn't come to us with any match requirement, with any maintenance expectation, and I have no intention whatsoever of suggesting that we spend any additional city money in order to provide staff or otherwise support this resilience officer position. This is simply a matter of you'd get money from the Rockefeller Foundation to do specific things, and we would not have to put up any of our own. That's one thing. Another is that I know that some people may think, well, don't we know what we need to do to make the city more resilient, and doesn't a large part of it involve spending lots of money on infrastructure projects we don't have, and do we need some fancy pants Rockefeller-funded resilience officer to tell us that? And it is in fact true that there's a lot of things that we know that we need to do, but I still think that we could get a lot of use out of a fancy pants Rockefeller-funded resilience officer. When we look at the tasks of this dotty little bureau which currently has 12 employees, I reflect on the fact that to a great extent, those 12 employees are engaged in preparing for what we do in the immediate aftermath of a disaster. As I look at our strategic plan, I see that one of the things we're going to do in the next couple of years is engage city infrastructure bureaus to develop damage assessment plans that coordinates the process of collecting and reporting damage assessments, the development evacuation plan, to develop a resource management plan to guide resource mobilization protocols immediately after a disaster. That's what we spend a lot of our time doing, is making sure we're prepared to do what needs to be done immediately in the aftermath of a disaster. In terms of the broader project of taking steps to ensure that the whole community is prepared to limit the impact of a disaster and survive and thrive after a disaster, there's things that we know that we should do and should be part of the strategy that we have very limited resources to engage in, although we do our best. I wanted to give you a few examples of specific issues where I think that having this position -- who will be part of a broad national, international network with a lot of resources -- would be useful. One of the things that we worry about is the prospect that our energy infrastructure would collapse, that the fuel tanks along the Willamette River maintained by the oil companies would break, and we would be left with no fuel supply and potential significant environmental damage. Carmen and I have held meetings with the oil companies and we've gotten Senator Wyden's staff to talk to them about making sure that their facilities would survive a disaster, but we don't really have any regulatory authority. The federal government theoretically might. They doesn't really exercise it, although I'm very encouraged by Senator Wyden's work. It would be very nice if we had this Rockefeller-funded person to work as part of a national community to gather a coalition to go to Congress and the regulators and say, there should be national standards in disaster-prone areas for fuel tanks. And I think that locally, it would be useful to have such a person who could go out into the business

October 8, 2014

community here, for example, and build support for continually engaging the oil companies to do the work we know needs to be done. In terms of the unreinforced masonry building work we know we need to do, PBEM and BES are engaged in coming up with some new regulatory structure. What we've heard from the owners of those buildings is that they understand there's a problem, but they need help getting the financing to get the work done. And we have limited tools to do that. When I look at the Rockefeller Foundation's application, one of the things that they say they offer is access to innovative platform of services to support strategy development implementation -- program partners with private and public and nonprofit sectors will offer tools in areas such as innovative finance technology infrastructure, etc. So, I would like to have somebody who's part of a network that might have some innovative financial tools that would help get the unreinforced masonry building work done. Another issue where it would be nice to have the additional support is because Carmen and I think that having a requirement that buildings that rely on gas have automatic shut-off valves which kick in when there's an earthquake above a certain threshold would prevent fires. That's something that some other cities have adopted. We had a conversation with NW Natural about that where they painted this nightmare scenario saying, well, if you do require it, here's all the terrible things that will happen. And we went around four or five meetings saying, well, we have a nightmare scenario if we don't have the shutoff valves, you have a nightmare scenario if we did -- really, we should be going back and collecting additional research and consulting with other cities than having a new conversation. We can do a little of that ourselves, but to have this new funded person who has access to a national and international network to gather the best data on the advisability of requiring shutoff valves would be helpful. Jonna can much more articulately explain the potential value of this grant than I can, but I just want to give you an idea of some specific projects where I think it will be useful to have such a person as an addition to this very small bureau. Jonna?

Jonna Papaefthimiou, Bureau of Emergency Management: Thank you, Commissioner Novick. For the record, I am Jonna Papaefthimiou, the planning and preparedness manager at the Portland Bureau of Emergency Management. I appreciate the opportunity to talk to you today about the grant application, it's always a pleasure to speak to the council about resilience, and I think fortuitous that I'm here on the day we talked about our climate change challenges. That's obviously a resilience challenge for the city. Resilience refers to a city's ability to withstand both sudden shocks like earthquakes, and chronic stresses like the problem of ageing infrastructure -- which, as we learned today, is exacerbated by climate change. A resilient city has the capacity to survive, adapt, and thrive in the face both shocks and stresses. The Rockefeller Foundation launched the 100 resilient cities challenge last year as a signature effort on its 100th anniversary, and it's giving \$1 million to 100 cities around the world to foster resilience. As Commissioner Novick said, recipients become members of the 100 resilient cities network, and Rockefeller pays for them to have a chief resilience officer for three years and develop a resilience plan. Last year, 330 cities applied, and 31 were selected. Portland applied last year but was not rewarded. So this year's application is our second try, and my bureau -- Emergency Management -- and the Bureau of Planning and Sustainability were again partners in writing the application. I think it makes sense that PBEM and BPS partner in the application, because the division of resilient city is embodied in the work of both bureaus. PBEM focuses primarily on our ability to prepare for and respond to sudden shocks, like a natural disaster, while BPS is focused on long range planning to address chronic and long-term stressors like climate change. But we share a vision of a city of healthy, connected neighborhoods where people know how to look out for each other in difficulties large and small. Our application proposed that Portland's chief resilience officer would help the city to develop an action agenda, and implement key resilience efforts already embodied in existing plans such as the climate change adaptation plan, the Portland plan, and the natural hazard mitigation plan. We envision the CRO as the convener who would connect PBEM and BPS to the work in infrastructure bureaus, in other service bureaus, and to the broader community of residents, institutions, and also private businesses.

October 8, 2014

Their job would be to find synergies and opportunities to further overall efforts for resilience, to identify low-hanging fruit, the most important actions we should fund with our limited money. At this time, the city has no one who is focused mainly on fostering resilience. Logistically, the CRO would report to the mayor -- which is a requirement of the Rockefeller Foundation -- but they would work within the PBEM office and use our administrative support that exists. As Commissioner Novick said, the Rockefeller grant comes with no formal matching requirements. I do think that the foundation would hope that we would continue to have the position in the city that's an advocate for resilience, and I'm hopeful that the position would demonstrate ongoing value to the city, but the continued funding would be at the discretion of the future Council and obviously would depend on the success of their work in the first three years. So with that, I thank you again for the opportunity to speak. And I'd be glad to answer any questions.

Saltzman: Questions?

Fish: Couple of quick ones. Did the council approve the grant application the first time you applied?

Papaefthimiou: It did.

Novick: And you've just clarified that there is no stipulation of the grant that requires us to continue funding this beyond the three-year period?

Papaefthimiou: It does not.

Novick: You anticipate this position -- if we're successful -- having any additional staffing costs or needs?

Papaefthimiou: During the three years that it's funded by Rockefeller, no.

Novick: And to my colleague, Commissioner Novick -- does the requirement of reporting to the mayor create a complication in your work, or is de facto the way emergency management work is done now with you and the mayor partnering?

Novick: I think the latter. My hope is -- frankly -- that having this person report directly to the mayor might have a salutary impact in terms of the development of the mayor's budgets, but that's purely speculation.

Fish: Thank you.

Saltzman: Thank you, Jonna. Anyone wish to testify?

Moore-Love: We have one person, Mr. Lightning.

Saltzman: Welcome, you have three minutes.

Lightning: Thank you. My name is Lightning, I represent Lightning Rethink Lab. I think this is a great opportunity for the city to be awarded this grant from the Rockefeller Foundation. I think Mr. Novick has brought up a lot of great points on areas this grant can help the city in areas to look at this time, so I won't go into that. Now, one of the things I noticed on some of the board of directors or employees of the RC100 program is that they cover a lot of different areas. One of the areas they covered also mentioned poverty. And I'd like more studies to be focused in that area -- possibly off this grant. Also, numerous members of the RC100 also have extensive backgrounds in ending chronic homelessness. I want to see from this grant that that be looked at very closely, and one of the challenges I want to do to the Rockefeller grant is that I love the collaboration on this of 100 different cities being able to get a lot of different innovative ideas and working from different locations to try to create solutions. But a challenge I would like to make to the foundation is that you are a foundation, and as you know where they have the meetings and gatherings, you have a lot of bigger foundations there and you throw out a lot of good ideas. Now, one of the things I'd like to look at is that in my opinion, if you look at all the foundations -- and we're pretending to chronic homelessness -- and you get a collaboration between the foundations, and we begin to focus on solutions in the various cities utilizing this plan of your 100 different cities working together, I think that if you get the foundations working closely, implement the ideas, and we understand it, do we want to have big foundations with billions and billions of dollars where we can look at it and say that's great? Or do we want to take a percentage off the top of those foundations and then

October 8, 2014

implement them down toward the cities to end chronic homelessness? When you start to analyze that, do we want the money sitting in your foundations, or do we want the people off the sidewalks into housing? What is the best thing for the cities? That's what I ask the Rockefeller Foundation to take a look at. Do we want the bigger foundations out there, or do we want more people off the sidewalks and do we want to end chronic homelessness? I'd like you to take a closer look at that. Review that and understand the foundations need to work with the local cities, municipalities, and we can end chronic homelessness, but we can't have those big numbers on the foundations. We need to begin to cut those percentages down and understand we can provide housing for the people, end chronic homelessness. The foundations can get the job done. Thank you.

Saltzman: Thank you. OK, Karla, please call the roll.

Item 1055 Roll.

Novick: Jonna, thank you for your presentation. I very much hope this time we'll be successful. Aye.

Fritz: Thank you, Commissioner Novick, and your chief of staff and also Jonna and Carmen Merlo, who -- as we heard earlier -- is out of town, but did talk with me in depth, which I very much appreciate. I'm comfortable supporting the grant application. If we get it, I request that we have a work session to discuss its allocation, because we should not be creating another layer of bureaucracy in the city without being very clear about what it's going to do. I concur with your framing of what you thought it would do and should do, the types of work that you described. I do not support this person being the convener and connector for all bureau efforts. That's the Bureau of Emergency Management's current charge, and the director and staff should already be working on that -- and I know that you're working with my bureaus and others to do that. We don't have a regular form of government here in Portland, although my understanding is the application requires this person to report directly to the mayor because they thought that makes it more important. Our Portland Charter allows the mayor to assign any of his or her responsibilities to other commissioners, so I would hope there might be some capacity to reassign or at least have joint oversight of this person, and have him or her embedded in the Portland Bureau of Emergency Management, which has been working so hard to do a strategic plan to get things going. We know that one of our biggest challenges is actually paying for implementing the identified needs, and so I appreciate that you can foresee this person perhaps helping with that on the national level, Commissioner Novick. It shouldn't be -- there are many resources already in the city dedicated to public outreach and education. We want to make sure that we're not just layering it on and having another distinct person doing the work that is already being done in other bureaus. I believe that the council needs to weigh in on this when the position is funded, and that we all need to get much more serious about funding emergency management than I have been aware of the need of. And I commend you, Commissioner Novick, for your passion on that. Since you've been on the council, it's really become clear to me what the needs are. And so I hope you continue to be in charge of the bureau and of this person. Aye.

Fish: Thank you for the discussion and the presentation. The concerns that I had have been addressed, and I concur with Commissioner Fritz that we would need to have a broader council discussion if we are fortunate to receive the grant. Aye.

Saltzman: Aye. The ordinance is approved. Our last item for the morning is item 1057.

Moore-Love: 1056?

Saltzman: 1056, sorry.

Item 1056.

Fish: Thank you, Mr. President. This issue has been discussed at execs. We're going to give you a brief PowerPoint this afternoon. And as Mark Hutchinson -- our BES constructions services manager -- tees up the PowerPoint, I'll make a very brief introductory comment. BES is currently working on a long-term project to reconstruct the Triangle Lake lagoon at the Columbia Boulevard Wastewater Treatment Plant. The city constructed the lagoon in 1969 to store solids from the

October 8, 2014

treatment process. This project includes installing liners to protect groundwater, constructing new cells, drying the solids that contain hazardous material, and storing and covering the solids. During construction, the contractor encountered some unexpected site conditions in the lagoon, which increased the amount of grading required and the quantity of solids that need to be dried, stored, and covered. This ordinance would authorize an increase in the construction contract to compensate the contractor for those additional costs, should the council decide to move forward to complete the project as proposed. Mark, if you could take it away.

Mark Hutchinson, Bureau of Environmental Services: Thank you, Commissioners. I appreciate your patience for staying here through lunch to listen to me. We're trying to get this PowerPoint put up. I'm the construction division manager for the Bureau of Environmental Services, and I'm here to talk about an important project of ours at the Columbia Boulevard treatment plant, and that's working on our old lagoons. The lagoons have been in place for quite a few years, since 1968. They're pretty good in size. If I was able to show you the picture, you would see that they are roughly six football fields by six football fields in size and you would look at them and think that they were a lake. They take up a pretty large area out in north Portland, bounded by Columbia Boulevard and Portland Road. They're very important to us at the Bureau of Environmental Services, because what they allow us to do is to take solids from our treatment plant that we can't treat at the time and store them there to treat later. They also allow us when we have emergencies at the plant to store excess flow. Without them, we would end up with partially-treated sewage on the beaches and in the waterways downstream of Portland and the Columbia River. This project started roughly two years ago, and our job as DEQ had lined out for us -- let's see if I can get this up here. Here's a picture of the plant. You can see the plant, the size of it, and the lagoons which are pretty large. DEQ mandated in our last permit that we go in and line the lagoons. The lagoons contain solids, and they have what they call legacy solids that have elements in them that we no longer allow into our waste stream. So we took this project on and began work. This is a picture -- we're partly into construction, and you can see a picture of the different cells that we created as part of the work. Our job was to take this lagoon, de-water it -- which we did the first year -- then line a section of it, which you'll see on the left hand of the picture under the label mono fill. We put a rubber liner in there. Then the final phase which we're working on this year is to dry the solids and place them in the monofill. Our option in lieu of placing them in the monofill was to send them to Arlington at a pretty large cost for trucking -- about twice the cost of what it would have cost to store them. You can see in this slide in the lower right hand corner the solids that we're storing in the liner there. The two other cells -- we are in the process of drying solids. During the process of drying the solids, we found that the operations over the years had removed soil from the bottom and lagoons contain a lot more solids than what we expected. So our quantity of solids went up, and then the quantity of soil to replace the soil that had been removed and the dikes went up in the contract. At this point in time, our original contract was \$7.6 million. The additional quantity of soil that we had to place in the dikes and bottoms of the cell added up to another \$200,000. And the increased sludge quantity added up to another million nine. During the course of construction this last summer, we were finally able to get some of the sludge dried, and we found the bottom of the cells about three feet deeper. At that point, we started to see that we were going to run over in cost for our contracts, so we renegotiated the unit prices our contractor had bid and cut \$400,000 off the price that they agreed to originally. That still wasn't enough for us to finish the project. Our expenditures to date are \$9,550,000. That's all the authority that Council had allowed us to go forward with. So we stopped our contractor at that point -- before we finished the project. What's left? We have the cells dug, the depth, all the soil placed. We have to place rock and we have to put the welded liner in place. We have two options at this point going forward. One is to continue with the current contract -- that's option a -- to place the rock and place the liner material at the prices the contractor had bid for an additional cost over my authority of \$559,823. The second option is to regroup, and put this work out in a later contract or part of a later phase. And we estimate that cost to be \$1,542,938. The

October 8, 2014

increased cost for putting it off is a result of the fact that rock and the liner products have a lot of petroleum product in them -- the trucking and the liner is made of a petroleum product -- and the cost will become significantly more in the future. In fact, an estimate we got this last week showed that the liner has doubled in cost from when we initially purchased it. So we're kind of at this point where we need to make a decision as far as what we do forward. And I'd be welcome to entertain questions regarding this project.

Fish: It goes without saying, colleagues, that we recommend option a, this is the option presented during execs. If we were to suspend work and rebid this in the future and come back to this project, there is an increased cost. We've tried to give you the comparators. But ultimately without Council permission, we can't pursue option a, which is the most cost-effective which would allow us to continue currently completing the project. I think we had a chance to answer most people's questions. We're here to answer any other questions, then we're seeking authority to proceed with option a.

Saltzman: Questions? Thanks. Anybody wish to testify? OK, please call the roll.

Item 1056 Roll.

Novick: Thank you very much for the presentation. Aye.

Fritz: Commissioner Fish, I appreciate your commitment to transparency and this presentation. I found it surprisingly interesting. [laughter] So, thank you for explaining. These contracts come to Council on a regular basis, but having the pictures and thorough explanation of why the cost overrun was very, very helpful. Thank you. Aye.

Fish: Thank you, Commissioner Fritz. I learned something about legacy solids, which we can talk about privately. Mark, thanks for your good work on this, and for your patience. Aye.

Saltzman: Yeah, Mark, thanks for hanging out with us. Aye. OK, the ordinance is approved and we are recessed until 2:00 p.m.

At 1:17 p.m. Council recessed.

October 8, 2014
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.

OCTOBER 8, 2014 2:00PM

Saltzman: Good afternoon. The Portland City Council Meeting shall come to order. Karla, please call the roll.

Novick: Here. **Fritz:** Here. **Saltzman:** Here.

Saltzman: OK. Karla, please read this item.

Item 1060.

Saltzman: I'm going to ask Linly Rees, our attorney, to describe the hearing and how it will be conducted.

Linly Rees, Deputy City Attorney: These announcements are required by state law, and they're going to describe the way the hearing will be conducted, including the kind of testimony and the scope of the testimony that will be heard today. It's an evidentiary hearing. This means you may submit new evidence to Council in support of your arguments. I'll talk about the order of testimony first. We'll begin with a staff report by BDS for approximately 10 minutes. Following the staff report, Council will hear from interested persons in the following order. Appellants go first, and have 10 minutes to present their case. Following the appellant, persons who support the appeal will go next. Each person has three minutes to speak with Council. Next, the principal opponent -- in this case, the applicant -- will have 15 minutes to address Council and rebut the appellant's presentation. After the principal opponent, the council will hear from the people who oppose the appeal -- that is, they support the application. Again, each of these people will have three minutes. Finally, the appellants will have five minutes to rebut the presentation of the opponents of the appeal. There are several guidelines I'd like to announce when you're addressing Council today. First, when submitting evidence to the record, any letters or documents you wish to become part of record should be given to the council clerk -- over there -- after you testify. Similarly, the original or a copy any of slides, photographs, drawings, maps, videos, or other items you show to Council during your testimony, including PowerPoint presentations, should be given to the council clerk to make sure they are included in the record. Second, your testimony must be directed to the approval criteria. Any testimony, arguments, and evidence you present must be directed toward the applicable approval criteria for the design review in this case, or any other criteria in the city's plan or zoning code that you believe applies to this decision. BDS staff, as part of their presentation, will identify the applicable approval criteria. Third, any issue you want to raise must be raised with specificity. It must be raised clearly enough to give the council and the other parties an opportunity to respond to that issue. If you do not raise an issue with specificity, you will be precluded from appealing that to the Land Use Board of Appeals on that issue. Finally, an applicant must identify constitutional challenges to any conditions of approval. If they fail to raise constitutional or other issues related to proposed conditions of approval with enough specificity to allow Council to respond, the applicant will be precluded from bringing an action for damages in circuit court. And that concludes my remarks.

Saltzman: Thank you, Linly. Do any members of the council have any ex parte contacts to declare or information gathered outside of the hearing to disclose? OK, seeing none. Do any members of council have any questions or other preliminary matters that need to be addressed before we begin the hearing? OK, then why don't we begin with the staff report?

October 8, 2014

Mark Walhood, Bureau of Development Services: Good afternoon, Commissioners. I'm Mark Walhood from the Bureau of Development Services. I have Kurt Krueger here with me today. Kurt's actually going to do the majority of the presentation, but I have a few introductory slides to set the stage. As Linly mentioned, the case before you is LU 14-1259080 DZM AD for LOCA/Goat Blocks. Just a quick orientation to where we are in the city. It's the vacant site in the Central Eastside shown in the foreground of this slide. It's half a block west of 12th Avenue, which is the dividing line, the boundary line for the central city in the Buckman neighborhood. This is an aerial view of the project as approved from a sort of imaginary place in the air hovering over the Grand Central Bowl, looking southeast. You can see the super block in the foreground with the northern building with the tan brick base -- that's the grocery store on the ground floor, small little retail building in the foreground that's on 10th Avenue heading off to the right in the distance. The red brick building on the right is on the south side of the big super block -- that's the hardware store on the ground floor with the apartments above. Then you can see beyond, heading up Belmont on the left in distance, a white and black building. That's the smaller four-story building on the east side of 11th Avenue. The project is over 96,000 square feet of retail, 247 apartments, and 385 parking spaces. There's 246 commercial and 139 residential spaces. This is just a site plan giving you an orientation to the surrounding streets. We have Belmont on the north, and 11th bisecting the site sort of on the east. The two streets you're going to hear most about today in testimony are the south and west border streets, which is 10th Avenue and Taylor Street circled in this diagram. This diagram also sort of shows the public walkways bisecting the large super block site in east-west -- that's in alignment with Yamhill Street -- and then a secondary public walkway squeezing between those green ecoroofs heading north from that Yamhill walkway to a grand stair that descends down to Belmont at 10th. I'm not going to spend time on this, I actually gave councilmembers a copy of this map. It's just the immediate vicinity and all the adjacent property owners identified on the site plan. You'll hear from several of those folks today, I believe. This just shows you where they are in relation to the site. The zoning is pretty straightforward. It is a split zoned site. The majority of the site is central employment with design overlay. But we're an edge site, or a transitional site that abuts industrial sanctuary land -- IG1 zoning -- on the west and on the south. There is a portion of the site on the east side of 11th south of that black line. If you look in this picture, that's in the industrial zone. That portion of the site in the IG1 zone is not under design review. There's no D, so it's not under consideration today. The Belmont and 11th Avenue street frontages are transit and walkways in the city's transportation designations. 11th and Taylor -- the streets circled in green -- you'll hear a lot about today -- are both local service streets. The entire area is a freight district. This slide also just identifies the approval criteria, which are the Central City Fundamental Design Guidelines, Central Eastside design guidelines, and the adjustment criteria in Chapter 805 of the zoning code, the modification criteria in Chapter 825. We had some concurrent adjustments and modifications. I'm not going to spend time on those today, unless there are questions. They're not really part of the appeal. And there is a separate Central City Parking Review that's underway. They've submitted as incomplete. That is going on parallel. The process began and ended this year. We had two design advice requests earlier in the year. There were three hearings over the course of the summer, and in August, the design commission approved the request with several conditions of approval. Again, I'm not going to spend a lot of time on this today. I can come back with questions. But the specific design and the issues addressed in the conditions do not appear to be the subject of the appeal today. This slide I want to spend a little bit of time on. The land use review has a set of approval criteria, which are the central city design guidelines, the Central Eastside design Guidelines, and the approval criteria for the modifications and the adjustment. Those criteria have been cited by the appellant in their appeal but are not the focus of their appeal issues or the focus of their prior testimony, which has addressed Title 17 and public improvement -- so, work in the street. The appeal today -- the land use review appeal -- the council findings need to find a nexus to the relevant design guidelines or the land use approval criteria in Title 33. Moving to the second bullet,

October 8, 2014

Title 17 -- which is why we have Kurt here today -- addresses public improvements in the right-of-way. If you're building a project, Portland Transportation will tell you to do x, y, and z public improvements in the right-of-way. If you do the city standard improvements in the right-of-way, the zoning code does not apply. You don't need design review, you're sort of out of the zoning code once you cross the property line into the right-of-way. You're going to hear a lot today about street cross-sections and roadway widths and sidewalk widths. Those are all decisions that have been made under the authority of Kurt Krueger, given to them in Title 17, public improvements. So there are sort of two issues happening here today. We're here for a land use review that has Title 33 zoning code criteria. You're going to hear a lot about the public streets. Staff's recommendation would be that if Council has feedback or input on the Title 17 determinations -- sidewalk widths, roadway widths, wanting Kurt basically to change the decision that was made with regards to those issues in the street -- staff would recommend that those be sort of directed to Kurt. I don't know the right word to use -- gentleman's agreement -- get Kurt's face nodding up and down that he will implement your direction. But we don't want to tie that Title 17 decision by Council to the land use review appeal. So I can see sort of a motion maybe talking about the appeal and addressing the Title 33 criteria, and then maybe with some friendly advice or direction to Kurt on the street improvements. I hope that makes sense, that's sort of the basic split I was trying to make clear in this presentation.

Saltzman: Kurt's above the purview of the city council?

Walhood: Well, no. [laughs] Kurt's sideways from the land use stuff -- pretty much. The appellants have addressed and raised issues about various comprehensive plan goals and policies and the purpose statements for the EXD zone. Those aren't relevant and have no hook in either the Title 17 world or the land use review world for our design review. Finally, we do have a 120-day waiver signed. That is all I have. I'm going to let Kurt take over.

Kurt Krueger, Bureau of Transportation: Thank you, Mark. Any questions before we move on to the next part of the presentation? If you'll indulge me for a minute, I think Mark did a very good job of describing the juxtaposition between Title 17 and Title 33. PBOT is in an advisory role in the Title 33 design review process. We actually don't have approval criteria in Title 33, but our requirements have a substantial impact on a lot of projects. So it's important that PBOT is in the equation, part of the conversation with the design review staff and the applicant early on in this process so we can work together to make sure our requirements mix well with the Title 33 design review requirements. This project started slightly before Mark's timeline with the pre-application conference last year with the city staff and the applicant. At that time, city staff -- including my staff -- identified all the public improvement needs and dedications of right-of-way that were required. This was a unique and difficult conversation with the applicant because they have four sides to their property, and PBOT was asking for a number of dedications, property exactions from the applicant to fit the city's goals around sidewalk widths. So if we walk around the site briefly, PBOT asks for about four feet of right-of-way from the applicant on Belmont to achieve the 12-foot sidewalk the city would desire on Belmont. We asked for a couple feet of right-of-way on 11th to achieve the same, and we did that on Taylor and on 10th. At that time, the applicant was working on trying to anchor their anchor tenants, which were relatively large big box floor plates that needed fairly substantial square footage to make their projects work. So we entered into a conversation with the applicant and their engineer looking at the street widths on SE 10th and on Taylor, and realized those streets exceeded our district's standard dimensions from a curb-to-curb width. We looked at the right-of-way and said, if we reprogram the right-of-way -- more specifically, narrowing the street width a little bit -- we could avoid having to exact more property from the applicant and get the city's goals both on street widths, parking widths, and sidewalk widths within the existing right-of-way. We don't do this very often, because most applicants would generally prefer to dedicate a couple more feet of property rather than going to the costly expense of taking out existing curb, sidewalk, and the necessary stormwater improvements. But in this case, this applicant was going to

October 8, 2014

be basically tearing the entire site down and going down to put in a parking structure, so there was a willingness to reprogram, reconstruct the curb into the street and narrow it a little bit. That has some minor side benefits, but it's worth noting that if we're reducing the street width, that's reducing impervious width. That helps from a stormwater standpoint. PBOT also knows that there's a traffic calming effect if we have streets that are a little tighter and narrower. So there were some side benefits that were available by making this decision. We reached out and had some conversations with the CEIC and property owners, and this is where the rubber met the road with this appeal. Changing the street width in this industrial area next to this EX zoned property raised concerns from property owners you're going to hear today. It raised enough concerns that we elevated this to actually bringing a truck out to the site, placing cones and markings on the streets to predict and operate as if the new improvements were in. We wanted to make sure there were no problems identified. So I have a couple slides here that illustrate that. In the upper left corner, we're looking at the corner of SE 10th and Taylor. This is the truck we brought out. It's the largest truck we could bring out, it's the largest of the trucks we understand are used in this area. The orange cones and the white markings represent the narrowing of the streets. You'll see on the upper right that truck maneuver around the corner, did not hit any of the cones, had plenty of room to spare. As we move to the low left and lower right, we moved further up 10th near Yamhill. We actually found a problem. This was at the intersection of 10th and Yamhill where cars are actually parked today where they should not park. This is the middle of an intersection. We don't have signs out there that are restricting parking today, but we found cars parked there today were creating a problem. So we're going to mark this as no parking. Later on, I'll show you another graphic. I think it's the next slide. The red circle there indicated a curb extension that was preliminarily proposed at that intersection. We've taken that off of the table after we conducted the field visit, recognizing that would make matters even worse. By removing that design element and putting in no parking signs, we're actually going to make truck maneuvering improvements for one of the property owners. The next slide illustrates the street widths, the preferred and the accepted. And the curb-to-curb street widths will exceed the preferred slightly -- I think it's about 12.2 feet. So they're still meeting our guidelines for a freight district street that this is. Then moving to the last couple slides here. If we need to get into the detail later in a conversation, this highlights the actual specific dimensions of the curb to curb and parking and sidewalk widths. At this point, I'll turn it over to Mark on what Council's alternatives will be later on in the hearing. I will say there has been a numerous amount of conversation, discussion. This has been a difficult process of trying to reach agreement. You're going to hear some ideas that have come up in the last 24 hours as far as compromises. We're still wrapping our head around some of those and we're going to wait until we hear where they've landed at this point today, and would expect to come back up in front of Council and have a discussion about what those would look like. As you hear this testimony, my advice to Council would be that any ideas that come up regarding parking limitations, parking hours not be conditions of approval of this project. I think that's an important point for Council, because parking signage, parking operations change over time. Tenants move and go, property owners change. The beauty of parking signs is we can adjust and conform to the needs that are on the street. We don't want to be back before Council with another Type 3 land use review to change a parking sign from a 6:00 to 2:00 to a 6:00 to 10:00. I think Council would understand why we would not want to put you in that decision of having to help make those determinations.

Fritz: Is there a process for anybody but the applicant to appeal the Title 17 requirements that PBOT decides on?

Krueger: There is not.

Fritz: Is there any remedy in court? Like, a neighborhood could go to LUBA if they don't like the land use decision. There's neither an administrative appeal nor a court appeal?

Krueger: I hate to turn this over to Linly, but that was a legal question that I'm going to defer.

October 8, 2014

Rees: If it's Title 17, it's not going to end up at LUBA. I don't think I want to speculate on what their legal remedies might be. I think it might be different if it were a case where the street widths weren't meeting our already established standards. In fact, somebody might argue that basically you would have a chance to argue those standards when those were adopted by PBOT or Council at some point at time. So maybe they'd be foreclosed from doing that. But that is dangerous to speculate on.

Fritz: That's a good point -- that they do meet the standards in the code right now. You're not doing any kind of adjustment. Is there such a thing as an adjustment in Title 17?

Krueger: Not that I'm aware of. If we had proposed to reduce these below a district standard, I think we would open this up to a much more global conversation, engagement of property owners. Because we have those standards and we're adhering to those, we felt we were operating within the guidelines.

Fritz: But you don't have any kind of formal process for that?

Krueger: We have a public works appeals process an applicant can go through to appeal and ask for reconsideration of our requirements, but we don't have anything beyond that.

Fritz: I think this is an important consideration in the comprehensive plan discussions, our shared ownership of the public right-of-way and what kind of remedies, and what kind of decision-making processes there are to set up standards. And then when the standards are not met, that's a different conversation. I appreciate the clarification.

Krueger: Any other questions?

Saltzman: Were you going to outline the options of approval?

Walhood: Just briefly -- Council has the standard three alternatives with regard to the land use appeal. Deny the appeal, allowing the project to proceed per the design commission's conditional approval. That would be with or without the sort of sidebar separate direction to PBOT regarding Title 17 issues. Then the second option would be to accept the appeal with the modification of the subject's approval -- changing something in the decision -- or accepting the appeal and denying the project outright.

Saltzman: OK, great. Any further questions of Mark or Kurt before we open it up? OK. So now we'll hear from the appellant, which is the Central Eastside Industrial Council. Welcome. You have 10 minutes, and there's a clock in front of you. If you just can give us your name.

Peter Finley Fry: I'm Peter Finley Fry, vice-chair of the CEIC land use committee. I want to compliment Killian on how much outreach they did, they did a pretty excellent job. However, as part of this process, we've encountered two procedural flaws that we needed to raise to your attention. Both Title 17 and 33 are separate, we recognize that. They both are under the comprehensive plan and need to be consistent with the Portland comprehensive plan. The first issue -- I call it the paper wall. We absolutely agree with the city engineer's authority, and that comes at the building permit time. And the city engineer decides about exaction. And that has happened to me almost every project they have been involved in. We're arguing that the design review decision has created a wall where it does not exist today -- it's a vacant super block. That's our first concern. In other words, we're arguing that the design review decision ties the hands of the city engineer. The second argument is that in the comprehensive plan, in the central employment policy statement, it specifically says residential uses are allowed but should be compatible with the surrounding industrial development. Yet there are no findings made about how this design adversely impacts surrounding industrial uses. So, the zoning code is not implementing the comprehensive plan. That's it, thanks.

Jeffrey L. Kleinman: Commissioners, my name is Jeff Kleinman, I represent Gatto and Sons, which is the produce company directly across 10th from the site between Belmont and SE Yamhill. You've got a letter in the record from Gatto and Sons dated yesterday. And I'll tell you with apologies, you have a short letter from me of today's date that I was delayed getting out to you. Gatto and Sons is a member of the Central Eastside Industrial Council. It is located in the IG1 zone,

October 8, 2014

which is part of the industrial sanctuary. They distribute produce that comes in on large semis, as described in Kathleen Gatto's letter to you. Gatto and Sons supports this appeal. And further along to Mr. Fry's analogy or metaphor of a paper wall, we agree with that. And what we see here is that by leaving key elements of the design review to be decided separately by PBOT in an administrative process in the course of the issuance of a building permit, that's an improper deferral of that part of the review of the design, because it can change in that process. In terms of sidewalk width, street width, etc., those are key elements of the design. There is no public process, no right to participate that is established in that process. So we have a concern about that, and we have concerns that we have identified in the letter that I have submitted. Under the specific approval criteria that apply to this application, and those right special design guideline for the design zone of the Central Eastside district of the central city plan. Among those, guideline A21 says to recognize transportation modes, produce, and commerce as primary themes of east Portland. That's really not occurred here. In the letter, we've also identified the goals and policies of the transportation element of the comp plan, which is also the transportation system plan, which are implemented by the design guidelines. And they serve as a direction for interpreting the guidelines. In freight districts such as this, those include providing safe and convenient truck mobility as priority and accessing industrial employment areas. Freight district streets -- of which SE 10th here is one -- to provide local truck access and circulation to industrial and employment land uses. Freight district streets should be designed to facilitate the movement of all truck types and over-dimensional loads, as practicable. And that's not been recognized here. In fact, one of the objectives under policy 6.30 for truck mobility is to accommodate truck travel on designated truck streets -- which this is -- through improvements to facility design and operations that address the dimensional needs of trucks. So the point is that even though technically, there's apparently to be compliance with the minimum street standards for travel lanes, that -- as set out in Mrs. Gatto's letter, and she will talk about it -- it's insufficient for the movement of the semis and the oversize loads which are essential to the operation of this business which in turn employs 22 people with family wage jobs. Those are my comments under the approval criteria. In the remaining time, I --

Fish: Can I just --

Kleinman: You bet.

Fish: Before you continue, I just want to make sure I understand something. In your letter, you cite a policy -- the reference is east Portland. That's very interesting. I don't know when this was written, but we typically think of east Portland in this body as the part of the city that's on the other side of 205. What's your understanding of the definition of east Portland?

Kleinman: East of the river. This goes back quite a ways -- I believe to the early '90s, if I'm not mistaken. It refers to what we traditionally thought of as east Portland, and not the current definition which includes I think mostly annexed areas from mid-county. So that's what these refer to. And these policies are listed under the Central Eastside industrial district component of the design guidelines. So in that context, east Portland is east of the river. That said, I've had conversations with the applicant's attorney Dana Krawczuk, and conversations with Kurt Krueger from PBOT who's been very helpful and very accessible, which we appreciate. And he and I have worked on some language, which -- if it appears in a city council directive -- my client could live with and would satisfy my client's concerns. As he has said to you -- he told me -- they really didn't want the condition approval on signage for parking. Because it's too tedious to go back to a land use process to change it. But he indicated to me that PBOT could live with a directive from Council. And I think it would have to be clear on the record and what we've requested. I don't think that PBOT would oppose -- that's my understanding -- that the eastside of SE 10th between SE Belmont and SE Yamhill be signed for no parking truck loading zone from 6:00 a.m. to 2:00 p.m. So on the one hand, that addresses our concern with overnight parkers, because they're usually not out by 6:00 a.m. so they wouldn't park there. We get deliveries very late at night, very early in the morning. We have no control over when the semis arrive from California, from Arizona, especially in winter

October 8, 2014

weather conditions. So they tend to come during those hours and then in the early part of the day. But 2:00 p.m. is a reasonable cutoff for us, and at the same time, facilitates the restaurants and retail businesses that the applicant would locate there. So, that would be the signage per direction from this council. There would be three circumstances under which that signage could be modified -- this is stuff I've worked through with Kurt. One is that PBOT determines that for safety reasons, more extensive limitations should be placed on parking on that side of the street between Belmont and Yamhill. Second, if the owners of the affected property -- that would in the owner of the Killian development, the owner of the Gatto and Sons property, and the city agree -- as Kurt was talking about -- you know, revisit things after this project is up and running and see if there are changes that everybody agrees are worthwhile. Then, so long as PBOT signs off, those changes in the signage could be made. And then the third would be if there's a material change in the use of the Gatto property so that the need for truck access to the property is limited or becomes minimal. So that contemplates it down the road. Should things change and the property be sold and no longer operated in this manner and there's no need for the parking limitations on that other side of the street, those could be eliminated without coming back to Council. So those are the things we've talked about. As I said, I've spoken with Dana Krawczuk, the applicants, Council, and I believe that so long as PBOT is amenable to this directive from Council, that the applicant would not oppose it either. With that, happy to answer any questions.

Fish: Peter, are you stating in your testimony that no finding was made under the applicable plan goal or that an inadequate finding was made?

Fry: That's correct.

Fish: No, which of the two?

Fry: I'm sorry, I didn't understand it was an either-or.

Fish: Is it your view that no finding was made, or that it was an inadequate finding?

Fry: No findings in relationship to the impact on surrounding industrial uses.

Fish: Is it required to be made explicit or can it be implicit in the decision?

Fry: I'm not an attorney, I don't know how to answer that, actually.

Fish: The language you cite to -- and I understand the flashpoint around residential uses, generally -- says are allowed but should be compatible with the surrounding industrial development. Should be compatible.

Fry: I think that's not exactly what it says.

Fish: Residential uses are allowed, but should be compatible -- I'm just reading from your --

Fry: That's correct, you're right.

Fish: And are allowed but should be compatible. And your letter says that your interpretation of that is that the design commission should make specific findings about how the design does not adversely impact the industrial areas. That seems like a more stringent retirement than I see just reading the language -- and I'm open to being persuaded.

Fry: The situation is that in the past, the EXD properties weren't really being developed. In fact, we had very little redevelopment until about 40 years ago. And now, we're getting inundated with a lot of residential properties being redeveloped. I think we have about 1500 units coming online. And that's fine, because that's where they're supposed to come online, but it's created the stress point now between the surrounding industrial uses and these new high-rise buildings. The design commission approved a very high-rise building on the east side of the Burnside Bridge. So this wasn't really an issue in the past, it's just now becoming an issue as these uses are being developed and starting to create incompatible options -- is what I'm getting at. Which is why we're raising it now.

Fish: I'm just curious -- do you have specific examples of how you believe it would adversely impact the surrounding activities?

Fry: Traffic. Where the loading docks go, where the access to the garages go, noise impacts, view line impacts. A long time ago, there was a zone change. They actually required -- you cannot do that

October 8, 2014

as part of the design review to force the residents cannot be forced to waive their rights to remonstrate against residential activities. That's not something you can do in a design review. You can do that in a zone change. So, those are kind of some of the things. I did want to say one more thing, but I'd be happy to answer more questions.

Fish: The president can extend your time as long as he wants.

Saltzman: Well, no. We'll stick with the 35 seconds you have left.

Fry: I just want to be clear that Central Eastside Industrial Council does acknowledge and recognize business association's decision to appeal was made at an open meeting. Our land use committee, neighborhood people, the applicant, and city staff attended that meeting. And we had a full airing of everybody's views. So I want to be clear on the record that that's how it went. Thank you.

Saltzman: Are there additional questions?

Novick: Mr. President, I wanted to note that I have a somewhat different impression of an agreement between Gatto and Sons and PBOT that might be acceptable to PBOT that Mr. Kleinman outlined. We could have possibly have Kurt Krueger come back up and discuss that now, or defer that until after we've heard the rest of the appeal.

Saltzman: Why don't we bring Kurt up?

Fish: Well, may I ask a question of the transportation commissioner? Are you representing an appellant or is this a companion issue?

Kleinman: Well, my client is a member of the appellant. So we're speaking before the appeal. But in terms of this agreement, it is only as to my individual client.

Fish: And it's a Title 17 issue?

Kleinman: Well, that's the question.

Fish: OK, fair enough.

Fritz: I would actually appreciate having both the staff come back up, because I'm more confused now than when we started.

Saltzman: OK. Take your seats and we'll bring Mark and Kurt come back up. This is a little confusing.

Fritz: Well, it's a tricky land use appeal because a lot of the issues that were just raised are Title 17, which is not land use. Did you want to go first with what you were proposing, and then I'll ask my question?

Novick: Yes, if I may. Mr. Krueger, do you mind going over what we discussed in my office 20 minutes ago?

Krueger: You bet. Again, for the record, Kurt Krueger, Transportation. The discussions last night included not a condition, but a direction to PBOT to implement a parking restriction on the east side of 10th that would appear to be agreeable by Gatto and Sons; Killian Pacific, the developer; and NBH, National Builders Hardware, which is the property directly to the south of Gatto and Sons. It was my understanding that that parking would be limited 6:00 a.m. to 2:00 p.m. Monday through Friday. Shortly before the hearing, it came to my attention that that may not be the exact terms for the National Builders Hardware block to the south -- they were asking for additional restrictions from I believe 6:00 a.m. to either 5:00 or 6:00 p.m. in the evening.

Novick: Mr. Krueger, I thought what we were going to suggest was rather than Council directing PBOT to do something, simply having PBOT state on the record that we will establish parking restrictions along SE 10th specifically, with the caveat that we would review the parking restrictions six months after the building is occupied to determine if the restrictions are appropriate. So we would put on the record that we would do that, but not go through a process of Council directing us to do that.

Krueger: That's correct. So for the record, we would be implementing the restrictions as mentioned, and then a commitment to revisit this within about six months of occupancy after the

October 8, 2014

building has been filled and we assess the situation to see if we got it right the first time, or if we need to make some modifications.

Fritz: Thank you, that sounds like a good legislative intent. Mark, why are the approval criteria listed as central city design guidelines in the Central Eastside design guidelines? Why are they not listed out in the decision and findings made against each of them?

Walhood: They are -- the design guidelines are listed out by findings.

Fritz: I must have the short form in my packet.

Walhood: Yes, there's a long one. The final decision is 31 pages.

Fritz: I don't have that. Alright. Can you tell me please what the findings were regarding the cited Central Eastside design guideline regarding housing?

Walhood: The guideline he mentioned was A21, recognize transportation modes, produce, and commerce as the primary themes of east Portland. And the testimony right now?

Fritz: No, the one that Mr. Fry referenced about housing needing to be compatible with the industry decision.

Walhood: Peter mentioned the comprehensive plan Goal 10 findings. There are no Goal 10 findings in the staff report or the final decision because they're not a relevant criterion.

Fritz: Thank you.

Walhood: So they're just not there because they're not there in the code applying.

Fritz: Now I've got what I need, thank you. I'll be reviewing that. And I hope that people are ready to testify on whatever you want to testify.

Fish: They're not a relevant criteria to what the design criteria the design commission was asked to rule on?

Walhood: The comp plan goal that was in Peter's letter -- he mentioned Goal 10 -- no.

Fish: It is not relevant criteria to the design commission proceeding?

Walhood: Correct. There was another guideline mentioned -- A21 -- that is relevant. We do have findings on that one.

Fish: I seem to have the short version as well in my packet.

Walhood: I have an extra copy in my hand, if you want to --

Saltzman: I can share. OK. Are there further questions for Mark or Kurt? Then we'll return to -- or now is the time where we'll take testimony from supporters of the appeal, supporters of the Central Eastside Industrial Council position. Do we have people signed up?

Moore-Love: We have 12 people signed up. The first three, please come on up.

Saltzman: Welcome. You just need to give us your name and you each have three minutes, and there's a clock in front of you.

Debbie Kitchin: OK, thank you. Thank you for the opportunity to speak today on the design commission decision appeal. I'm Debbie Kitchin, I'm president of the Central Eastside Industrial Council, and I'm testifying on behalf of CEIC. The Central Eastside Industrial District, or CEID, is home to over 17,000 jobs. We're the only district in the city that saw significant job growth during the recession. We are a vibrant district, creating not only new jobs but new businesses with regional benefits. The CEID provides a unique and diverse mix of products. Our businesses produce and distribute building materials, food products, furniture, coffee, beer, bicycles, machinery, athletic equipment, computer apps, software, school uniforms -- the list goes on and on. Many of the businesses are traded sector, meaning that they contribute -- they sell some or all of their products and services outside of the region, so they contribute to the long term economic prosperity. Some of our businesses are local family-owned businesses that span generations and decades. Furthermore, the industrial district enhances the prospect for high quality family-wage jobs and opportunities, which help meet the city's equity goals. The CEID has a mix of zoning, including properties zoned EX, which allows general office, retail, and multifamily housing. And the property at question is just that, so we're not disputing at all the zoning or appropriateness of this development. But these properties with this zoning are along mostly the corridors. So, MLK and Grand, Burnside, Morrison

October 8, 2014

and Belmont, and portions of Sandy Boulevard. Most of the rest of the district is zoned industrial. This zoning mix creates issues at the edges, where EX properties are right across the street from industrial properties. Special attention is needed to maintain the viability of the industrial users as development intensifies in these EX properties. Freight movement in and out of these businesses is critical to their success. The narrowing of the street on two sides of this project negatively impacts the industrial users. Industrial businesses need to be protected against complaints by new tenants and residents so they can continue to operate in their allowed uses. If we do not protect the industrial uses of this district, it may lead some businesses to choose to move their operations and jobs outside of Portland, having a negative impact on the economic health of the city. We have the opportunity to preserve and nourish an economic district that is unique in the central city, and frankly, it's unique in the nation. As new industries emerge, the Central Eastside is a great place to start and grow businesses that will benefit our citizens and our community. In making the decision for this appeal, we were very concerned about the narrowing of the street on two sides, and there are a number of businesses impacted as well as Gatto and Sons.

Novick: Debbie, can I ask a question?

Kitchin: Yes.

Novick: The street as it might be redesigned -- the size would still meet our current standards. Are you suggesting that all of the streets in the Central Eastside should be expanded to the current size of these streets in order to meet --

Kitchin: No, we just would like to see -- those are minimum standards, the current design standards. And we would like to see the street not narrowed. There are other places where it is at that width. But businesses have adjusted to it over time. What we're doing is adding almost 250 units, grocery store, hardware store -- and in that situation, we think it's going put a lot of pressure on those streets. So we would prefer that either the sidewalk be narrowed, or there be an exaction from the property owner. And the paper wall that Peter Finley Fry referred to is -- it won't be possible to do that exaction once you have those walls in place as approved by the design review.

Novick: I just want to observe that generally, we in government are more comfortable with rules of general applicability. And the general assumption is if you're within those rules, you're OK. And if the rules are bad, they should be changed. Proceeding along the lines of well, this is within the rules but we don't want to do it because people have gotten used to something else -- it's something that makes me feel a little squeamish.

Kitchin: I think when we worked on those rules -- I think it was 2008 is what I've heard, I wasn't involved in that process -- but I don't think we contemplated anything close to this type of development in the adjacent EX properties. It's been zoned EX for 30 years in that area, and we haven't had this intense of a development happening. So I think it's partly not anticipated.

Fritz: But to clarify again, you're not disputing the uses that are proposed on this site?

Kitchin: No. And I would also echo what Peter has said. Killian has been to our land use committee and our transportation committee a number of times. They've worked with the neighborhoods, they have been open and receptive to changes. But we just felt we needed this appeal in spite of that good relationship because of the narrowing on the street and the impact on the businesses.

Fish: Debbie, do you have a strong view as to whether we do this as a condition of approval versus some informal mechanism -- and I won't take your answer as a lack of confidence in this Council or any future Council -- but I'd be interested in your view on that.

Kitchin: Well, we would feel more comfortable if it was a condition of approval as part of that. Because then we would know where things stand. So I think that would be our desire. But I know you have to work within your guidelines and design review rules, and I'm not knowledgeable about those or what is possible. But I would rather see it as a -- I think we would rather see it as a condition of the approval.

Peter Stark: Peter Stark, I'm the executive director of the parking and transportation advisory committee to the CEIC. Actually, Steve, you brought up a pretty good point. Currently -- and this is

October 8, 2014

working with Kurt Krueger, and Killian as worked with us quite a bit -- we've been waiting for this project, and we're very excited to see it happen. Anyway, let me step back to your question about the 12-foot right-of-way. There are a number of streets -- and Kurt can confirm this -- along the freight route that are much wider than 12 feet -- 13 feet, 14 feet, 15 feet. And a lot of businesses along those alignments have grown dependent upon that width to continue to do business. So even a slight change to an existing width can have a dramatic impact. An example would be Burnside-Couch, where we modified the street width to accommodate some greenstreets and some other combinations, and they can no longer turn the trucks on the streets. Even though it may be a minimum standard per our standards, it still has a consequence. And I think we step back to the policy -- well, I guess the comprehensive plan policy -- that tries to protect the industrial users. So stepping into where we're at here, I think there is a way that we could come up with a compromise that would work for all parties. The width of the road is a concern. My understanding from the test - - which unfortunately I did not attend -- was that it exposed some problems that have been corrected, but I'm not sure it corrected all the problems. So one possible solution would be to put a temporary reprieve on the sidewalk standards, maybe make it grandfathered with the property use that's adjacent, that's depend on that width that goes away after the use changes that would accommodate the freight movement. The concern here is if were to take every street in the Central Eastside, bring it to the minimum standards of 12 feet, you would kill the businesses. They just wouldn't function. It's because those businesses have grown dependent upon what's available for them to use as a resource. So even a slight change has an impact. The other thing I would mention -- I have 50 seconds -- there is a difference obviously between property investment and business investment. And I think the Killians are top notch developers, and they really have worked hard with the community, they've worked hard with the CEIC -- I think, frankly, we're very lucky to have them doing this particular project. This project is very important for this council to hear, because it is in fact the edge condition between that anything zone and industrial zone. So in addition to street standards -- you mentioned apartments -- there should be some design guideline standards that require those apartments have soundproofing, that the have air intake away from the industrial users, that you minimize the impact of the industrial use adjacent to housing. Because housing and industrial don't get along well together. We're going to try to make it work, but it's tricky.

Novick: Peter, with respect -- listening to you, I kind of draw the inference that the standard should be, every street in this area should stay exactly the size that it is now -- whatever that happens to be, even though they vary wildly -- because people have gotten used to it. And that doesn't sound like a standard.

Stark: No, unless your request is to reduce it -- in which, case the smallest would be 12 feet. But Peter Fry's paper barrier -- if you will -- happened here. I wasn't aware, for instance, that 12th Avenue or Taylor had been reduced because it met the standard. And so, we didn't become aware of it until the property owners brought it to our attention. Now, there's a lot of outreach, but there was no reason for the Killians to bring it to our attention because it's the standard. So in trying to protect the industrial users, we had to step up and say, what are we going to do? We can't go to PBOT and make the request, because they're following their own standards as far as streets and sidewalks. But City Council is the only body that can say, you know what, let's make an exception in this case, which is why we're here.

Saltzman: Sir, give us your name, and you have three minutes.

Brian Scott: My name is Brian Scott and I own a small business and building across the street from the proposed development on the corner of SE Taylor and 11th. My business has been at this location in the industrial sanctuary for 15 years. My business involves the design, manufacturing, and warehousing of trade show promotional materials for a number of local companies, including Tektronix, Nike, and Adidas. My business depends upon shipping and receiving materials from our loading docks with trucks of various sizes coming and going numerous times each day. I'm asking

October 8, 2014

that the design review and PBOT's decision to allow for the narrowing of SE 10th and SE Taylor be given another review. The decision to narrow these streets will affect the flow of traffic in and out of the industrial sanctuary, an area that depends upon the ability to freely transport the goods manufactures and sold in this area. My major concerns are as follows. Pedestrian and bicycle safety. Truck traffic -- already high in this neighborhood -- will be increased, along with bicycle and pedestrian traffic. Yet, the city again is looking to reduce the lane width of the adjacent streets. Again, the demonstration orchestrated by PBOT showed that it was not possible for trucks to be able to access the loading docks. In this case, they're considering taking away parking in lieu of that, which already is tight in the industrial sanctuary. I would hardly recommend that the council not look at reducing parking as a solution to this. The other one is traffic impacts. The impacts of this development has been studied in these terms in terms of the increased car trips and decreased accessibility to the industrial properties. Number three, impacts to our industrial business operations. Again, the narrowed streets will result in reduced access for freight trucks in our shipping to receiving facilities. Four, the reduced parking opportunities. As I mentioned, the parking already is so tight in this area that we have a hard time finding parking for our employees or our customers. In conclusion, I have grave concerns about being able to continue to have a viable business at my current location if these issues are not addressed in a way that would allow us to have free access of trucks and freight movement in the city. I have no doubt that the city of Portland is interested in preserving and honoring its long term commitment to our locally-owned businesses situated within the industrial sanctuary, and provide living wage jobs and strengthen our local economy. Thank you.

Fish: Sir, what's the name of your business?

Scott: It's called GXI.

Fish: You're at the corner of Taylor, between 11th and 12th.

Scott: The northeast corner.

Fish: Where do trucks load and unload?

Scott: We have a loading dock that's at the corner of 11th and Taylor. It's a setback of about 30 feet. In addition to loading trucks there, we also will occasionally get our truck or trailers in, in which we have to block a lane of 11th and load, off load them in the street, which is relatively common in the industrial eastside.

Fish: OK, thank you very much.

Saltzman: OK, thank you. Next three then. Welcome. Just give us your name, you have three minutes. There's a clock in front of you.

Michael Redmond: I'm Michael Redmond. I work at 1036 SE Taylor, which is directly across from the proposed new building. Thank you for hearing us on this appeal. We've been in business for 32 years. We started in a residential neighborhood on SE Stark in 1000 square feet. We're an incubator company. We grew up and moved to Central Eastside industrial sanctuary in 1993. We moved there because we were out of the zone where we were supposed to be, and we moved into a zone now that we are legally supposed to operate in. We have been restoring historical renovations in Portland for 32 years, like the Simon Benson House, the Governor Hotel, the Telegram building, the Carriage House -- putting them back to their original state. Portland has invested in saving historical architecture, and we believe that it has also shown that by the sanctuary, keeping the industrial sanctuary in the city of Portland. We would like to see the streets stay the way we have grown accustomed to them being. One of the things we do is we know from most of the lumber companies in the city and the surrounding cities -- International Wood Products, Parr Lumber, Patrick Lumber. Patrick Lumber is a 100-year-old brokerage firm. They've been using us for 20 years. They bring in trucks from Canada. We machine that wood. We're unloading in the streets. Like it's been said, we've been able to do this and accustomed to this in the streets as wide as they are. We feel if the streets are narrowed, it's going to impact us to not be able to get these trucks anymore. The trucks are anywhere from 70 to 80 feet long, and they are already able to get in and

October 8, 2014

out. But if you take off two to three feet, they're not going to be. So it will dramatically change what we do with them. These are just some of the lumber companies we work for. Before the goat blocks burned down, they were produce companies. They had lots of trucks, and we worked with them. Our trucks worked with their trucks. I think we need the streets the way they are for the new companies coming into the district. It will make it doable. I don't know what it'll look like if you shrink the streets. The sharp increase in the bike and pedestrian traffic is a safety concern. We wish that if we're making the sidewalks 11 feet, you would keep the streets wide also. Thank you.

Saltzman: I just want to make sure I'm clear where you are. Your business is Creative Woodworking?

Redmond: Correct. Thank you very much.

Blake Redmond: Good afternoon. Blake Redmond, I also work at Creative Woodworking. I'm his son. The problem I see being the forklift driver is a safety concerns for bikes, pedestrians, and cars. Shrinking the streets would only make that worse because as I'm loading trucks, the parameters are pretty tight between my forklift and the parked cars and the semi-truck unloading. A lot of times, I'll have bicyclists riding under my load, which is a massive problem. We try to be careful with that, but it's only going to get worse if we densify it and shrink the street. The other problem with shrinking the streets is that the trucks we have coming down from Canada are much longer than the truck that they used for the test. I was at the test. I'd like to say that I think the standard for the street width is a problem for our company in getting those long trucks in. Just last week, I had 25-foot lumber which is hanging out at the point over cars as I'm trying to move it into our shop. It's going to get even more dangerous if we shrink the streets, thus forcing us to move. That's all I have to say.

Fish: I'm just curious -- you mentioned Simon Benson house. What do you make?

B. Redmond: Moldings.

M. Redmond: We also make moldings and also exactly duplicate them. When that house was being moved, we were extremely instrumental in saving the house. First of all, I had been in that house as a child and I loved the architecture of it. When it came that it was going to be destroyed for the 17-story building that was put there, we had an opportunity to help save it. Because we donated our profits towards the depth of remodeling it took, we had to grind 35 different patterns to match those moldings anywhere from the siding to the handrails to all the paneling and building. But this is what we've been doing in Portland for 35 years, and we have over 4000 profiles we've produced in this architecture of our city. We've done this building too for RTAC when they did this one. So your patterns are reproduced because we matched them perfectly.

Fish: Thank you, sir.

Larry Corwin: I'm Larry Corwin, I'm president of McCoy Millwork. We are a wholesale distributor of especially wood products in southeast Portland. We are located on SE Caruthers. Although we're not adjoining the property and the streets that are an issue here, as a member of the Central Eastside and an industrial user, my concern is that the rules in developing -- going forward, you're going to encounter this more all the time, and these rules will inhibit the safe and effective freight movement and truck mobility on the Central Eastside. Just because you can move a truck into an area does not necessarily mean it is safe or provides for effective loading or unloading. The cones, as you saw there -- the truck was making it past but the cones, but again, the more you constrict it, the more it is a challenge to safety. And also, just because you can move a truck into an area doesn't mean you can safely and effectively remove materials and move loads off of that truck. I urge the council to find for the appeal and to seek a resolution that protects existing industrial business and the need for adequate freight movement to protect the viability and jobs associated with those businesses. I think you're going to encounter this more as times go on, so it's a good time to take a look at it and try to protect those industrial users that are in a position to provide jobs and pay taxes in this location. Thank you.

Fritz: Do you think the proposed solution of signing it for truck loading only will work?

October 8, 2014

Corwin: I would have concerns only from the standpoint that I think anything that would reduce this street in any dimension to what they're facing now is going to be a problem. If you could provide for something in some way to maintain that distance with signage --- if it was adequately implemented -- potentially could be a solution.

Saltzman: OK, thank you. Welcome. Just give us your name, and you have three minutes.

Hope Redmond: I'm Hope Redmond, I'm the daughter of Mike Redmond, the owner of Creative Woodworking. City Councilmembers, thank you for taking your time to hear this case regarding the street in front of my father's shop. This workplace means a lot to my family and me. I've grown up close to the shop and remember how fun it is to ride on my bike a mile from my house in the summer to visit my dad. Being raised in a family business, I was able to explore my interest from building simple objects with my brother and learning out to bring out the color in wood to working in the office. For the last couple of years, I've been answering phones and helping our secretary with work orders. Having this opportunity, I found I really did enjoy many of the aspects of working in the office. If the shop had not been as close as it was to my house, I would not have been able to be down at my dad's shop, finding out what I would like to pursue in life. This location of the shop has been great at times because my dad was able to burn the midnight oil and get those last minute jobs done so that he could provide for our family and build a business. I remember those late nights, my dad would bring my brothers and I down with him so we could spend time with him. I loved it, because we got to the play in the wood shop and spend time with him while he worked with my brothers and I and built a great family business. If the streets get narrowed, we will be slowly suffocated because the trucks will not be able to come easily to our shop. If trucks cannot turn or be loaded or unloaded on the street, we cannot satisfy our customers' needs. Having an industrial area in Portland allows the city to have local jobs, grow their business, and pursue their ideas. Portland is great as having very diversified job opportunities, and I hope they continue to encourage that. Thank you.

Saltzman: Thank you.

Kathleen Gatto: I'm Kathleen Gatto, and I'm here on behalf of Gatto and Sons today. In the letter you received -- we are a local produce company that has been there since 1935, and employ quite a few people that we have maintained through the recession. We love the inner eastside, it gives us a wonderful spoke to use our business. Many of the companies that we supply produce to are in the Belmont and Hawthorne area. It allows us easy access to the westside, to Vancouver, a truck that goes up to Bend, and one that goes down to Eugene. So it has been a wonderful place for us. It appears that the building that's being created across the street from us had a specific dimension when they began. And now that it is evolved to this point, they are requesting to have three feet of street. I noticed photos that show the semi-trucks coming through there. But they showed none of the other traffic that's on those streets. We have a fair amount of cars going up and down the street, bicycles, an occasional skateboarder. And this building is wonderful, it's going to bring business into the eastside. It's also going to bring traffic that's going to be competing with the trucks that we use to unload. Our normal hours of having semi-trucks come in and out are from 6:00 a.m. to 1:00 p.m, and then from 10:00 in the evening to 2:00 a.m. Our trucks then are loading to go out in the city between 1:00 a.m. and 5:00 a.m., then returning between 11:30 a.m. and 1:00. I just happened to be down at the warehouse today and got a quick picture. This isn't even a semi-truck --

Fish: We're not allowed --

Gatto: Oh, you're not allowed? I can leave it over there. It just displays our trucks that are bringing in --

Fritz: We're allowed --

Fish: I'm sorry, we are allowed to look at it.

Gatto: You are. OK. So we oftentimes just have trucks such as this which has got a 16-foot box on the back that are bringing things in from local produce houses. But it shows the congestion is there by the time you get a forklift truck out, and you've got cars parked on both sides of the street, and

October 8, 2014

then there's the regular ebb and flow of traffic in the area. So it is a bit congested, and it is difficult for us to imagine having the street narrowed, just for the safety of everyone. We're hoping -- in terms of the possibility of a modification of the parking signage after six months from the build-out -- our understanding is that PBOT will make changes only with the agreement of the affected property owners. So that is pretty much what our concerns are.

Saltzman: Thank you.

Myla Fiesterman: I'm Myla Fiesterman, the president of National Builders Hardware. We're located at 1019 SE 10th Avenue, so we're directly west of the Killian project between Taylor and Yamhill.

Fish: You have a whole city block?

Fiesterman: Yes. The business has been doing business in the Central Eastside since I believe the 1950s, and we've been at our current location since 1978. It's also the year I started there, a fact which I only mention because I want you to know I have a lot of history with the Central Eastside myself and I've watched the area change over time. We love doing business in the Central Eastside. As Kathleen mentioned, it's a great central location for us. We're a wholesale operation, just like the Gatto and Sons and Brian at GXI mentioned. Our business is really dependent on being able to get really large trucks -- 40, 50 foot trucks -- into our loading dock, which is located directly across the street from the development. I guess when I heard about the narrowing of the streets, we originally got -- I have to say that the people at Killian have been very good about keeping me updated about the process from the beginning. And they had a lot of drawings and assured me that taking the space out of street was not going to be a problem. So it really wasn't until July of this year when we did this real world test of what this was really going to look like and how it was to impact our business that we really understood that the drawings as they existed were not going to work. I had a couple of surprises already in listening to other people's testimony here. Kurt with the city mentioned that the Killians were now talking about maybe eliminating the bump-out in front of our loading dock. That would actually be very helpful, as would no parking in front of our loading dock would be great, too. I'm getting a little ahead of myself here. I wanted to talk about why I think the narrowing of the street is a bad idea, but I think you've heard a lot of people mention that test. Taking three feet out in front of our loading dock really would make it nearly impossible for most truck drivers to get in and out of our dock. They have to back up from either the north or the south on 10th, and swing in at a right angle into our loading dock. I did submit a picture with my written testimony for this hearing. It shows that when they're going through that process right now, they're literally within inches sometimes of parked cars across the street. That was the other thing that came up today. It hasn't always been that there was parking across the street from us. When the produce companies were located across the street, it was truck loading and it worked much more smoothly for our company, too. So a possible compromise with parking would be great. But I really do also have a concern -- as a number of people have mentioned -- about safety. We're increasing traffic along a street for trucks, cars, bikes, pedestrians at the same time that we're narrowing the roadway. [beeping] I'm taking too much time -- so, thank you.

Fritz: Are there currently sidewalks in this area?

Fiesterman: Yes, in front of our building and across the street. The produce people had eight-foot sidewalks I think in front of their warehouse, and then had a truck-loading zone in the street where parking is taking place right now.

Fritz: So there's currently sidewalks along the property line of the proposed redevelopment block?

Fiesterman: Yes.

Fritz: And they are just regular size?

Fiesterman: Yeah, I believe they are the eight-foot. And those are the suggestions I had. If we could leave them as eight-foot, that might be a possible solution here. If they have to be 11 feet -- because I understand that city code now -- we would have preferred that Killian would have taken it out of their property. Failing any of those alternatives, if we could do some no parking -- I

October 8, 2014

understand Brian with GXI's concerns about taking more parking places out of the district, because it is a concern. But I think the most important thing here has to be safety and the continued viability of the businesses. I think it's a great resource for Portland to have these businesses be able to operate where people can walk and bike to their jobs.

Fritz: So there's currently an eight-foot sidewalk plus parking?

Fiesterman: Yes. I believe. I haven't measured it myself.

Fritz: And that's working reasonably well for your truck traffic?

Fiesterman: If it were posted as no parking, it would be. The fact that there are vehicles parked across the street from us has made it -- over the last several years, since the building burned down across the street -- really challenging for trucks to get in and out. And I think somebody else mentioned that trucks change and it seems like they get bigger all the time. So it gets more and more difficult as time goes on to do what we need to do.

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

Fiesterman: Thank you.

Saltzman: Thank you all. Welcome. We'll start with you, give us your name and you have three minutes.

Karen Hery: My name is Karen Hery. I write for the Southeast Examiner and I've been covering this story. So I came to discover the story, but I chose also to speak because I wanted to speak because I want to express that feel like one of your most important roles and one of my most important roles in the way we do our things as citizens here is very similar. It's our job -- you all and myself -- to strike a balance and also to pull out the most important issues and highlight them and make a difference in what happens next in this city that we call home. So when I look at these issues and look at what's before you, I'm very impressed with what Steve Novick has said when he keeps coming back and saying, OK, so you want what you're accustomed to, you have it now and want to keep it, but that's not what's on the rules. Where I feel we sit today is you have a chance to buy some time for things to be assessed. So if you make a vote today that approves this appeal with modifications before this project goes forward, this project gets to assess the true value of the industrial sanctuary and hold that true. You're basically making a speech for what Portland values -- making this decision today. And the reason -- I like what you said about let's not make exceptions, make exceptions, make exceptions. If it should be wider, let's make it wider for everybody. And I agree that's a direction you may want to take in the long haul. We don't have the long haul in this particular situation. We have one of the largest residential developments going in to something that is part of us having a livable city. When we say we want a walkable city, that's not just about where we live and where go have a restaurant. It's also about where we go to work. So if we push housing out into the suburbs that affects the ecology of Portland. If we push our industrial into the corners -- where it tends to go in many cities -- then we also take away the walkability of our jobs. And as they said, these are family jobs. When I interview these businesses, I'm looking at normally a retail job -- people who hold it for 20 years. These people have held these jobs -- which are traditionally turnover jobs -- with benefits, with health care for many, many years. So I see a lot of value here and I hope this testimony today can inspire you to go in the appeal direction to buy time not just for this particular project, but to review and see what we need to do to have a truly protected industrial sanctuary in center of our city, not at the edges. Thank you.

Mary Ann Schwab: Mary Ann Schwab, Sunnyside resident. And Karen's right -- once we lose this resource, it's lost and can't be easily reconstructed. Today coming from Milwaukie, I cut down Holgate and across 26. And when I got to the traffic light, the four-way stop on Gladstone, here's this great big 53-foot truck trying to make a turn. I don't know how wide that street is, but it was really a jam. So it's not just your industrial district. We have truck routes. And a lot of people coming from out of state may not know what those truck routes are, but they are on our neighborhood streets. And I'm glad that people have mentioned the construction of the housing. There's 250 multifamily units coming here. You're going to have people in wheelchairs, walkers,

October 8, 2014

children walking to school. Listening to this young man with a dump truck and bicycles going underneath his lift truck, that's pretty scary. We need to leave the street as is. I've done the math. The 250 multifamily units are going to come with 181 cars. We need to pay attention to these things. Not just that, insulation for the walls and people are sleeping up above. This is something Mayor Hales came to OLCC not long ago, tried to tell those commissioners that the city landscape has changed in the last 30 years. We have storefront businesses and people trying to sleep upstairs. His nasty response was, it's our business to sell product and your business as an elected official to enforce your noise ordinance. We have families that are going to be living upstairs, there's sleep deprivation. We need to look at more than just the trucks coming and going. It is an industrial area. People are going to know it's an industrial area. They will be educated to that point. But these family units upstairs -- you're putting people in there. Is there a room for the commons where they can celebrate holidays and watch a football game together? They don't pencil that out. Also, is there air-conditioning in every unit? Too many of these -- because they're affordable housing -- they'll put the air in the main halls and the public rooms, but each individual unit does not have air-conditioning. Are there washers and dryers in every unit? I would not want a little munchkin going to a common washer/dryer area to get the laundry and find the machines are broken and that it takes about a zillion nickels just to get the blue jeans and towels dry. So we need to look at those types of things as well. And with this developer coming in, we're going to need safe routes to school. Where are these kids going to school? We want to make sure they are safe in getting across 12th -- that's a busy street -- and up to the Buckman Elementary School and over to the park. And eventually, I would like to see them go swimming at the Washington High School recreation center. Thank you.

Saltzman: Thank you.

Eric Campbell: My name's Eric Campbell, I run a wood shop out of the Cully neighborhood as well as a portable sawmill. I do a lot of work in the industrial district, and have done so for years. We've heard a lot of perspectives today on the technicalities of street dimensions, legal codes, and visions of what this district code could and should be. The industrial district as it now stands is indeed a sanctuary. The applicant for this redevelopment project promises a groundbreaking project, one that is memorable and exciting. But to be honest, I see nothing groundbreaking about replicating what's been already been built on Williams, Belmont, Hawthorne, and Division. The central services are also promised but only two shops -- a grocery and a hardware store -- have been specified. The balance of the 111,000 square retail space is simply that -- retail space. The creative industrial community that calls this district home is under threat. It's under threat of being fractured and sent to different parts of the city. The relationships that exist between fabricators, between metal workers and woodworkers, between mills, builders -- it's tight-knit. We're able to access things that are just down the street instead of across town. With that, the services this district provides to the city and to the citizenry is also under threat. People can come to the industrial district, they get things done, find what they need to get done. Winks is a simple store, it's kind of a cure-all for those in the business of making. Creative Northwest. When I have a problem in my wood shop, I go to Creative Northwest because they can fix it. If they can't fix it, nobody can fix it. I like having them within easy access. Reviewing the conclusions in this appeal -- you know, it is true that the project that's proposed for this block will transform this neighborhood, but not in a way you think. This is kind of the first step in the encroachment on an area that has been and should remain industrial. I think the last thing I'd like to say that is that the project promises to respect the solidity and honesty of the surrounding industrial district. It says it reflects the authenticity, form, and character of the district, as well. But I don't want reflections, and I don't want respect, I want my industrial district. I want to be able to access it today and tomorrow and in the years to come. Thank you.

Saltzman: Thank you. Is that it, Karla?

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

October 8, 2014

Saltzman: OK. Now, we'll hear from the principal opponent. In this case, that's the applicant. And they will have 15 minutes. Welcome. And all you have to do is give us your name, and you have the clock right in front of you. You have 15 minutes.

Dana Krawczuk: While he's setting that up -- my name is Dana Krawczuk, I'm a land use attorney at Perkins Coie representing the applicant. This is Lance Killian, and we have members of our development team in attendance if you have technical questions. Lance is going to start off by talking a little bit about Killian Pacific and the project, and I'm going to touch on some of the legal issues.

Lance Killian: Good afternoon, Commissioners, my name is Lance Killian. I'm a principal with Killian Pacific, we're the owner and developer of the Goat Blocks, the project we now call LOCA. Just a little background on us. We actually are not urban farmers or goat shepherds -- as you might guess with all the press about the goats -- but instead, what really drives us is enhancing community. Through our work of visioning, designing, building, and owning projects, we advance social and economic value in communities. We've been at this for about 45 years. My father, George, started the business. We developed our own account and plan if we're going own these properties for multiple generations. We have been active in the city of Portland, we currently own properties and have developed several properties within the city. We're certainly currently very enthused with what's happening in the Central Eastside. We were an early investor in the neighborhood, and we've been focused on providing compelling work environments and community activating retail and mixed use projects. I'd like to show you a few of those and let you know what we're up to in a broader context in the Central Eastside. This aerial photograph shows both the operating properties and development properties that we're working on currently. The 14th and Morrison project called Morrison Place, home to Nostrana restaurant, was a renovation of a vacant building that we completed in 2004. There are two reuse projects down close to OMSI, off of 3rd Street. One is the Oregon Electric Building, which is a reuse and headquarters facility for Oregon Electric Group. The second is the Viewpoint building which will be occupied later this year by Viewpoint Software. They'll be moving in about 200 high-paying jobs. This is an expansion of their headquarters facility across the street. The 240 Clay project is just a block away to the east. This is on the former Taylor electric burned out site. Our plan is to break ground in the first quarter of 2015 on this 70,000 square foot industrial office building which we will be able to house several hundred office workers. And moving on now to the LOCA project. As you all know, the goats have been recently moved to another site. Just reflecting back, we acquired this property about 15 years ago. At that time, our vision was formed for what would happen on the property not only by our own input but outreach to the surrounding stakeholders. What held true then still holds true today. What we heard was that was grocery desert, that the community needed a grocery store. That there was a need for robust neighborhood retail and services. That there was a need for market-rate housing and unique public gathering spaces. And of course, ample parking to support all of it. I strongly believe that what you see today, the LOCA project, provides all of that and more. It will truly form the foundation for a 20-minute community and employment area. We acknowledge LOCA as a complex and complicated project. It requires the balancing of varying desired and needs. To that end, we held over 50 different stakeholder meetings throughout the course of the last two-plus years. Our flexibility is demonstrated as an example with the Buckman neighborhood. They had a concern over the height of one of the proposed residential buildings, so we removed two floors. As another example, there's been much discussion today about the CEIC. We are and have been a member of the CEIC for many years. We worked closely with the CEIC to address things, such as loading dock location and design, and also the location of residential units within the project. Overlaying on top of this, the actual function of the retail anchors and the residential uses require certain attributes be conserved within the project. And last but not least, we went through close to a 10-month design review process, which led to significant modifications to materiality and overall design aspects of the project. We recognize that development of this project will bring

October 8, 2014

change, and certainly change is not always easily accepted by all. But the public right-of-way issues driving today's appeal were well-anticipated via the 2008 freight mobility standards that were adopted by City Council after a lengthy public process. It's worth noting that we meet or exceed all of the standards in this document, and we have not requested any modifications or variances thereto. In summary, we're proud of the extensive community outreach that we've done to listen and accommodate the public and stakeholders, balance their desires and needs as much as possible. And we're very excited about the 200 plus permanent jobs that will reside on this site once the project is complete. Thank you for your time, and on behalf of my father and I, our firm, and the many people that have been involved to get the project to this point, we would ask for your support in denying this appeal today. With that, I will turn it over to Dana Krawczuk, who is part of our team.

Saltzman: Thank you.

Krawczuk: Good afternoon. I'd like to bring us back to where we started. I'm going to read you a script because this is a quasi-judicial land use decision. The decision was adjudicated based on the applicable criteria which are found in Title 33. What we have been hearing about today are Title 17 and related guidelines, and a comprehensive plan. So I would like to step back and give a little bit of a lesson or a tutorial on both of those. The Oregon land use planning system, the comp plan, is at the top of the hierarchy. The zoning code implements the comp plan. Design guidelines implement the zoning code. In decisions like design review -- which is a limited land use decision, which is a term of art in the statute -- that means it's a decision where the use is permitted, it's just what it's going to look like. The statute says -- and LUBA has affirmed -- that unless a city's code expressly says the comprehensive plan is an applicable approval criterion, it is not. And a review body does not err by not making findings related to that comprehensive plan policy. So, what that means is when we're talking about the EX zone -- which allows residential uses outright -- let's not forget pretty much the entirety of the Pearl District is zoned EX. The fact that the comprehensive plan has a policy that says this should be compatible with industrial uses doesn't mean that findings are appropriate or required. If you were to decide to make findings, nonetheless, in the materials we submitted today and in the design review proceeding, there was abundant information about how this project is compatible with the surrounding area. Examples include they've designed the project so that the residential uses are faced away from the industrial zone area. For example, of all of the bedrooms in the project -- nine -- will have frontage on Taylor or 10th, the industrial areas. There's increased soundproofing on these units, and we've oriented the storefront retail away from Taylor at Creative Woodworking's request. We've also reached out to the adjacent neighbors and the CEIC in March of this year and proposed a good neighbor agreement. Terms of this good neighbor agreement -- which are attached to our materials -- included things like informing prospective tenants, you are entering an industrial sanctuary, expect noise, expect trucks. Don't complain about them but if you feel compelled to complain about them, talk to us -- not the city -- so that we can serve as an intermediary and try to address these concerns in a collaborative manner. Our interests are aligned with the adjacent property owners. We don't want tenants breaking their lease because turns out there's a wood shop next door. We want them to come in their eyes wide open. The only response that we've gotten on the good neighbor agreement was an email about a month later saying that, you know, they appreciated the effort, there were some concerns, and we could talk about it. It's still out there as an offer. We intend to independently have a lease-writer so we inform prospective tenants that they are entering a mixed use neighborhood with industrial areas. On the Title 17 issues. The design review doesn't address Title 17. We've heard a lot about a paper wall. Design commission needs to know where the property line is likely going to be, so they know how much site that they have to work with in approving a project. That's why PBOT is very involved during design review, to describe what the expected dedications will be. Those decisions are made later through the city engineer at the time of building permit. So the design commission did not make a single decision about what the width of the right-of-way was going to be. If the city engineer disagrees with what design commission assumed, we've got to go back to the design

October 8, 2014

commission and modify the plan. So there is no paper wall. Title 17 gives jurisdiction over right-of-way width to the city engineer. We think a lot about what street designs look like. Here are just two of the plans that the city has adopted. Designing for truck movements and other larger vehicles in Portland, which was adopted by this body exactly six years ago today, October 8, 2008. The following year, we took a closer look at the Central Eastside, recognizing that the Central Eastside is unique. Both of these documents recognize the constrained environment and have both a preferred and an acceptable right-of-way with. We exceed both. So, it seems like what we're dealing with today is an appeal of the wrong decision and the wrong form. The concerns you heard today are legitimate to these individual business owners. The objective evidence from both computer modeling and field tests demonstrate there is no negative operational effect on the freight mobility. The standards are met. If the standards don't work, let's revisit them either through the southeast quadrant plan, comprehensive planning project, or through a revision to the recently adopted Central Eastside plan. This design review approval -- which has nothing to do with street widths -- is not the appropriate form. I'd welcome any questions, or if you have technical questions, we can bring up our civil engineer. And last thing -- we don't object to conversion of the off-street parking to loading. It's a balance. It's a very, very parking constrained environment, so we don't think that you should undertake that lightly. But it's not our right-of-way to control, it's the city's. So in your discretion if you decide that's the best use of the right-of-way, we certainly don't object.

Fish: Can I ask you -- you say that the design review -- you made a very strong case about the issues that are or are not before us. Was it within the power of design review to require that the three additional feet of the sidewalk come out of the project scope and not out of the street?

Krawczuk: I think the design review would have had a difficult case making that justification, given that we meet the standard. There wouldn't be much of a nexus to require additional right-of-way dedication, and the impacts that we're talking about are impacts of existing uses, not the impacts of our project. So, there could be a proportionality issue. So, we've dedicated land, why not dedicate more? Because we meet the standard. There's not a need to go above and beyond the standard.

Fish: In addition, I'm just curious -- how do you read this phrase, residential uses are allowed but should be compatible with the surrounding industrial development? Debbie Kitchin testified she's not here to quarrel about the fact that residential use is allowed within this zoning. But if that is still something that Council wants to grapple with, how do you define that term?

Krawczuk: Compatible I think means that efforts are made to co-exist. Examples of efforts to mitigate potential conflicts include things like the design elements that I described -- orienting the residential uses away from industrial uses, increasing soundproofing -- those are mitigation steps that can be taken to be made compatible.

Killian: Commissioner, I just had one comment to add to the first question. Actually, what occurred during our design review process is that the design review commission deferred to PBOT as to the right-of-way aspect before they made their final decision as it related to the actual design review.

Fritz: When you mentioned in your presentation that there's ample parking for your new residents, did that take into account whether or not there would be parking on the street in addition to the parking spaces that you're providing?

Killian: We're actually providing .6 stalls per residential unit, and 2.5 parking stalls per thousand for the retail, which far exceeds what the code requirements are. So we're providing those all off-site. There was a lot of feedback all the way from the beginning of the conception of this project to retain as many on-street stalls as possible, because parking is tight in this area. So we actually were trying to walk that line of retaining as many on-street stalls as we could at the same time.

Fritz: But you agree with your attorney that you can do without them if necessary?

Killian: If absolutely necessary, certainly. It would be preferred to have stalls that are immediately adjacent to the storefronts, but.

Fritz: Do you believe that you have enough capacity for the grocery store parking?

October 8, 2014

Killian: We do, yes.

Fritz: How did you figure out what the appropriate capacity for that was?

Killian: We have done a lot of grocery work throughout the years and have good relationships with several grocery chains, including Market of Choice. They certainly participated in the process.

Krawczuk: If I can add -- in addition to providing more vehicular parking spaces than are required, we are providing more bicycle parking -- both short and long term -- than are required. And one of the quotes that sticks out to me during the design commission proceedings was the chair of the design commission wanting to know how we were going to accommodate the hordes of cyclists that travel up Belmont. And so we dispersed the bicycle parking in that area, and we anticipate a large percentage of the grocery population customers will be cyclists to and from work. So let's not forget about that mode.

Fritz: Do you have indoor cycle parking for your residents?

Killian: We do, yes.

Fritz: How many bicycle spaces inside do you have?

Killian: I would have to ask somebody else, I don't know the exact number.

Krawczuk: And one other thing with our parking that's innovative is trying to utilize the site as efficiently as possible. We're using parking machines, which not many projects in the city have. So it's a way to avoid digging deeper, which is expensive, particularly given the high water table in this area. But especially, high-rise parking stalls for a portion of the residential parkers.

Fritz: Is that like the elevator where you drive your car and it gets taken upstairs? That's interesting, thank you.

Fish: What projections have you made about the amount of truck traffic that is caused by having deliveries made to their grocery store?

Killian: That was contained in our traffic study, and I couldn't tell you exactly. I wasn't involved with that specific aspect of the project. But we may have someone here who can answer that question.

Fish: Is there some mechanism for off-street delivery at the grocery store?

Krawczuk: We've provided on-site loading zones, or loading areas, so they back into our site. So we're not competing for the street-designated loading areas. We expect to be able to accommodate the large and small trucks for both the grocery store and the hardware store within the site.

Saltzman: So you still have three minutes left, did you want to bring someone else from your team?

Krawczuk: I don't think so. I think that's all we have got.

Saltzman: OK, thank you. So now's the time when anybody who wishes to testify in support of the applicant -- was there anyone signed up?

Moore-Love: No one else signed up.

Saltzman: OK. In that case, it's the opportunity for rebuttal by the appellant. Five minutes.

Fry: Peter Fry, I'll go quickly first. First, I want to point out that it is a final land use decision so for them to change it, they have to go back through the entire process and pay the full fees. Second, I want to point out PBOT did say that they wanted CEIC board approval to support the right-of-way. And the board acted -- I wasn't there -- and said that they'd give approval if PBOT got the approval of the impacted property owners. So, I just wanted to point those two things out.

Fritz: To clarify that -- could you say that in a different wording?

Fry: Excuse me?

Fritz: Tell me what you just said again in terms of the board is supportive of.

Fry: PBOT, through the design review process, asked the Central Eastside board to give approval for the right-of-way. And Central Eastside board's response was, yes, if you have the approval of the abutting property owners.

Fritz: That's for the -- what do you mean for the right-of-way?

Fry: The right-of-way design that PBOT was proposing.

Kleinman: The three-foot narrowing.

October 8, 2014

Fritz: The current one.

Fry: Yeah, the current proposal.

Fritz: So the board said yes, but the property owners have to agree?

Fry: The board conditioned their approval on the property owners' approval.

Fritz: And we've heard that the property owners --

Fry: Do not approve.

Fritz: Got it. Thank you very much.

Kleinman: Jeff Kleinman. Just to clarify -- if I may respond to Commissioner Novick on the issue you raised earlier after our presentation -- I've placed a copy of my email to Kurt Krueger in the record, which has the language that we feel works. And we would have a real -- we don't have a concern with revisiting the parking issues and the truck traffic issues as to how they relate to the signage six months after build out, but that should not be a free lunch. Those issues, under what I've prepared after talking with Kurt, can be revisited at any time, but changes could only be made in consultation with and with the agreement of the adjacent property owners. So as long as that's part of it, as long as -- this is not just a six-month directive, and then the signs can go away. That would be a real problem, and we couldn't support that.

Novick: Thank you.

Saltzman: Anything else?

Kleinman: That's all that I had.

Fry: I have one question. I read the decision -- I must have missed it, because you're not allowed to enter or exit right-of-way except in forward motion. And the attorney pointed out that they were going to back onto the private property, which would require an adjustment or a modifications. And I must have missed it, because I did not see it in the decision. I would hope staff could -- they could not make that decision without that modification.

Saltzman: OK. Thank you both. Council discussion, or have staff come back up?

Fritz: Is there anything either of you would like to clarify or give your opinion on?

Walhood: The forward motion standard Peter just mentioned -- in the central city planned district, you only need to meet the forward motion standard for loading if you're on a streetcar or a light rail street. Their loading is on 10th, which isn't a streetcar street, so they can back into their loading space.

Krueger: Kurt Krueger again from PBOT. Just a couple of points of clarification on some testimony. Mr. Redmond's son identified there were trucks coming from Canada that were longer than we tested. That's new to me today, so I apologize. That was not something that we were aware of at the time of the testing. We're comfortable with the language of having the no parking signs from 6:00 to 2:00 and revisit those. I would like to assure Council personally that we are going to revisit this parking, and if we move signs one way or the other, change things a little bit, we are going to do this in a collaborative manner. This is the way that PBOT does parking changes. These are living signs, they may be pretty stale on a post but they are very fluid, and they adjust to the needs of the district. So again, we want to make sure that we have the flexibility to adjust these if we need if we need to.

Fish: Kurt, you have great credibility with us. Not everyone here today may have gone through a land use proceeding, so it's understandable why people often ask to have things be a condition, because that ensures a process and that ultimately comes back to Council. On the other hand, there are more informal agreements that we can establish and just be clear about what the protocol is if there is a big disagreement and to whom would that come? Would that flow from you to the commissioner in charge? Is there a scenario where the council would be advised? I think the more clarity we have around that, the better.

Krueger: A couple of other comments. I forgot to raise this, and I think this is an important point for those in the room. PBOT has an awkward permit we call an angle loading permit. And really, it's not a permit to allow angled parking, it's a permit to allow truck loading operations that are non-

October 8, 2014

traditional. We recognize the Central Eastside as a constrained area with trucks that come and go, and they often times will block most of the entire street for certain periods of time. We have issued a number of permits to business owners to conduct kind of strange loading for certain periods of the day. That is available to any of the property owners to come in and consult with us to see if we can issue permits that allow them to do things that they're doing today that probably are not authorized outright but are not being brought to our attention because we haven't had a tenant on the site for a number of years. So I want to make sure publicly that that's available to the property owners and these business owners. I think that's all that I had.

Fritz: Thank you.

Saltzman: I had a question. So, Peter Finley Fry just made a point that PBOT said without the approval of the abutting property owners, the changes wouldn't be approved. Is that -- I want your version of that.

Krueger: That falls under the category of no good deed goes unpunished. I made a discretionary call myself on the involvement of PBOT making a decision in this district. I recognize that we have a unique situation here. We've got industrial, we've got EX proposed here, we're meshing two different zones. And if we are going to make a change, I open this up -- which we typically don't -- to engagement with the CEIC. I didn't want to bring this up but there was an indication from an individual on the CEIC -- I don't know if he was on the board at that time -- but he was my contact who assured us that they were supportive of this decision. So we've moved forward for a period of time. And there was an indication that we were going to get a letter of support. That did not come. So we went back -- the applicant went back to CEIC and said, we will vote to support this if there's support from the abutting property owners. At that point, that assurance did not come, so then we took it to the next step and said well, let's put a real truck on the street and conduct the field tests. So that's the chain of events that happened.

Saltzman: OK, thank you.

Novick: Mr. Krueger, just to return to the issue of the possible agreement with Gatto and Sons. What Mr. Kleinman proposed is that we would put no parking signs up between 6:00 and 2:00, and that could only be modified under specific circumstances. And my feeling is that that's -- we can't really agree to that. We can agree that we will put the parking signs up now, and that we'll reevaluate in six months in good faith, but we're not comfortable agreeing to those conditions as to change again.

Fritz: If I might leap in here -- I am very reluctant. In fact, I won't vote to support putting a condition of approval about the right-of-way into this land use review. This is about the design commission's ruling. So, we've got quite an unusual situation here in that we all agree. We all agree that we want the Central Eastside industrial district to be a vibrant, industrially-focused district. We all agree that this is a good project that is appropriately zoned for. We agree that we trust Kurt Krueger and the Bureau of Transportation. And we agree that the standards for the road width are actually met. So there's some flexibility within the dedicated right-of-way for having parking, no parking, loading zone parking -- all those things that you, as the transportation commissioner and PBOT, you do that all over the city with absolutely no public input. What we have here is a representative from the department of transportation willing to work with the Central Eastside Industrial Council, which I would also have to say is almost unique in being a phenomenal, collaborative -- I can't think of enough wonderful things to say about the Central Eastside Industrial Council that I have known for many, many years. So, we've got this mutual respect. I certainly am comfortable that those good parties will work together -- including with the applicant, who has also shown an unusual willingness to work with the neighborhood to figure things out. Parking signs can be changed at very little cost. We do have a forum of citizen communications every Wednesday morning, that if the aggrieved parties feel this is not being properly implemented, they can come to the city council and say, remember just last October when you approved this land use, you said that

October 8, 2014

we're going to take care of parking and it's a problem. So, I don't think that we actually need to define any particular conditions on this -- unless I'm forgetting something. We all agree on this.

Fish: The other point that I would make is that to those who've come out today to take the time to testify, you've created a record. You have placed your concerns on the record before the city council. And so, I think that people often underestimate the power of doing that. You have educated the council to a set of concerns. I know more about this four block area than almost any other part of the city other than the neighborhood where I live. I think, Steve, you're likely to offer one condition of approval, which is that if the dispute is not resolved by May of 2016, Commissioner Fritz agrees to run for re-election so that she can continue to guide us on this.

Novick: Well actually, the other condition I would have is that the goats be consulted, because they are the interested party --

Fritz: The goats are in Lents already.

Novick: Yes, but I think that they have a historic interest, and I really would like to hear from them today.

Saltzman: I think we're at the point here where -- I think it's important for us that we need to try to better explain what we're doing here. Because I am frankly lost, and I've been on this body for 16 years. So, we're asking to say basically, everybody's happy with the design, we want direction to Kurt Krueger of PBOT to -- and this may be the part I'm concerned about -- is this is possibly altering the number of parking spaces or the type of parking spaces? I do have to agree with the one gentleman that testified. Each of those spaces is pretty cherished. It represents a place for somebody working in the CEIC to park, to access their job. I know people walk, but a lot of people drive. So, is that what we're doing? We're simply saying, figure it out somehow at the expense of the parking supply?

Krueger: You're right, this is unique. And this is the first time we've come across this in a land use proceeding to my knowledge. I want to say for the record that the parking there is unique today. It is a mix of homeless camping that is occurring today, so we have parking spaces that are not turning over and just basically becoming long-term parking spots. As well as parking, riding, operations for people on the east side that are parking at the block, and walking or commuting across the river. So, these parking spaces today are not serving the district needs in my professional opinion.

Saltzman: OK.

Krueger: So the development of the site, implementing signs that allow them the requirement of parking to turnover is actually going to serve this district far better than it today.

Saltzman: OK.

Krueger: What we're struggling to do is how Council can direct Transportation to operate the parking to best serve both users on either side of the street.

Fish: I think at least a majority of the council has signaled they're uncomfortable being too prescriptive about that. Because we understand that the commissioner-in-charge and the bureau have agreed to take it up and to make their best judgment. But if we start becoming prescriptive, we've crossed this line, because it is not technically germane to this appeal.

Novick: Thank you, Commissioner.

Krueger: Commissioner Fish, I think you're correct in that being descriptive in here -- I don't run the parking signs. We have a parking section that does this. And at some point down the road, if there's a request that comes in to change a sign, we have a record. And we can come back and point to the legislative intent of this discussion to say, this is how we arrived there, and if we are going to make a change, we need to be aware of what Council was discussing with these parties.

Fish: Commissioner Fritz, could you articulate a motion just so we have something to think about?

Fritz: I move to deny the appeal and uphold the design commission's recommendation.

Fish: Second. For the purpose of discussion.

Fritz: And then we can have a separate motion on a directing or allowing, encouraging Central Eastside Industrial Council to petition the commissioner in charge of Transportation in six months

October 8, 2014

after it started for a discussion before Council about the parking, if that's necessary. But I don't think it's going to be, because I just believe that the parties are going to work together as you normally do on parking issues.

Saltzman: So we have a motion, seconded. So we're discussing it. So, I guess I still have a question. I guess I'm not maybe fully tracking this. The issue about the truck movement -- I mean, you just indicated that you're not familiar, perhaps, with the Canadian trucks being a larger size than what was tested. So how does that all play out from here if that indeed is a legitimate issue that we didn't think about the bigger truck and the impact that may have on the adjacent businesses?

Krueger: So, PBOT has the authority to change parking, remove parking, limit parking. And if we run into something that we didn't foresee down the road and we need to remove a space to facilitate a truck turn for a limited period of time, PBOT's committed to making sure that operation can occur.

Saltzman: OK. Is there any further discussion?

Rees: May I ask -- is Council intending to take a tentative vote and come back for adoption of findings? That might be a question also directed at the applicant for whether they would like the opportunity to revise the findings before voting.

Fritz: We should ask the applicant whether they would like to revise the findings.

Rees: So, it would be a tentative vote and set it for coming back.

Saltzman: OK, so we are tentative decision, and we need a date for coming back with the findings.

Moore-Love: How much time do you need?

Krueger: Probably just a couple of weeks away. We can do the findings in a week, I think.

Moore-Love: Let's see. Would the 22nd work?

Krueger: October 22nd?

Moore-Love: Yes.

Krueger: Yes. That's fine.

Fish: Is that the morning or afternoon?

Moore-Love: Just for findings, we could do 10:15 a.m. The morning of the 22nd.

Saltzman: 10:15 on October 22nd. OK. Karla, please call the roll.

Roll on motion to deny the appeal and uphold the Design Commission's decision. Prepare Findings for October 22, 2014 at 10:15 a.m. Time Certain.

Novick: I just want to say that even if I were convinced that our street standards on the Central Eastside were wrong, I would still vote to deny the appeal simply to paraphrase John Addams on the grounds that we need to have a government of laws and not of individuals. I don't think that we can act -- I mean, our employees have to have the right to discuss issues like this with developers on the assumption that the rules are the rules, and then make agreements based on the idea that the rules are the rules, rather than on the assumption that the rules might change at any time because we want to accommodate what people are used to. And that doesn't even get to the question of whether we have the right to uphold the appeal based on street width, which isn't part of design review. So, I would vote to deny the appeal, but I want to make it clear that that's not based really on independent judgment as to whether the street widths are appropriate, it's based on the idea that the rules are the rules, and if we want to change the rules, we should have a separate process for that. So aye on the motion.

Fritz: Thank you very much, everybody, for coming in. It's been a wonderful hearing. It's one of the first land use hearings that I can remember where nobody has even implied that anybody else has any ill will or ill intent, and that's not always the case. There's a lot of good-hearted people here with legitimate concerns. I think that it's particularly fortunate that we have the southeast quadrant plan going and the comprehensive process going if we need to change the rules -- as Commissioner Novick said -- then those processes are available. If you think that the right-of-way needs to be able to be bigger in order to accommodate loading, parking, and all the other uses in it, then that's the way to do it. I confidently believe that in this case, we're going to be able to find solutions which

October 8, 2014

will protect the sanctity of the industrial district and the wonderful businesses that are providing so many good jobs for neighbors and Portlanders for so long. I appreciate you coming in to tell us. I, too, have learned a lot more than I ever thought -- I had no concept that I knew so little about how this whole area works even though in every plan we do, you learn more and more about specifically how it works or how it doesn't work. I know the staff will work with you to make sure it works in this case, and I appreciate the applicant, as well, being willing to make modifications to ensure it does. It is, however, very indicative -- as Debbie Kitchin said -- of the conflict between the different zones and the edges. And this is going to be happening all over Portland in your homes as well as in your businesses, where we have different zones that -- no matter where you put the lines -- the line is going to be somewhere. And that's one of the important pieces that we're going to need to discuss in the comprehensive plan process. How do you provide a buffer and make sure that the uses are compatible? Because not all applicants are going to be as gracious as this one in thinking ahead about the potential impacts of the industrial zone on their new residents. So, are there things that we can institutionalize and put standards in place for that? It's very important. Thank you again for being here. Mayor Hales is meeting with the vice president of the United States. He was very sorry to miss this hearing because he -- like I -- thinks land use is so important. Aye.

Fish: This has been a great discussion. I want to thank everyone who took time from their busy lives to testify. I want to thank the applicant and the appellants, and I want to thank staff for walking us through an issue. These are very complex issues and they require careful analysis, and I think that we've done justice to the issue today. I particularly appreciated learning about all the businesses, and family-owned businesses in the vicinity. Last week, I visited a building not far from here in the industrial sanctuary, where I learned that Apple had contracted with a firm to test all their apps. And another company was testing the effectiveness of product placement ads in movies, and another place was building world-class furniture, and someone else was fabricating small batches of world class bicycles -- a smaller batch that the leading manufacturers wanted to test out a concept, so they went to this gentleman. It's exciting what's happening there. I don't know if you saw today's paper -- you'd have to work through the sports section, the food section, and obituaries -- but there was a story in the paper today that this Portland has overtaken Washington County in per capita income and in job growth. As Debbie pointed out earlier, one-third of the jobs since the great recession have been grown right here in the Central Eastside. So it is a vitally important job creation center. What we're learning today is that within this zone, we have to balance a number of uses, and we have to balance them thoughtfully. It's not an easy -- no either or, there's a both under our zoning code. So we have a duty to strike it right because we have a lot at stake. This is a critically important job-creating district in our city. So I appreciate everyone's role. I, too, learned a lot. And I also appreciate the fact that the commissioner in charge of PBOT has said that he and his team will take a look and within the rules that they apply, see if they can bring some relief as issues come up. And that's what you have a right to expect from your commissioners in charge. So, thank you, Steve. Aye.

Saltzman: I agree with everybody up here who said that the Central Eastside is a very fragile, very important area to the city in terms of jobs, and good-paying jobs, and family-owned businesses. My initial reactions trying to decipher everything that's being said here was do no harm and err on protecting the Central Eastside and what it is to this city. I think we're doing, and I think we're doing that by placing a lot of faith first of all in the developer, Killian Pacific. I'm very heartened to hear of the gestures they have made to realizing they are on the edge of an industrial area, and I would hope the Central Eastside will take up their offer to execute a good neighborhood agreement. It sounds like that gesture is still made and it's still out there, so I think that it's probably a good thing that can establish sounder parameters around the decision we're making today. I have confidence, too, in Kurt Krueger; and the commissioner in charge of the Transportation department, Steve Novick, to recognize everything I just said. That this is indeed a pretty unique thing that we have in the city. The city council has gone to bat for years -- way before my tenure on the city

October 8, 2014

council -- to respect the Central Eastside's integrity and job base. I think that as exciting as Killian Pacific's Goat Blocks is, it's very important that we get this right. So, I think that we have the three ingredients in place to do that. I will vote aye, and that means that we deny the appeal, affirm the design commission's decision, and things shall be worked out. We'll return on October 22nd at 10:15 to adopt the findings for this. We stand adjourned for the day. Thank you.

At 4:12 p.m., Council adjourned.