



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **10TH DAY OF FEBRUARY, 2016** AT 9:30 A.M.

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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Ben Walters, Chief Deputy City Attorney; and Mike Miller and Mike Cohen, Sergeants at Arms.

Item No. 131 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

COMMUNICATIONS	Disposition:
122 Request of Kiersten Ware to address Council regarding Store to Door (Communication)	PLACED ON FILE
123 Request of Nidal Kahl to address Council regarding East Portland Pilot Project (Communication)	PLACED ON FILE
124 Request of Stephen Rice to address Council regarding East Portland Pilot Project (Communication)	PLACED ON FILE
125 Request of Matthew Micetic to address Council regarding East Portland Pilot Project (Communication)	PLACED ON FILE
126 Request of Angie Jenkins to address Council regarding East Portland Pilot Project (Communication)	PLACED ON FILE
TIMES CERTAIN *127 TIME CERTAIN: 9:45 AM – Approve financing not to exceed \$6,500,000 using tax increment financing from the Central Eastside Urban Renewal Area and federal HOME funds for the St. Francis Park Apartments at 1136 SE Stark Street (Ordinance introduced by Commissioner Saltzman) 25 minutes requested (Y-4)	187576

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<p>128 TIME CERTAIN: 10:10 AM – Proclaim Wednesday, February 10th to be The Office of Multifamily Housing Day in Portland (Proclamation introduced by Mayor Hales, Commissioner Fish and Saltzman) 10 minutes requested</p>	<p>PLACED ON FILE</p>
<p>CONSENT AGENDA – NO DISCUSSION</p>	
<p>Mayor Charlie Hales</p>	
<p>Office of Management and Finance</p>	
<p>*129 Update and clarify provisions of Chapter 5.09 Deferred Compensation Plan as recommended by the Deferred Compensation Committee and the Bureau of Human Resources (Ordinance; amend Code Chapter 5.09) (Y-4)</p>	<p>187574</p>
<p>*130 Amend contract with The Atum Group LLC to extend term and increase compensation in the amount of \$96,768 to complete projects relating to the PCI Remediation and Enterprise Mobile Management Proof of Concept for the City of Portland Bureau of Technology Services (Ordinance; amend Contract No. 30004831) (Y-4)</p>	<p>187575</p>
<p>Commissioner Dan Saltzman</p>	
<p>Position No. 3</p>	
<p>Portland Housing Bureau</p>	
<p>*131 Amend contract with Transition Projects to add \$450,000 for the operation of a six-month emergency shelter for men experiencing homelessness (Ordinance; amend Contract No. 32001169) (Y-4)</p>	<p>187577</p>
<p>REGULAR AGENDA</p>	
<p>Mayor Charlie Hales</p>	
<p>Bureau of Police</p>	
<p>*132 Authorize an agreement with the Salem Police Department in the amount of \$30,000 to provide internal and external security for the IAAF World Track and Field Games (Ordinance) 10 minutes requested (Y-4)</p>	<p>187578</p>
<p>*133 Authorize an agreement with the Multnomah County Sheriff's Office in the amount of \$30,000 to provide internal and external security for the IAAF World Track and Field Games (Ordinance) 10 minutes requested (Y-4)</p>	<p>187579</p>

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<p>*134 Authorize a competitive solicitation for the provision of treatment readiness services, transitional housing, and follow-up retention support services to chemically-dependent, homeless adult chronic arrestees (Ordinance) 10 minutes requested</p>	<p>RESCHEDULED TO FEBRUARY 17, 2016 AT 9:30 AM</p>
<p>Office of Management and Finance</p> <p>135 Authorize a 4-year participating agreement for facilities maintenance, repairs and operating supplies with W.W. Grainger, Inc. for a contractual total not to exceed \$4,000,000 (Second Reading Agenda 114) (Y-4)</p>	<p>187580 AS AMENDED</p>
<p>Commissioner Amanda Fritz Position No. 1 Portland Parks & Recreation</p> <p>*136 Accept and appropriate a grant in the amount of \$500,000 from the National Park Service for the Thomas Cully Park Project (Previous Agenda 105) (Y-4)</p>	<p>187581 AS AMENDED</p>
<p>Commissioner Dan Saltzman Position No. 3 Portland Housing Bureau</p> <p>137 Approve application to extend the property tax exemption under the Multiple-Unit Limited Tax Exemption Program for Sitka Apartments located at 1230 NW 12th Ave (Ordinance) 10 minutes requested</p>	<p>PASSED TO SECOND READING FEBRUARY 17, 2016 AT 9:30 AM</p>
<p>138 Assert the City's intent to engage in a fair, deliberative, data-driven community discussion of potential enabling ordinances resulting from the potential removal of the preemption on inclusionary housing in the 2016 State Legislative Session (Previous Agenda 118-1) (Y-4)</p>	<p>37187</p>
<p>Commissioner Steve Novick Position No. 4 Bureau of Emergency Management</p> <p>*139 Apply for a grant from the Oregon Office of Emergency Management in the amount of \$30,000 for the implementation of Collector, a damage assessment application, for the City (Previous Agenda 109) (Y-4)</p>	<p>187582</p>
<p>City Auditor Mary Hull Caballero</p> <p>140 Assess property for sidewalk repair for the Portland Bureau of Transportation (Second Reading Agenda 117; Y1088) (Y-4)</p>	<p>187583</p>

At 11:41 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **10TH DAY OF FEBRUARY, 2016** AT 2:00 P.M.

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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Heidi Brown, Deputy City Attorney; and John Paolazzi and John Chandler, Sergeants at Arms.

<p>141 TIME CERTAIN: 2:00 PM – Vacate a portion of N Lombard St between N Richmond Ave and N Charleston Ave subject to certain conditions and reservations (Hearing; Ordinance introduced by Commissioner Novick; VAC-10109) 1 hour requested</p>	<p>Disposition:</p> <p>CONTINUED TO FEBRUARY 17, 2016 AT 10:45 AM TIME CERTAIN</p>
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At 4:20 p.m., Council recessed.

February 11, 2016

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **11TH DAY OF FEBRUARY, 2016** AT 2:00 P.M.

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

Commissioner Saltzman arrived at 2:07 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Denis Vannier, Deputy City Attorney and Mike Cohen and Jim Wood, Sergeants at Arms.

<p>S-142 TIME CERTAIN: 2:00 PM - Amend Bond Ave roadway realignments in the South Waterfront District Street Plan, Criteria and Standards document (Previous Agenda 98; Resolution introduced by Commissioner Novick) 1 hour requested</p> <p>Motion to accept substitute resolution: Moved by Novick and seconded by Fritz. (Y-3; Saltzman absent)</p> <p>Motion to amend resolved paragraphs to delete Greenway references: Moved by Novick and seconded by Fritz. (Y-4)</p>	<p>Disposition:</p> <p>SUBSTITUTE CONTINUED AS AMENDED TO FEBRUARY 17, 2016 AT 2:00 PM TIME CERTAIN</p>
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At 2:32 p.m., Council adjourned.

MARY HULL CABALLERO
Auditor of the City of Portland



By Karla Moore-Love
Clerk of the Council

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

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Closed Caption File of Portland City Council Meeting

This file was produced through the closed captioning process for the televised City Council broadcast and should not be considered a verbatim transcript.

Key: ***** means unidentified speaker.

FEBRUARY 10, 2016 9:30AM

Fish: Welcome to the Portland city council, Karla, please call the roll. [roll taken]

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

Fish: Welcome, everybody, mayor Hales is out of the country so as the president of the council, I will be chairing the meeting and ask you to indulge me. Karla is here to help me through this. I want to begin with the standard script that we read at the beginning of every council meeting. The purpose of council meetings is the orderly consideration of the public's business. Preservation of order and decorum is necessary for due consideration of matters before council. The public is welcome to attend all of our meetings. During the meetings, there will be time-limited opportunities for public comment on various agenda items. Although citizens can sign up for communications, public testimony on a council calendar item must address the matter being considered. Please state your name for the record, and we don't need your address, and you don't have to address anybody on the council as you do when you testify before the state legislature. If you are a lobbyist, please disclose that information at the start of your testimony. If you are here representing an organization, please let us know that, as well. Unless otherwise established, each community member will have three minutes to speak. At two minutes and 30 seconds you will hear a beep and a light with a flash on the box in front of you. At three minutes, four beeps and the light will flash, and at four minutes you will be escorted off the premises -- [laughter]

Fish: We ask you to honor the time limits because as Commissioner Fritz reminds us by keeping to the time limits we give more opportunities for other members of the public to testify. I ask that you respect the time limit so that there is time for others. Please give handouts to the council clerk, Karla, and she will distribute any documents and information to the council. Again, please remember to limit your testimony to the item at hand. The counselor rules of procedure are to protect the public order and ensure that council's deliberations proceed proficiently and that all those who want to participate get to be heard. Conduct that disrupts the meeting, for example, shouting during a presentation, interrupting testimony, or deliberations, will not and cannot be allowed. Please show your support or displeasure with your hands by waving thumbs up or down. This is, and this is the technical part, forgive me, this is a warning that anyone disrupting this proceeding may. Be escorted from the city chambers, from council chambers, and excluded from the city hall. Lastly, if necessary, in the event that the council meeting goes beyond 12:00, we may take a break at 12:30 for lunch. I don't think that today we'll need to do that. Karla, are there any procedural items that we need to take up before we go to the communications?

Moore-Love: I think that we're ok.

Fish: Thank you very much. So, we'll start the day. We have five communications from the public. Thank you all for coming up. Karla, would you please read the first item number 122.

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Item 122.

Fish: Kiersten welcome, you have three minutes.

Kiersten Ware: I need one of these at work for staff meetings. Kiersten ware, executive director of store to door, we are a nonprofit organization, volunteer-based. Our vision that the Portland area will be a place where elders and the home-bound are able to live nourished, cared for, and with dignity, in the setting of their own choice, and as a volunteer-based program, our focus is around personalized grocery shopping. What we do is we mobilize over 100 volunteers every week to phone over 300 customers, home-bound clients in the Portland area, and we ask them how they are doing today, and we ask them if they have an order. We handwrite and transcribe these orders, each individual order taker is paired with the client knowing them over the course of the years, and Shoppers all convene at Fred Meyers Hollywood, and they individually shop each order, and we have volunteer drivers, and some staff drivers showing up at Hollywood picking up the routes and delivering them out. This year, we had a record number of 200 deliveries in one week. In the last three years, with our strategic plan, we have increased by 53 percent in the number of clients that we have served, and we have increased volunteer engagement by 43 percent, and our organization has really grown. We have grown in our staff number by 27 percent. We know that we're barely scratching the surface. Last year we served 8,322 deliveries in that year, with a cumulative of 536 clients, so week after week, receiving groceries, and we know that there are 3,500 people in our footprint who could benefit from our service. So, store to door has a new strategic plan in place, and it's going to require a lot more community support, more volunteers to get engaged, and we are looking to double the number of people that we serve. We have a great track record here, in Portland, and we've been serving Portland for 26 years now, and we started as a grassroots' effort, in northwest at the stadium store. And we're really excited about the work ahead, the work that we're doing with our partners, and with aging disability veteran's services, and other social service partners such as meals on wheels, ride connection, and even locations where seniors are coming and they are still able to congregate in the community. I just want to emphasize, too, the commissioners, remind you and many times, you know, our clients are going unnoticed, they are invisible in the community, because they physically cannot get out of their homes. With the exception of, perhaps, for medical appointments. 84 percent of the clients live alone. The majority of them are low income, and yet, they have been contributors to our community. They have made all kinds of contributions, raised families and worked here, so, with that, I will pass now.

Fish: Kirsten, I recently had a very minor medical procedure and was put on antibiotics and a painkiller and told not to drive. So it became very real to me about being by myself at home, on medication, discouraged from driving, and how do you manage these things like getting food and your prescriptions? For people that are watching us today, how can people help, either through contributing or volunteering or whatever you need?

Ware: So we need more volunteers, always, you can find us on our website at www.storetodooroforegon.org. We are supported by contributed income through foundations, individuals, corporations. Companies can get involved. Our call to the community is to help your neighbor and get involved with us.

Fish: Thank you very much.

Fritz: You have so many volunteers to pick up and deliver. Do they walk through the store, filling the grocery list?

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Ware: No, they wouldn't. The shopping is done in a separate sort of effort, so all the shopping is done that morning. And then delivery drivers come and pick up their routes and go out into the community to deliver them.

Fritz: Who does the shopping?

Ware: The shopping is done by core volunteers. Community volunteers. So, as a volunteer you can select whether you are interested in order-taking and one-on-one relationships with the clients over the telephone, or if you prefer, to be part of the larger team, shopping down at the store, or delivery driving, one to one, so you know who your clients are, and over many years, you can --

Fritz: So it sounds like they could vary the time commitment from an hour a week to more than that?

Ware: There's a lot of flexibility a lot of ways to interact and engage with the organization.

Fritz: Thank you for your work.

Ware: Yes, thank you.

Fish: Thank you very much. Karla, could you please read 123.

Item 123.

Fish: Mr. Kahl, welcome and as you are getting settled, I just want to acknowledge that this is a big month and a big year for small business in our community. As my colleagues know, venture Portland is celebrating its 30th anniversary, and we have their executive director and board chair with us today. Recently, they had a celebration at the melody ballroom. This Friday, support land is hosting its hidden hearts valentine's day event where shoppers can get rewards for shopping at certain stores and participating in support land, and I will be touring a number of those stores with Ruth miles, the secretary of state's, small business advocate, and then we'll be talking about other small business initiatives throughout the year, but here, today, you have signed up to talk about the east Portland pilot project, so welcome.

Nidal Kahl: Thank you, thank you very much, commissioners, and I am nidal kahl. I am the owner of furniture plus, and the property that it occupies on halsey street in the heart of gateway, and I also own celebrity tan, which is at mall 205. I moved into gateway, it would be about 2008, and we opened our first celebrity tan, and then in 2010, we acquired the property, and then opened the furniture store in gateway. Collectively, we provide about a dozen jobs at any given moment of the year, and we've been very proud to be a part of gateway. I am also serving on the gateway area business board, as their secretary, and also, the chair of the halsey weidler working group, which is a subcommittee of the gateway area business association, dedicated to halsey and weidler, specifically, where we've made significant improvements in planning the streetscape, the future streetscape, for halsey and Weidler, in partnership with the, with pbot and the Portland development commission. So, on behalf of the gateway area business association, board of directors, and gateway business, I am here today to discuss the east Portland pilot project. Very proud to do so. To give you some background, since 1950 the gateway business association has supported our business district which stretches from I205 east to 162nd, and then I84 to southeast market street. Very diverse demographic. We have 55 languages that are spoken in our district, there are 400 businesses providing 4,600 jobs in the district. The reception in the rapidly changing demographic is disproportionately stressed our community and our once driving organization and struggled to connect with the rapidly evolving business and residents in our area. 28 percent of gateway residents of people of color, a number of -- and that number has doubled since 1990. The average household income in gateway is growing

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disproportionately slower than the city as a whole, so this is an area of concern and why projects such as this pilot project are critical for economic development in our district. Gateway also has, is -- I have a soft spot in my heart for it, it is one of the last gems that requires a bit of polishing. Projects like this help us to polish that. So, on behalf of gateway I want to thank the city council for funding the east Portland project and providing the urgently needed resources to our business district. Gateway was incredibly proud -- I personally was very honored last --

Fish: An extra 30 seconds.

Kahl: Thank you, was honored to have commissioner Fish at my store last spring, to celebrate the small business week, and launch the kick-off of this project. So, with the support of this project, we're able to initiate further growth of our business district. I have to really thank venture Portland. We have adrienne sweetwater, who is serving gateway, and a couple other business districts, and with her help, in venture Portland, we were able to really put together a strategic plan for growing our district, and just to give you a few metrics, our membership has increased more than 12 percent. I am expecting at least another 10 percent this year. And we have planned several other events to coincide with the earth day and the national small business week this spring. So, these are catalytic efforts that really would not be possible without this project and similar programs, so I will close by asking you to continue to invest in gateway and east Portland and extend funding for the pilot project for an additional year, which will give us the ability to strengthen the new events, and to really give us an opportunity to achieve these metrics that we have set out.

Fish: Please read 124.

Item 124.

Fish: Mr. Rice welcome, I neglected in mentioning venture portlands 40th birthday, the supportlands hidden valentines event. I neglected to mention the selfie challenge, and they have asked each member of the council between now and April to take a selfie in front of their favorite small business and post-it at #pdxlovessmallbusiness. As everyone lives in or near Multnomah village, we are going to have to spread the wealth.

Novick: Does this force me to choose between Annie blooms and Anne botchies because that would be tough?

Fish: We might make an exception for you commissioner and let you do two.

Novick: Thank you.

Stephen Rice: Good morning, I am Stephen rice, I've in Montavilla for over 10 years and I'm in my second year as the president of the montavilla neighborhood association. On behalf of the board of directors, and Montavilla businesses, I am here today to discuss the east Portland pilot project. A little background, the association, the boundaries stretch from northeast 67th to I205. And northeast glisan to southeast hawthorne. The district is very diverse, it includes a swath. 82nd avenue but also historic downtown montavilla, contains 500 businesses and provides over 9,000 jobs to local residents. Montavilla is quickly changing. The percentage of residents living below the poverty level continues to be higher than the city as a whole. But we have the fastest increasing apartment rental rates in the city. Many neighbors and some business owners have expressed concern about what sort of changes are ahead, and what we might guide. Among fellow neighborhood leaders, it sparked new energy around building on our vision for the future that we have started in the past years. With this in mind the grand opportunity provided us by east Portland pilot project, was incredibly well timed, and on behalf of montavilla, I want to thank the city council for funding it. We're an all-volunteer board, it's by nature

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very challenging just to maintain a volunteer organization, let alone grow it or be impactful. But funds from venture Portland have allowed us to leverage our existing revenue, and entertain critical momentum. In the last year we doubled our membership. We nearly doubled the size of the board to 11 members. And we revitalized our summer street fair, including our first-time street closure. 10,000 east Portlanders attended, which was a seven-fold increase in attendance over the previous year. We have recently, incorporated a stretch of east Glisan Street and have begun to organize neighbors and business owners, many of which are immigrant and minority owned. For Halloween, we launched the trick-or-treat on Glisan street. 15 business owners opened their businesses to trick-or-treaters, and including commissioner Fish. One business had its best sales day of the year. This event would not have been nearly as successful without the support of the pilot project, paid part-time staff person, adrian sweetwater. She's been an incredible hire. Here she is. She has a master's degree in inter-cultural relations to boot, which I was really thrilled with, when we found that out. And the event would not have been as successful without the support of our paid staff person. As volunteers with full-time jobs ourselves, can make building infrastructure difficult in, and business outreach very difficult. Our stretched goal is to, this year, is to redouble our membership. That's double the member dues to use to sustain our own paid staff down the line. This year, we're branding the district, creating a new website to showcase the montavilla businesses, and launching a marketing campaign.

Fish: If you could wrap you up, thank you.

Rice: We're using the pilot grant funds to hold is a fundraiser later this month, to raise matching funds for these projects. I will close by asking you to continue investing in montavilla and east Portland, we'll be leveraging this investment for sure. Extending funding for the pilot project for an additional year will give us the ability to continue to strengthen and sustain our organization, and while continuing to serve our rapidly evolving business district. Thank you.

Fish: Thanks very much, thanks for joining us. Karla, would you please read item 125.
Item 125.

Fish: Welcome.

Matthew Micetic: Good morning, commissioners. I am Matthew Micetic, and I own a red castle games on southeast foster road and 64th. In addition to board games, we provide a community play space where they can come in and play games and learn games and just find the joy of face-to-face interaction, and I recommend you come in. Commissioner Saltzman, you've been there and I appreciate that.

Fish: What games does Dan play or is that confidential?

Micetic: I can't remember but we got a new copy of city council if you would like. So the business association, I was happily re-elected as president last night, and it stretches down foster road from Powell up to 82nd. We encompass about 385 businesses, representing just shy of 1,000 jobs in the neighborhood. So, we're really predominantly small businesses. We average three people per business, and I am one of the surprisingly larger businesses at ten whole employees, but we make due, and it's quite good. First I want to thank you for providing us this opportunity with the east Portland pilot project. It's been a tremendous success in so many ways, and I am going to go off the script a little here, unfortunately, for heather, but you know, we have some great numbers that I would be happy to show you but what I really want to talk about a little is the feeling on the street, and just last night, we had our annual meeting. And for the first time, in years, we had property owners show up. We had new businesses show up. We

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increased the diversity of the board. We got people involved and people are starting to see the resurgence on the street, and a huge part of that has been the east Portland pilot project and venture Portland's assistance. And I had the unfortunate occurrence this morning, I had to terminate an employee because, you know, a colleague at this meeting last night, that I was discussing this with, they likened it to my business is my baby, and if I keep giving my baby this person, I keep dropping it, and I can't give them my baby and foster has become my foster baby, sort of to say, and venture Portland and the east pilot Portland pilot project, with our staff person, I can trust them to give them this baby. They have our best interests at heart. They don't have an ulterior motive. And they don't want to get business of it. They want to see us succeed, and that is priceless, and you know, we saw this past winter, we did a first-time tree lighting in laurel wood park, and we had 200 community members come out, which is the most in years, the neighborhood is craving leadership and craving revitalization, and they want to see it become a community, and the east Portland pilot project is helping us to realize that by having that face on the street, because like any parent with my baby, my business, I can't spend as much time as I want. Being the face of the organization, at all given times, and that staff person, ten hours a week, it's amazing, and I really encourage you to keep funding this project because it will help us, and it will help east Portland pilot business districts grow and match the amazing districts that we have in the inner city.

Fish: Thank you very much.

Rice: Thank you.

Fish: Karla, the last item is 126.

Item 126.

Fish: Welcome.

Angie Jenkins: Thank you. So I didn't attend speech class, so I apologize. Ok. Good morning, my name is Angie Jenkins, and I am the co-owner of hooks set automotive on the corner of 77th and sandy. And we're a full-time auto repair, a full service auto repair shop serving all makes and models, and we have five employees and we've been in business since 2006. I am also the president of the Parkrose business association, and I am here on behalf of them. Since 1985, the Parkrose business association has been in the community. We encompass from 82nd to 162nd, from Columbia River to I84, a gigantic area. And we have over 1,000 diverse businesses, and provides over 23,000 jobs. Despite, this the recession and the changing demographics, we've been struggling to keep our business association alive. On behalf of Parkrose I want to thank the city council for funding the east Portland project. Providing urgently needed resources for our business district. With support from the pilot project, we've been able to start two annual events. And we had the first-time trunk or treat, which is everybody, we had 25 businesses, in our district, and come and they decorated their trunks, and we served trick-or-treaters, I had over 700 of them, and there was a ton of rain, I don't know if you remember it, but it was amazing. We had --

Fish: It was the record-setting day, exceeded two weeks later by 50 percent.

Jenkins: Adrienne found the number of gallons of water. It was amazing. But, we had -- we were able to have 700 trunk or treaters, come out and, in the community, it was amazing. A local dentist was able to sign up new patients, ironically, and Burgerville handed out coupons, which was a record-breaking single day coupon, with the redemption. We also did the Marion bright, the holiday coupons, our first-time partnership with the grotto, and they have 55,000 people come to see them, as our largest kind of business in the area. We have increased our membership by 77 percent. Meeting our

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goal to diversify the businesses. And in our first 90 days we have an additional 5,000 business district investments, and these efforts were made by the Portland project. Especially from our district organizer, Adrian Sweetwater, and our dedicated grant funding, and 400 volunteer hours from our board. We ask that you continue investing in Parkrose, and east Portland, and extending the pilot project for an additional year will give us the ability to strengthen our new events, and to continue serving our business district.

Fish: Thank you very much. Colleagues, if we could just go off the script for one second and suspended the rules, Brian Alfonso is here, who is concluding three years as board chair of venture Portland, and it is our tradition to thank people with a round of applause when they are with us, so Brian, would you please stand and accept our thanks for your service? [applause] thank you very much for joining us, and thank you, Heather. Karla, before we move to the time certain we're going to take up the consent, have any items been pulled?

Moore-Love: Yes, we have a request for our 131, pulled by Mr. Lightning and Mr. Walsh.

Fish: 131 will be pulled, and heard on the regular agenda, and we'll now vote on the consent agenda.

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

Fish: Aye. It passes, two time certain, and we are reasonably on track, would you please read the first one, 127.

Item 127.

Fish: Commissioner Dan Saltzman.

Saltzman: Thank you Mr. President. Today, is an exciting day, as we move forward to approve the development of a new 106 unit affordable housing development in southeast Portland. The St. Francis Park Apartments, is co-sponsored by Home Forward, and Curadis housing initiatives, I hope I pronounce that correctly, the nonprofit housing development arm of Catholic Charities. The development will focus a portion of its housing on families at risk of homelessness, and fleeing the domestic violence. The development is on the city block, located at Southeast Stark and 11th. And on land formerly owned by the Catholic Parish, of St. Francis of Assisi. A former site of St. Francis Park. A parish really known to the less fortunate of our city through which year-round feeding program, and most recently, they stepped up when the community needed them to provide emergency shelter during severe winter weather. This has been critical during freezing temperatures when other winter shelters were full, and they have done this with a, with the help of a dedicated crew of volunteers and were extremely grateful to the parish for that. The St. Francis of Assisi parish was instrumental in making this new housing development possible, by its decision to sell the parish land at very favorable rates and under fair terms. We have a representative from St. Francis, Valerie Chapman, and she is here today, and I hope that my colleagues will extend her thanks, or extend to her thanks for all of the work that she and her organization have done to make this possible. Now, here to talk more about it, are Valerie, of St. Francis, Portland Housing Bureau staff, and Mike Andrews of Home Forward, and Rick Birkel, the executive director of the Catholic Charities. Enough chairs, everybody?

****: Yes.

****: Who is first?

Fish: As you know, the mics you have so you can move it up and down. The whole thing physically moves. Pull it towards you.

****: Thank you.

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Kurt Creager, Director, Portland Housing Bureau: Let's get started, Kurt Creager, director of the Portland housing bureau, and this is one of 19 active projects that we're currently implementing with a variety of funding sources. And Barbara Nash is here to speak to the point of -- she's the relationship manager with the home forward projects. We're very excited about the project, which adds 96 units for people between 0 to 60 percent of income and ten units subsidized for households from 0 to 30 percent of median income, and of course, it's in a very, very well located central city location, on the central east side. Trusted partners, working together, in this instance, the land being owned by the archdiocese of Portland, co-developed by kerataz, the housing development arm of catholic charities and home forward. So, we could not be more Delighted with the strength of our partners in this effort, and the location of the property, and the configuration of the property. So, Barbara is here to answer questions, but I think that I will let the home forward and the catholic charities speak for themselves with respect to their development efforts.

Mike Andrews: Good morning, I am mike Andrews, the director of development and home forward, and on behalf of the board, and our executive director, Michael Bounocore, I want to thank you for this investment of 6.5 million in this project. But for the city's investment, this project would not be going forward. We are excited for a variety of reasons to get started on this project. This month. We're very excited about being able to introduce 106 units of affordable housing in the buckman neighborhood, as commissioner Saltzman has said, this is a great inner city neighborhood, and there is a lot going on. If you've driven around this neighborhood you have seen a lot of new construction projects. All of them, I believe, are market rate. There is not a lot, if any, other development of affordable housing occurring in this neighborhood, so the fact that we're able to bring 106 units affordable to low income people into the buckman neighborhood is a great thing. I want to take a moment to recognize our partners. First, catholic charities, we're co-developing this project with them and we could not ask for a partner more aligned with our values and our mission than the catholic charities. We have a great working relationship with their staff, and we pursue and think about this project in the same way at a global mission level, so thank you for that. I want to acknowledge st. Francis parish and Valerie chapman. As we said before, st. Francis parish made a difficult decision to sell this land to us, at a rate that was less than they could have received, at a price less than they could have received. If they sold it to any other developer in town. They could have received more money for their parish, but they close to sell it to us at a price that would make our project work. And would allow for affordable housing to be built on this project. So, for that, Valerie, thank you. The project will start construction formerly this month. You might see the trees have been fallen and we're ready to really get going on the building. And the construction will be complete by many of next year. So, in a short period of time there will be 106 unions in a great new building, and along with other amenities that improve the oak street, which is the previously vacated street between the existing parish and our project, as well as a very nice community garden. So, we're excited about this project, and we're excited to get started, and we want to thank you again for your investment and your trust in us.

Saltzman: Thanks, mike. Rick.

*******:** Thank you very much.

Saltzman: Push the button at the base of the microphone.

Richard Birkel: Thank you very much, commissioners. For your investment in this project, and for having us here, I am Richard birkel with catholic charities, the executive

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director. The 6,500,000 in this project is the only thing that allowed it to go forward. It was -- it would have been dead in the water without your investment. And we deeply thank you for that. The st. Francis park apartments project serves not only the mission of the catholic charities but the priorities of the city, as well as establishing units for people that work in the inner east side area, and people moving out of homelessness, and people escaping the domestic violence. The project is based on the core standards that we have in housing, the dignity and the respect of the individuals we serve, and they will be on-site, a case management services for many of the clients, and they will be housing assistants for those individuals, and residing there, and it's also evidence in our commitment to build a Portland loo on the project because we know that there are, in fact, folks who will need that service. We appreciate your, your participation with us in that work. It's built on a commitment to nature and the environment. We're going to -- we have green building standards but also, commitment to enhance the vacated oak street right-of-way, with the nature in the neighborhoods grant, and finally, equity and social justice. This is achieved through the selection of our development team, and nwa architects, and the O'Neal walsh community builder's team and through a very high level of mwesb subcontracting. It's an important social justice statement in this neighborhood, as it rises out of what has become a sanctuary park for homeless individuals, and before that, a neighborhood and school park to now stand against the forces of gentrification and high pricing that none of our clients could afford. Our partnership with st. Francis church, home forward, and with the bureau, is really just remarkable. A remarkable set of working arrangements and terrific coming together of, of a team. And we also want to applaud Valerie chapman for the 30 years of commitment to St. Francis, dining hall, and we understand and are committed to serving people in that community going forward. We know this is not a total solution. It is a partial solution, and we will continue to work in that community as a partner, as a resident, and with the church to continue to build services. So, again, we want to just thank you. We are so grateful for your support and couldn't have done it without you. Thank you.

Saltzman: Thank you. A few words?

Valerie Chapman: Good morning, I am Valerie chapman, the postural leader of st. Francis, and I also want to offer my gratitude for the funding the city is putting into this project. St. Francis parish, actually, has been aware of the lack of affordable housing and workforce housing in the city for quite a while, and we've been, actually, working for the last 15 years to find the right partners to build a project that the parish felt good about in our neighborhood, and so we're really excited to finally have that partnership, and to be able to go forward with something that we feel good about the land being used for. Now, the lack of a park is a hard thing for everyone, but everything has its time, and it's season, and we're really excited about this possibility of creating the oak street plaza, which will be open to people to come in and to enjoy, and in this process our partners did some surveys, of people that are users of the park, including the people who come to st. Francis dining hall on a regular basis, and their number one concern is the public restroom. So, I am really delighted. I got to go and talk to the catholic charities board and talk about, you know, toilets and the name that people have, and so, that's included in the project, and we're really hopeful that on an ongoing basis, because the city already has set up with maintenance and caring for loos in different places, we're hopeful the city might include this loo as part of their ongoing maintenance since the project, itself, is going to be going to the -- using the funding to put it in, into the ground, so it will be there. So --

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Fritz: Is there going to be a loo in the open space? Outside?

Chapman: Yes.

Fritz: Cool.

Fritz: So sure buying it from the official loo?

Chapman: I am not, you know, I don't understand the language that we're not supposed to use or public restroom.

Fritz: We've got a grant named loo.

Chapman: Yes.

Chapman: And you know, even people will say what if the neighborhood changes, and things change, and you know, people always need a rest room, so if there is this lovely oak street plaza, and the place that people can use them, that will be, they will be delightful on an ongoing basis. So, we're really excited about it, and again, thank you for funding this project. I think that it will be good for the neighborhood, and certainly good for the parish, as well. Thank you.

Saltzman: Thank you very much.

Fritz: Portland parks maintains many of the, many of the loos so I would be happy to have further discussions with you about this one, for your partnership we might be able to do. Thank you.

Barbara Shaw, Portland Housing bureau: I would like to add a few words, I am Barbara Shaw, the finance coordinator at the housing bureau. And I wanted to talk a bit about how this project was selected, and this was selected through a competition, a public solicitation, in late 2014. We advertised a certain amount of funding available, and received many applications and ideas, and project concepts, and through a long process, been involved with a lot of stakeholders, and this project was selected in this forum. Like many, like all affordable housing projects today, it is complex to put the project together. The city funding, is one of ten sources of funding in the project. Some of the other parties, that are providing loans or grants or equity, investors, equity are chase bank, KeyBank, community development corporation, and hud, has played a role here, and the state of Oregon, and, has had funding and played a role, and in addition to the parties at the table who are financial partners, as well as involved in the development.

Saltzman: Thanks, Barbara. That completes the invited testimony.

Fish: I have a few questions but first let me see if my colleagues do. Three quick comments. The first is we have received some emails from people in the community who have picked up on the fact that trees have been removed. And I guess the question is, maybe to mike, when is the Earliest time that you are going to put up is a sign saying, future home of whatever so that people that are curious about what's going on in that, in what used to be a public space, know that there is a development planned.

Andrews: A great question. We'll have a sign up, near the time that we close, and which is scheduled for February 29th. It's within the month.

Fish: You see the stumps there, and you naturally are curious about what is happening. Commissioner Fritz raised the question of the loos and I want to make a comment. The Portland loo was a, an innovation of the Portland water bureau, and most particularly, commissioner randy leonard, and he got the patent for that loo. One of the things that we did, though, is we recognized that, as it matured, as a business opportunity, the city should not be in the business of selling loos. We should structure a deal where we get a fee every time that one is sold, as a licensing fee, and so we spun off of the loos, and we said to the manufacturer, we hope your, you are wildly successful. They are selling a lot of them. The good news for us, is that we get a revenue, we get a license fee after every

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sale, that fee goes to commissioner Fritz, and the parks bureau, and is used to maintain our inventory of loos. So, that's the, the current framework, and so, we should acknowledge that commissioner Leonard pioneered that idea, and I think it's now the right arrangement where we're not in the business of loos but someone else is, and they are doing quite well. The third comment that I want to make is that we had a work session this week, about the mayor's proposal for camping, and how we're going to address the homelessness. And those details are still being worked out but one of the things that I think struck all of us is that we have a crisis that we have identified on our streets, and we have to have a housing strategy that ensures a place for people who have been on the streets to go. And in this tight rental market, there is a diminishing stock of available homes, and there is a very low vacancy rate, landlords are being very picky, so, one of the things that I think that you will hear more from us going forward, is the need to make sure that there are units that truly poor people in our community can live in. When I looked at the pro-forma on this, I was heartened by two things this. One is, that there are a total of 105 units for people at zero to 60, but within that, there is ten units set aside for the poorest of the poor people, 0 to 30, the folks that home forward often provides housing to. People that have no income. And we're not going to solve the crisis on the streets unless we have housing that the most vulnerable people can live in. So, I really compliment you for that. The other thing that jumped out at me on the pro-forma, and I was going to ask mike to elaborate on this, it says that there will be 25 units set aside for at risk households, and you will be putting the project-based section 8 vouchers, for the average person watching that, could you tell us what that means?

Andrews: There are 25 units that will be set aside for a combination of women who are escaping the domestic violence, and/or women who are in or at risk of homelessness. So, we have units that are set aside for them. And these are two programs that are around my catholic charities. These women can come with a section 8 voucher, which they currently have or some form of short-term rent assistance that would allow them to have housing stability. So, you know, we tried very hard, and thank you for acknowledging this, to strike is a balance on this project. to achieve as much of our mission goals as we can, and as you mentioned, from home forward's perspective, we are very aware of the need for housing for very low income people, half of the residents that we have, either through the public housing program or with section 8, so it's about 3,000 households, are at about 16 percent of the area median income, so we're aware that there is a very low income population. And on a project like this we're trying to balance a variety of goals, and achieve as much of that mission as we can. And --

Fish: I want to acknowledge that, you know, it's been a, an evolving strategy to put more of the section 8 vouchers into projects, and there is good arguments on both sides of that issue, and we have had that debate over time. But, when we're seeing the success rate of the section 8 vouchers in the 1970s, because the 70 percent, because there is just not a supply of available rental units. We have to think more in terms of the dedicated unions either by dedicating a unit or project basing. We have no choice, and I know that the home for everyone has specifically targeted at-risk women, and women facing domestic violence, so this is a real step forward. 25 units, plus the 10, zero to 30, and I hope as we go forward, we see more of this because there has to be -- we have to connect the crisis on the streets and our strategy, with the kind of housing that we're investing in. We need a range of housing, but where you have an opportunity to make this kind of down payment on where the big need is, and I think that it's important, and I congratulate you for focusing on that.

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Fritz: Yes you did spark another question, and tell me about the accessibility in the units, equipped for people with the Americans with disabilities mobility, or other challenges.

Andrews: It's a great question. All of the units are visitable. So, it's an elevator building. And all of the units are on one floor, and I think are -- I am hesitating because I don't have this set to memory but we're achieving the minimum for ada compliance, which I believe, is five percent. All the units are visitable. So, there is ramps and elevators in the building.

Fritz: Are the remaining 95 percent of the units easily able to be adjusted to be --

Andrews: Yeah. Adaptable.

Andrews: So turning the radiuses within the bathrooms and the kitchens, and all allow for adaptability.

Fritz: Very helpful. Thank you.

Fish: Great question, so thank you all.

Creager: One other thing I would like to mention since this is fast-breaking news, and you may have seen a press release jointly configured by the bureau, and recall that in the fall, budget modification process, you are allocated funds to match home forward's effort to increase the voucher utilization. I wanted to make sure that you know that our investment was successful, and we spent 45,000 of general fund money to match funds from home forward, as well as the housing authorities of Clark county, and Vancouver, and Washington county and Clackamas county and it did increase the rents by 33 percent, so the current utilization rate should go up. And it's a happy event for this project because the revenue that can be captured from hud --

Fish: We are talking about utilization rate, we're talking about the success that someone has when they get issued a voucher finding a successful tenancy, and if they are unsuccessful they have to turn it back, and that's, obviously, bad for the tenant, and we're leaving money on the table.

Creager: So the marketing window for all residents throughout the region is, has just increased and hopefully people will have a bit more purchasing power as they negotiate with landlords for those rental units.

Saltzman: Congratulations.

Fish: Congratulations, and Congressman Blumenauer, thanks for your assist on that.

Shaw: Could I add one thing? I don't think I said it, and that is that of the 6.5 million being provided by, through the city, 3.5 million of that is, actually, federal home funds that are being allocated to this project, and the remainder is coming from the tax increment financing.

Fish: Thanks for mentioning that because this past year, there was a move in the United States senate to kill the home program. So, when people want to know what do you get for the federal investment and housing, this is exactly what we're talking about. Thank you all.

Saltzman: Thank you.

Fish: Do we have anyone that would like to testify?

Moore-Love: Three people signed up. Please come on up. Joe Walsh, lightning watchdog pdx and Charles Johnson.

Fish: Mr. Walsh will you kick us off?

Joe Walsh: I am Joe Walsh, I represent the individuals for justice. And we stand against the city contributing 6.5 million for this project. We don't object to the project, it's none of our business if they want to build this. You have two entities here. You have the church of St. Francis. Which is a notable, wonderful church. You have catholic charities, which is a wonderful charity, and the archdiocese, which is not so good. Over a year ago, we

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asked, why the St. Francis Park was being sold. And we were told that the diocese is out of money. They pay 53 million in settlements to go through the pedophile priest, so I ask this question, if you paid 6.5 million of taxpayers' money, and you go to the Catholic Church are you in bed with pedophiles? Is that a big leap? 53 million, and it's so bad a few years ago, that these insurance companies ran away. And the diocese declared bankruptcy on the very victims. And you want to give them 6.5 million, and it's supposed to be a loan but in your documents, it says, you don't expect to be repaid. I had never seen that in writing. I would never put it in writing that you don't have to pay it. That's not a loan it's a grant. So your granting, 6.5 taxpayers' money, and into a file that is a pedophile history. That's what you are doing there. Commissioner Saltzman. It's really nice to have all these people come up here, and tell you how wonderful everything is going to be. This project has nothing to do with the homeless. Affordable housing is a scam. And 60 percent of the going rate here. That is 65,000. That's 40,000. That is nothing, has nothing to do with the homeless. So, Mr. Fish, don't you dare use the homeless to justify this mess. Thank you.

Fish: Thanks, Joe. Lightning.

Lightning: I am lightning and represent lightning watchdog pdx. To begin my speech I would have been in support of this project. The facts that Mr. Walsh have brought up is that at this time, again, I believe that the city does need to follow their socially and morally responsible policies that they have in place, and if the facts are true on this as Mr. Walsh stated, I do not want the city of Portland to fund the money. You have stopped dealing with Wal-Mart on issues of labor. Which, as you know, they are closing 250 stores and also laying off 15,000 employees. You made that decision. On this decision also, if Mr. Walsh's fax are correct, you do not have to fund this money. Now, yes, the project will not happen. But, if you stand by your socially and morally responsible policies that you put in place on Wal-Mart before you had a discussion from your committee you will follow through on this, also. And you will deny this money. You will deny this money. Again, I was going to proceed forward on this project as a Good project. Everything looks good as far as on the numbers, and again, as Mr. Walsh has stated, the term affordable housing units, current mfi is always under debate, and always can be changed. Again, my position is, if you want to lower rents and offer housing, you build more housing. You give more incentives to the developers, and you give more bonuses to the developers, more height and density, and keep them building. If you want lower rents. Keep them building. If you want to decrease homelessness. Do not impede the developers. And when we're talking about the fossil fuel industry, extraction companies, begin to stop their subsidies, and begin to understand, don't fund everything over to the solar systems and those directions, but also, fund a percentage to the affordable housing industries as subsidies to keep the developers building more units. We have a tremendous amount of subsidies out there, that need to start being directed in affordable housing, creating more jobs, and more housing, and we'll shut the fossil fuel industries down, and that's what needs to be done. This type of loan here, again, if these facts are true by Mr. Walsh, do not fund this money if you are socially and morally responsible policy within this city has any meaning in any bearing, thank you.

Fish: Thank you, lightning, welcome.

Charles Johnson: good morning, city council members, I am Charles Johnson. And of course, we have heard very important issue on this conversation. The welfare of victimized children, but if any parish in the Catholic Church has done anything to advance minority rights and protection of the vulnerable, it's St. Francis of the assisi parish, a

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strong voice for the full role of women, in the church, full equality, unfortunately, the way the economy works out, there is no longer a school associated with that location but I visited with the people of St. Francis parish, and if any community is working hard to increase the protection of the vulnerable people, be it their children or the homeless, in this community, it is St. Francis of Assisi parish. I think that the complex legal structures we develop about the real estate development mean none of the money will help the Catholic, the archdiocese of Portland resolve its bankruptcy, and but, there is, as Mr. Fish noted when he raised the issue of why is there no signs saying how wonderful this project is yet? That there is also public perception, so it's good that this is getting, you know, attention. Especially to promote the healing of those victims that are covered related to that bankruptcy and settlement. But, we obviously need much more than 100 to 106 units of affordable housing, and we need more projects where a higher percentage is for the 30 and below, and probably this is the best project that has ever come through the city council. There is some stuff going on at the Erickson on Burnside, and I don't think that the performance for the ultralow income below 30 in that project is as good as this project. It's strange, that a grant of moneys not, that are complicated to determine whether they are federal HUD money, city taxpayer money, is an investment that might not get repaid. But, regardless, the money is being spent to take poor and needy people and put them inside of homes that they can cherish and maintain hopefully for a long time. Who knows what happens in this crazy rental market. So, I am not going to say for or against whether you should vote in light of what other people have raised, and obviously, we need action, to get low income housing going, and I hope that this project will be a catalyst for more conversation, that we can find good, nonprofit partners, that have a clear and easy to understand balance sheet, and we can proceed with more projects that get people inside, especially vulnerable people. Thank you.

Fish: Thanks very much. Karla, has anyone else, excuse me, has anyone else asked to speak? Please. All we need is your name.

Norm Santana: I am Norm Santana. I am a homeless guy. Or formerly recently a homeless guy. And you know, and I know it's a little, and it's you know, a drop in a big buck, but, and I also know that you know, that doing something, comes with a lot of other stuff that inevitably gets thrown into the mix. But, there rooms and they have locks and there is homeless people that need them, and I am glad that you are doing what you are doing. Thank you.

Fish: Thank you very much, sir. Ok, Karla, please call the roll. This is an emergency.

Fritz: I appreciate the passion and especially Mr. Johnson's balancing comments. The amount of city money is 3 million from tax increment financing, so for 100 units, that's 30,000 per unit. For 60 years of affordability for 100 units, that's pretty darn good. Thank you very much, commissioner Saltzman, and the entire team for working on this project, other money comes from federal funding and other partners. This is the perfect example of how you need lots of different agencies and nonprofits as well as government to help to fund something like this. But, it's over 100 units that are going to be affordable, at levels that we most need for 60 years, and it's really a good use of public money. And I am glad that it's very clear that we don't expect to get paid back. This is an investment in the community. This is exactly what we've been told by the community that we wanted that we should be doing. Just to go back to the tree preservation issue, the lot is zoned ex, which does not require any tree preservational mitigation for the trees. So, that's something that we might want to look at in the tree code ongoing project that we might finance to do next year. And I do appreciate that this strand of trees in the northwest

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corner has been saved as far as I've been told, and also, that the dogwoods are going to be added to create this lovely woodland garden area, and I am interested to look at the financing of the loo and the ongoing maintenance for it, have more discussions with the water bureau commissioner, about that, and perhaps, bring that back to council if it's determined that the parks bureau should continue to maintain it. Everybody needs to do their part in this, and there is probably something to dislike in every project that comes before the council, and this one, there is a lot of things to like, and thanks to jasmine Watts on my staff who looked into all of the details. And, and commissioner Saltzman's staff who answered all our questions ahead of time. Aye.

Saltzman: I want to thank St. Francis of assisi parish for providing this land, for this important affordable housing, and remind people of the fact that they did sell it to home forward and encourage us at a very favorable rate, and under very fair terms. They could have sold it for more to private market rate developer. And thanks for home forward, and Karataz, for doing this great development, and I want to thank the Portland housing bureau for the tremendous role that they played in shaping this. And this is, as I said, 106 units, of affordable housing, ten deeply affordable. Helping the victims of the domestic violence, these are all, all the attributes that we should be supporting as a city and I am proud to vote aye.

Novick: I echo what my colleagues have said. I appreciate Commissioner Fritz pointing out that from the city's perspective, when we've been struggling with what people call the high cost of affordable housing, that this is a bargain. I appreciate everyone's work, I appreciate commissioner Saltzman's work and pleased to vote aye.

Fish: Of the two items on the time certain agenda, where we're going to celebrate great partnerships that have produced wonderful results to the community. And we're first taking up this development, and I just want to echo a few things my colleagues have said. First the st. Francis church. You know, I've been on the council since 2008, and something that the church, I don't think, ever gets enough credit for, is every time that we have a storm, a winter, event, or an emergency circumstance, their doors are open. And they provide shelter from the storm for the most vulnerable people in the community, of a place to escape the weather, and a warm meal, and a loving heart. This is just another example of their, their splendid record of service to the community so we thank the st. Francis family, and we want to acknowledge the home forward, particularly, the leadership decision, and the partnership with the housing bureau and Dan to put more section 8 vouchers into the project. Vouchers worked when you have inventory, they don't work so well when there are not available units, and project basing is, I think, a reasonable compromise. To catholic charities, and Terrell Anderson, the board chair and all our friends, let's acknowledge that, that that's -- this is the development wing of a faith community wholly separate and apart from whatever view that you have of the archdiocese, and they are bound by federal, state, and local laws, and they have produced some splendid housing in partnership with others from the community and we're continuing that great tradition, and I think that we should be proud of that partnership. To the housing bureau, that Kurt and Dan are leading so ably, and to Barbara shah, well done. We only spend a few minutes at council talking about these projects, but if we had more time, Dan would note that these are very, very hard to pull together. But, you make it easy, you make it look easy, so thank you for your service, and Dan I am delighted there is such a focus on the most economically challenged people in our community, and my hope is that we will build on this as we look at the future nova's and tax abatements to focus where the big need is. I am delighted there is going to be a loo at that location, and

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something that we should also acknowledge is the loo will be within walking distance of a park, and one of the things that we often hear from people, that have children in the park is where do our kids get to relieve themselves so this is a terrific benefit, as well. Most often when we have these kinds of council discussions, we rarely have people here to properly celebrate the moment. Just a function of the council meetings. And we celebrate the democracy in this chamber, and everyone has a chance to be heard. But we, under normal circumstances, we would have a large number of people here celebrating this day, and in absence of that, it's the council's obligation to celebrate these kinds of partnerships, so thanks to everybody and thank you, commissioner Saltzman, for another job well done. Aye. [gavel pounded]

Fish: The ordinance passes. Please read 128.

Item 128.

Fish: Well, this is a wonderful opportunity to thank and acknowledge the good work of some community partners who are being relocated. And it's a chance to celebrate some good work, and as we tee this up with Margaret Salazar, the field office director, at the hud Oregon state office and Patrick Shea the former director of the multi-family program center, at the hud office, would you come forward to the podium, and I am going to make a brief introductory remark. We're going to turn it over to you, and do some acknowledgments, and then commissioner Saltzman is going to read the proclamation that the mayor has issued today in honor of this occasion. We're here today to celebrate a remarkable set of achievements and a strong partnership between hud and the city of Portland that resulted in the preservation of an astonishing number of at-risk apartments in our community. And I know that in people's eyes, glaze over when you start talking about expiring used properties and the mechanics, but the plain English version is that we have a lot of buildings in our community, that have hud section 8 contracts, and when those contracts expire, the owners of those buildings have the right to re-purpose the building. They can convert them to condos, and they can upgrade them to higher end rental says, or they can agree to sell their buildings to a nonprofit, and with an army of people linking arms, we can refinance the building, rehabilitate it and preserve the affordability for 60 years. The city partnered with our friends at hud, and our friends at the state, noah, the nonprofit community, and literally an army of innovative and focused people. On what we called the 11 by 13 campaign, which was roughly targeted at 1,000 at-risk buildings downtown, and these are some of the nicest buildings in downtown, which are also home to some of the poorest people in our community. So, that the stakes are very high, and had we failed, collectively, a lot of people would have been put out in the street. Who don't have a better option. Over the last ten years, and colleagues I am going to give you the highlights, but you will get the sense of now astonishing hud's accomplishment is here. This office, has helped to preserve 31 Portland hud section 8 properties totaling 2,000 units. Those all could be luxury rentals or condominiums. The team secured over 300 million in federal rent assistance dollars over the next 20 years because you see every time that you save one of these buildings, you are also bringing long-term federal subsidies to those buildings, which make them affordable, and so that's like a little stimulus project of money coming into the community. I am going to let the experts talk about it, but before I do so, I am going to recognize rob prasch, would you wave your hand? I can't think of anybody in the state of Oregon who has worked more effectively on this question of preservation. Rob is a former hud official, and has worked in the public and private sectors, and was one of a group of people that was instrumental in crafting the city's policies, so rob, thank you, and thank you for suggesting this

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opportunity for us to thank our friends of hud for their great service. So, with that, I will turn it over to our director, Margaret Salazar.

Margaret Salazar: I will, in turn, turn it over to Mr. Shea.

Fish: Welcome.

Patrick Shea: Good morning. Again, I am Patrick shea, commissioner says. I appreciate this opportunity to share a few moments with you. I am the -- well, former director of the hud Portland multi-family program center. But, I am representing the multi-family Portland multi-family staff today, and I am humble and honored by the proclamation that will be announced this morning for the day of recognition for the office of multi-family housing. The proclamation referred to the 11 by 13 preservation campaign, which was led by commissioner, Fish. One notable event, which I want to share, among all those great accomplishments was in January of 2012, a waiver was approved by hud headquarters, for the use of 7 million of hud residual receipts, or construction costs for some 11 of these projects. This was accomplished through the communication, cooperation, and shared affordable housing goals of Oregon housing and community services. The city of Portland, network for Oregon affordable housing, and the Portland and Seattle multi-family leadership. Again, it's a partnership, cooperation that takes many hands to get this work done. I wanted to mention, briefly, that the hud multi-family still remains committed to affordable housing in Portland, and in Oregon. Over the last 12 months, ending 1-31-16, the section 8 funds from multi-family in Portland, was 3,375 units, 64 projections and the amount of rental subsidy was 24.5 million from hud. That's in one year. So, when you extrapolate that, that's where you come up with the 300 million. In Oregon, there are 9,928, section 8 units. In 255 projects throughout the state. The amount of subsidies in the last 12 months for those is 61.6 million. This is irreplaceable funds. Serving 30 percent or below of income. In addition, on the fha mortgage, provide access to capital, for projects throughout Portland, and Oregon for refinances, substantial rehabilitation, and new construction. Fha mortgages for new construction recently include projections in the Portland neighborhoods of west Moreland, the pearl. Interstate Avenue. And St. John's. Significantly, on June 17, 2015, the fha initial closing of west Moreland's union manor was accomplished through, again, communication, cooperation, among many affordable housing partners in the state, in the city, and but, we especially want to note that Portland Housing bureau was instrumental in facilitating the issuance of the building permits, from west Moreland's union manor by the city of Portland. Westmoreland union manor is under construction now as a substantial rehab project. It is the largest hud multi-family subsidized project in Oregon, with 300 elderly units. Over the last five years, Portland multi-family staff have generated fha mortgage insurance, as follows. In Portland, 3,277 units. 24 projects. Accumulated mortgage amounts, 327,974,800. In Oregon, 12,111 units were generated, and 92 projects. 1,076,760,100 a significant impact not to mention all the construction projects with the rehabilitations in new construction. In conclusion, the Portland multi-family program center, has had a significant impact in terms of the affordability, and the access to capital for developers and lenders, for the city of Portland, and for communities throughout Oregon. I want to thank the multi-family staff who, through their passion for affordable housing, their problem solving skills, and commitment to both the mission and the market goals of hud, made all these accomplishments possible. Again, I appreciate the opportunity to share these remarks, and for the proclamation today. Now I will turn the microphone over to Margaret Salazar. Hud field office director.

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Salazar: thank you very much, Patrick and commissioners for the opportunity to address you here today. Thank you for the recognition of the tremendous contributions of the hud multi-family staff here in the hud field office. I worked with hud teams around the country, which has been a real honor, and I have to tell you, the hud multi-family team here in Portland is absolutely one of the best. Portland and the state of Oregon has benefited from their tremendous work, and tireless commitment to affordable housing and urban development over the years, and we've been very lucky to benefit from all of expertise and efforts. Many of them are in the chambers here today, and I would like to take the opportunity to acknowledge them, so the multi-family staff who are here, if you could stand, please.

Fish: Let's suspended the rules and give them a round of applause. [applause]

Salazar: Thank you very much. And as we take time to reflect on the work of the multi-family staff and their contributions, I also want to take a moment to reassure you that we, at the hud field office here are open for business, and wanted to dispel any myths that we're closing, and we will still be open, and as you know in addition to the multi-family programs, our Portland office oversees so many important hud programs to the community. The opportunities of public housing authorities, the section 8 voucher program and the community block grant program and the home program, and we enforce the fair housing act and partner with you on homeless programs, and many of the programs, in fact, that you were just discussing in the prior agenda item, contributing to the ongoing development work that you all are moving forward with. And we will continue to work with you on those programs, and to make them the most effective programs that we can to serve the needs of Portland. The Portland multi-family staff will be moving onto new opportunities, the hud multi-family programs will remain available to Portland and the state of Oregon. Nationally, hud oversees 1 million apartments through the project-based section 8 program. And we remain committed to preserving and improving the affordable homes for the most vulnerable in our communities, and for current and future generations, and our multi-family mortgage insurance programs will continue to provide financing options for new construction, and substantial rehabilitation, and refinance acquisition and repair of multi-family properties. We continue to run innovations such as aging and place programs, and mental health pilots, and the rental assistance demonstration, and so many other programs. As the city of Portland looks for strategies to meet the region's housing need at all income levels, I encourage you to keep fha financing on your radar. We won't have this talented team on hand to help get the deals done, but I assure you that we will work closely with our colleagues and other hud offices to deliver for you. Thank you again so much for honoring our staff, and as federal employees, we don't often get this kind of opportunity, so we appreciate the recognition, and thank you for the long track record of committed partnership between hud and the city of Portland. Thank you.

Fritz: I have a clarifying question, so the office will remain open but staff are going to -- explain.

Salazar: The hud offers will be open, we have approximately 50 employees, and the hud multi-family staff who had been running the multi-family programs are being reassigned to work on healthcare programs. So, assisted living facilities and nursing homes are critical resources for the aging population, and those multi-family programs will now be run out of the hud offices in san Francisco and Denver. So, the --

Fritz: If somebody is interested there will be a Portland office open?

Salazar: Absolutely.

Fritz: And they can go there and the staff will help/

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Salazar: That's right.

Salazar: So my staff will help to link them with the appropriate staff in the other hud offices, san Francisco and Denver, to get the deals actually executed.

Fritz: Express our commiseration for your staff for having to move from lovely Portland.

Salazar: luckily, people will be able to stay in place but their assignments are changing so folks have the option to move to San Francisco, but not surprisingly not a very attractive option for affordability reasons for many folks. So they will still be here in lovely Portland.

Fritz: ok, thank you.

Fish: Because Patrick mentioned residual receipts and I want to do a shout out to Jim Winkler, a developer who was part of the brain trust on thinking about that. I want to acknowledge that Dan and the bureau are finishing up the renovation of the brono apartments, the last of the 11 by 13 so we'll have a chance to have that celebration when Dan cuts the ribbon. And if a majority, if any of the current leading candidates for president, of a certain party are elected, they have all pledged to abolish hud, so for those that think that having a local hud office is a good thing, keep that in mind. And finally, we are talking about preservation today. And as we know, preservation is typically the best value. If we can preserve what we have, it's the most cost effective strategy, if it's as compared to building a new unit, so it's something that we care about. With that, Dan is going to read a proclamation by the mayor today.

Saltzman: Thank you, mr. President and I will be happy to read the proclamation. Whereas Portland's affordable housing community, has enjoyed a long and productive relationship with our federal partners, from the u.s. Department of Housing and Urban Development. Or hud. Whereas in 1965, hud created the office of multi-family housing, and opened a local office in downtown Portland in 1971. And whereas Portland, like every other city in America, cannot be successful without a strong partnership with hud, and federal investments in affordable housing, and whereas in the last 45 years, the Oregon office provided multi-family loans, direct loans, and grants to 342 properties and almost 23,000 affordable apartments in Portland, and whereas in 2008, the 11 by 13 preservation campaign was launched, to address the expiring federal subsidies on 11 privately owned affordable apartment buildings in Portland. Home to low income older adults, and people with disabilities, and whereas the city of Portland was proud to partner with hud on 11 by 13 to save all 11 at-risk buildings, preventing 1,000 affordable homes from being converted to market rate rentals or sold as condominiums. Thereby, displaying vulnerable tenants, and whereas the hud office of multi-family housing is transitioning to the west region, multi-family for tomorrow office, located in san Francisco, California, and whereas, Portland is proud of the office of multi-family housing's legacy of service to thousands of vulnerable families and individuals in our community. Now therefore, I, Charlie hales, mayor of the city of Portland, Oregon, the city of roses, do hereby proclaim Wednesday, February 10, to be a day of recognition for the office of Multi-family housing in Portland and encourage all residents to observe this day.

[applause]

Fish: If everybody would come forward, we'll take a picture. Asina Lawrence on my team helped to draft the proclamation and thank you, and colleagues, a picture.

Fish: I like what commissioner Fritz said, it's nice to acknowledge public employees and the good work that they do. It's not easy working these days. So thank you all. That concludes the time certians and now to the regular agenda, do you want to pull the consent item and put that first?

Moore-Love: Yes, 131.

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Fish: Let's call 131, please.

Item 131.

Fish: Who pulled this?

Moore-Love: Mr. Lightning and Mr. Walsh.

Fish: Ok. Are either Mr. Walsh or Mr. Lightning here?

Joe Walsh: [inaudible]

Fish: Joe, thank you. Joe, thank you. Who is here, commissioner Saltzman? Do you have a presentation?

Saltzman: Yes, Kurt Creager our housing director is here. And Javier Mena.

Fish: If someone could come up.

******:** Ok.

Saltzman: Just give us a brief explanation of this.

Sally Erickson, Portland Housing Bureau: Sure. It's great news, and we're very appreciative of transition projects to once again, step forward and be willing to on short notice, I think that we had three weeks from the day, knowing the menashi's were contributing to the facility at no cost to, actually, getting it up and running so we're very pleased about that.

Fritz: Please put your name in the record.

Erickson: Sally Erickson, homeless programs manager at the housing bureau. The operations began, actually, in several weeks ago. It is serving 100 men a night, 55 and above, that are veterans and men with disabilities, and that's been full, almost since the first day, so we're, again, very grateful to the Menashi family for the space and the transition projects.

Saltzman: Thank you.

Saltzman: That's great, I don't know if anybody wants to testify or not. We have got some system.

Fish: Karla has anyone signed up to testify?

Moore-Love: We don't have a sign-up sheet but we have people are coming up.

Fish: If people would like to testify, please come forward. Mr. Walsh, lightning. Joe, kick it off.

Joe Walsh: I am Joe Walsh, and I represent the individuals for justice. I am a little confused here. We have had testimony from commissioner Bali from the county saying the veterans are off the streets. I didn't believe that, and this indicates that we still have a problem with all the vets, getting them off the streets. So, if anyone really knows the answer to that, commissioner Saltzman, are all the veterans off the streets now?

Saltzman: We have housed over---

Walsh: No, are they all off the streets?

Saltzman: I don't know if they are all off the streets. I don't know.

Walsh: Thank you very much. The thing is, we question six months, why six months? Why can't we do something saying that this is the problem, and this is the solution. And let's finalize the solution? Why do we have to do this, piecemeal stuff?

Fish: I can answer that. The owner has made it available for six months, and they have donated the space. It is -- they only have a six-month window.

Walsh: That's the only space in Portland?

Fish: No, but this space has been selected as a shelter, and it's been donated, so this funding allows us to operate it for at that six months.

Walsh: Ok. And isn't there a better place to do it?

Fish: If you can find a better space, commissioner Saltzman is out constantly looking.

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Walsh: I will find them you are on.

Walsh: That's our concern. We do a piecemeal, we never fix the problem, we still have depending on who your talking to anywhere between 2,000 to 5,000 people who are on our streets or on couches or in cars or just hiding with friends. We never fix it so [inaudible] and you know how to do it because they laid it out for you, but you do 6 months at a time I don't know is it easy, let's do it the rents cheap lets fix the damn problem. People are on the streets still and we will do this every month at least and if you're not doing anything every week we will come to you and say "what are you doing?" and don't give me 6 months commissioner. It's not good enough their my buddies out there I live indoors, I get up in the morning and I take a hot shower like everybody on this council. What is it like to get up in the morning and be cold and go nowhere? And we say to you year after year after year I've been in this council now for four, six years saying the same thing get these people off the streets. And what do you do you pat yourselves on the back. That's what you do and you break my heart commissioner.

Fish: Thank you. Lightning.

Lightning: Yes. My name is Lightning and I represent Lightning watchdog pdx. Again my statements towards the menashi's at this time is that again your donating your space is most beneficial to the most vulnerable people of this city. Again your 6 months' time frame is a reasonable time frame the money being allocated is a reasonable amount for the services that will be provided there for over 100+ people. Again your personnel cost of 268,000, operating expenses of 143,000, Administration cost 38,000 I think are all within reason and again on 6 months we might be a little bit high on where I want to see the numbers hit on an annual basis of 100+ people maybe somewhere around 750,000 no more than that with a cap set, to provide the services you state you will provide at this facility. Another issue I had is I think the transition projects, tpi is a group to be looked at more than what we look at, at Salt Lake City for their successes. I think we have the success in the Portland market because of transition projects, inc. I want to see that you also have an opportunity to do an analysis on the wapato property that Multnomah County currently has under their control I will be proposing to the city of Portland to take that property from Multnomah County for one dollar in the name of public good to do an analysis on operating the property. And also getting that opened as a more permanent solution for transitioning and shelter space. Again, Multnomah County, is going to be under a lot of investigation. I don't think he has any more time to be doing any more analysis on wapato. He's had 10 years to do the analysis, he's gotten nowhere. Take that property that's been sitting empty for 10 years, put it to good use, do an iga with the city of Portland, Multnomah county, and metro to operate this property. Again, do the analysis as Portland business alliance stated on a pilot program to begin with, 100 people budgeted at \$750,000 on an annual basis, and bring in transitional projects to begin the process moving forward. Again, we've looked at the statements made out of Salt Lake City by Mr. Pendleton, again, his emphasis is on more shelter space, more permanent affordable housing being built, not tent cities. Not that I'm against tent cities but his emphasis is more on shelter space, transitioning space, and that's what we have here. We need to set this up on a national basis with wapato. Now is the time to do it and quit talking about it, thank you.

Fish: Thank you, sir. Welcome.

Charles Johnson: Good morning, city councilmembers, for the record again my name is Charles Johnson. There's so much to say to this particular agenda item and the broader issues that transition projects deals with. Last week we had here people from senator

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merkley's staff and senator wyden's staff, and we were happy because they found us a half million federal dollars for cully park. Now we're dealing with a half million dollars again. For people who didn't get the implications here, it means that -- I didn't look deep enough to know whether all this \$450,000 will pay for the necessary wages of assistant staff at the property, or whether it covers the cost of the masking tape that marks the space on the floors where people will sleep. We don't want to overly congratulate ourselves that what we're doing is masking out areas on a floor for people to sleep. That's an improvement from sleeping in the rain under a tarp with no heat. So I actually would really appreciate it if either later on or by calling staff back up we could know exactly how the \$450,000 breaks down between paying less than \$15 an hour for a tpi staff person to be present in case of emergency or to help direct people to restrooms during the night. But the broader issue remains, that last week for really a measly half million dollars we had three senatorial staff aides and now we have a half million dollars, it's just a drop in the bucket. We talked about \$3 million of city money for housing projects. I know it's frustrating also for commissioners, all of you, to know that when you walk out these doors you're going to see hundreds of people sleeping outside. We just have to take that frustration and channel it into bringing money out the federal government and building creative solutions. I hope that many people will tune in to think out loud at noon today on opb when this conversation will be continued. Thank you.

Fish: Mr. Johnson, I'll make sure you get a response to your question. Karla, would you please call the roll, this is an emergency.

Fritz: Let's be very clear-cut, it is not okay with anyone on the council that people are living outside whether they have tents or tarps or nothing. It is not okay with anyone on the council that people are in warehouses with overnight shelter and nothing better there was a work session on Monday about what the council are doing to provide a modicum of dignity and shelter for folks who have to be outside because we don't have enough shelter. Commissioner Saltzman will be leading a work session on Tuesday, the 16th at 9:30 to give two hours' presentation on a home for everyone, about what the city and county and the home forward plan is for providing permanent supportive housing for people. That is the goal that all of us share. We know how to do it, we don't have the money. Until somebody has some kind of inkling of how to get that money out of federal government when it's been decreasing since the Reagan years, we don't have enough money, nor do we have enough money from the state. Commissioner Saltzman has been down at the legislature a lot recently trying to get at the exclusion on the inclusionary housing repealed by the state legislature. He's working very diligently on that. We are working on a number of different fronts. There is not a finite number of people who become homeless, whether all of the veterans who were outside in June are now inside or not, there are others who have become homeless that still, a medical emergency or a loss of a job or other reasons cause people to lose their housing. We know there isn't enough affordable housing in Portland for people with full-time jobs. That's the reality that we are in. The council is just as frustrated as everyone in the community that we don't of have the resources to fix it. I encourage everybody to participate in the budget process. If you think there's a magic bucket of money somewhere please help us find it, we would like to put it to affordable housing. We have already dedicated 6.2 million dollars of ongoing funding in the upcoming budget to additional assistance and we're going to be looking for more. We have other needs we need to fund, too, police and fire and emergency management and emergency communications and paying our park workers more than a minimum wage with no benefits. These are all things the community expects the

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government to do. Those are the choices that we have. Commissioner Saltzman, I greatly appreciate that you are in partnership with the mayor with solid support from the rest of the council looking for creative solutions and bringing them to the council so we let the community know we're not able to fix everything but we're doing what we can a step at a time. Aye.

Saltzman: I want to thank once again the Menashi family for coming forward and providing the space for a shelter for 100 men, predominantly over 55, at no cost to the city and for transition projects for agreeing in a very short time. This all came together in about three or four weeks. The opportunity to provide shelter that's needed right now during winter for three to six months, and for transition projects stepping up and coming in to operate the shelter and opening on time January 18th. We do remain very interested and other property owners who have other space they would like to perhaps use for shelter on a temporary basis, and anybody who has such space and is interested and wants to follow the Menashi family's great example, please contact me. I'm pleased to vote aye.

Novick: I, too, would like to thank the Menashi family for this extraordinary act of civic leadership which I think -- [indiscernible] -- and really appreciate the quick work of Sally Erickson and the housing bureau and the transition projects and commissioner Saltzman's office to bring this to fruition as the commissioner Saltzman just said, in a very short period of time. Aye.

Fish: Aye. The matter passes. Thank you. Karla we're moving the regular agenda we have a bunch of second readings and some brief items. I think we'll have the council out before noon. Can we read 132 and 133 together?

Item 132.

Item 133.

Fish: Gentlemen, welcome if you could give us just a brief overview of this matter.

Matthew Wagenknecht, Portland Police Bureau: I'm a captain with the Portland police bureau, to my left here is Craig Dobson, sergeant, Portland police bureau. We have been tasked with providing security for the upcoming iaaf track town events coming to Portland next month. The city of Portland in conjunction with the u.s. Track and field and United States Olympic committee will have an event running from March 17th to March 19th. It's anticipated over 600 athletes from 200 countries will participate in over 6,000 -- i'm sorry, in over 6 -- and over 6,000 spectators will attend this event. In addition, the event will be broadcast to 180 countries and 140 million viewers. A key components in accomplishing a successful event is the security mission. Which is to provide proactive security as well as robust incident and emergency response system. Resources for safety and security are limited. The size and scope of this event dictates a higher level of physical security that stretches beyond the bureau's current resources. The police bureau has requested assistance from the mobile response team of the Salem police department in support of this 2016 event. The cost of the assistance is estimated not to exceed \$30,000.

Sufficient funding resides in fiscal year 2015-16 police bureau appropriations. It is beneficial to the city and community this agreement be authorized as the quickly as possible to prepare for this large scale event. We're also asking for \$30,000, not to exceed \$30,000 for Salem and not to exceed \$30,000 for the Multnomah county sheriff's office to assist us in this event.

Fish: Just to be clear you're saying the 30,000 it comes out of the budget that council has already approved for this event? Colleague's comments? Karla is anyone signed up to testify?

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Moore: I didn't have a sign-up sheet but I know people are here to testify.

Fish: Sir, would you please come forward. The distinguished director of the rose festival is with us here.

Jess Curtis: Thank you. Good morning. Thank you for your time. For the record, I'm Jeff Curtis ceo of Portland's official festival, the Portland rose festival. I just want to state for the record we support the iaaf championships and most importantly we absolutely appreciate and support the work of our police bureau. So as I speak here today, we're planning the 109th version of your rose festival. I'm here to talk on behalf of events as a whole, not just the rose festival and the question is, you heard resources. And resources are a real problem with our police force. No one knows that better than me and my colleagues who have become very aware of significant challenges in the city with our police force in staffing special events moving forward beyond the track and field events. You've seen it in the media and I've had recent meeting with the police bureau staff to really respect and understand the problems. It threatens the events as a whole in long term significance, when there's not enough police force to secure events. One of the solutions today is securing outside resources which is appropriate. But as a member of the home grown events community, and the founding member, 109 years ago, I've got tell you we're concerned. We're concerned about the communication of the bureaus with our industry, with event producers, as to what might could happen. What is the future of surgeon events six months to a year from now? We've fallen victim to this very thing losing one of our events because of resources, our half marathon. What's important moving forward is we're seeking council's interaction and intervention in communicating this issue with an industry, about how important special events is, and how we can seek solutions to the problem of resources for special events. We've heard about different rumors that certain events might be canceled, might be impacted by resources. And our own half marathon is significantly affected, obviously being canceled. But we want to produce a half marathon as a rose festival, if not this year next year. The clear reality is this question of police resources may not be cleared up in a year. Special events need time and a runway to produce a good event. We're asking for dialogue about police resources for special event industry now to have conversations and to be part of the solution for this potential problem down the road. We want to know when and how this issue can be addressed in a proactive and quality way. The rose festival and myself and my board want to take a leadership role with this. This is an industry that's vibrant to our community. This event in March will come and go and be very safe and successful. The larger question is, what about future special events he and how can we keep our events safe. Let me make a comment that events are not just special in Portland, they are essential. They are essential to the culture, economy and the branding of the city of Portland. Your sports special events community wants to be at the table, part of the discussion, and part of a solution to police resources, not a problem.

Fish: Jeff can I make a comment because I wasn't aware you'd be here today on this matter. But a Chad Stover in the mayor's office is pulling together an office of special events for the purpose of looking out a year or more. I think it's long overdue. Frankly we've learned from the rose festival, major league soccer's all-star game and other events you've got to be upstream well in advance looking at how do we best coordinate. The truth is with our current staffing and state law requirements about who can actually handle traffic at intersections, and there are some legal issues, your marathon is one of a number of events at risk. Under one scenario it can impact Sunday parkways among others. To me it is -- it's a little jarring we've set aside all this money in for one event the council has

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agreed is beneficial a track meet. But we haven't been able to find resources for an event we've declared to be the city's signature event. That doesn't sit well with me. I'm glad Chad is taking the lead in organizing this inner bureau look at events. I think it's something the next mayor really needs to focus on. If it turns out that the short staffing at the police bureau puts at risk some of these events -- which are not only great for our city but provide some revenue for folks that we ask to underwrite these events I have a real problem with that. I appreciate you framing the issue and I wish we had a better answer today.

Fritz: Mr. President may I ask a question? I understand that the Rose City Rock-n-Roll half marathon is a significant moneymaker for the Rose Festival, is that correct?

Curtis: Yeah, it helps fund other events that are cornerstone to the festival like parades. I do need to recognize and appreciate and respect the Rose Festival use as a lot of police resources for the core of our festival, the parades and things of that nature.

Fritz: I was glad to see these items on the agenda because it's a way to fulfill our promises for the track and field event and still not strain our Portland police resources by contracting out. Would the Rose Festival be willing to pay to have a similar contract to contract out for some of it's -- say, if we could salvage the half marathon this year?

Curtis: It's not a money issue in the development of this event. We actually suggest that might be an option. We've explored it but the dialogue continues to be, you know, we're running out of time, we've essentially run out of time, it's February, for the main event. It doesn't seem to be a really proactive appetite for discussions because it still would require Portland police resources even if they did outsource some of it.

Fritz: So it's too late this year?

Curtis: I'm not saying it's too late this morning in front of council, but we are near the very end of a window for a half marathon.

Fritz: Mr. President could I have the staff back up, please? Thank you for bringing this to our attention.

Fritz: Thank you for your work, I know the whole council recognizes that police are stretched beyond belief at this point. We believe it, we know how very challenging it is due to the cuts made during the recession to now staff knowing how long it takes to train our officers. We've got this as a model. Would it be possible to outsource security services and traffic management for the Rock-n-Roll half marathon?

Wagenknecht: I think it would be possible. I don't know, going back to what Mr. Curtis said, it may be close to the end or outside of the window of doing it this year. This is a little above my pay grade. I believe you've been talking with Assistant Chief Bob Day on this matter. This has been in the works for a couple years. We projected this out -- we've been assigned to it for about a year now as far as planning the event. We've had plenty of time to do that outsourcing and identify the individuals and identify the money for this to occur for the half marathon. I think that's really cutting it close.

Fritz: I would appreciate some feedback and maybe an attempt at this last hour about a fund-raiser and also people really enjoy -- I think it would be its sixth year for the Rock-n-Roll half marathon. People are starting to plan their trips around it. I'd appreciate knowing from Chief O'Dea whether it's possible to do it this year. I do appreciate this model and it seems like a really elegant way to make sure our staff remain on patrol doing the core work the citizens of Portland need, and still accommodate special events which are kind of a bonus but they are an important bonus.

Wagenknecht: I can definitely bring it to his attention.

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Fish: Let me go one step further. I believe the mayor is out of country through Sunday which, as the president of the council, gives me certain responsibilities and authority. What I'd like to do is through you, ask -- and we have the mayor's public safety advisory here so it's helpful. I'd like to have a commitment that between now and Friday bob Day, who we have great respect for here, will have a follow-up conversation with the rose festival about timing issues and whether this model works. And then if Chief Day could close the loop with commissioner Fritz and me by Friday as to what the prognosis is. I think Commissioner Fritz has made an admirable point, we have the model, maybe we can just expand it to cover this unique event. I thank Commissioner Fritz for raising that and look forward to getting a response by Friday.

Wagenknect: I will speak to him today.

Fish: I'll also send an email to the chief "you to reinforce this. These are both emergencies, Karla would you please start with item 132.

Fritz: I am very pleased that we're able to staff this event without detriment to the rest of the city.

Aye.

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

Fish: Karla, read 133, vote only.

Fritz: Aye. **Saltzman:** Aye. **Novick:** Ayes.

Fish: Aye. Both pass. Karla, please read item no. 134.

Item 134.

Moore: Authorize a competitive solicitation for the provision of treatment readiness services, transitional housing and follow-up retention support services.

Fish: who is here from the mayor's office to present on these?

Moore-Love: This is being rescheduled to next we understand. Karla, read item no. 135, second reading.

Fish: Without objection Karla would you please read item 135 second reading.

Item 135.

Moore: Authorize a four-year participating agreement for facilities maintenance, repairs and operating supplies with w.w.grainger, inc. For a contractual total not exceed \$4 million.

Fish: Please call the roll.

Fritz: Sorry, I had this down as an emergency. Aye.

Saltzman: Aye. **Novick:** Aye.

Fish: Aye. The matter passes. Please read item 136.

Item 136.

Moore: Accept and appropriate a grant in the amount of \$500,000 from the national park service for the Thomas cully park project.

Fish: This is an emergency, please call the roll.

Fritz: Aye.

Saltzman: Thanks again to our congressional delegation for their help in getting this tremendous grant for the development of cully park. Aye.

Novick: Aye.

Fish: Aye. [gavel pounded] Karla, please read item no. 137.

Item 137.

Moore: Approve application to extend the property tax exemption under the multiunit limited tax exemption program for sitka apartments located at 1230 northwest 12th avenue.

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Fish: Commissioner Dan Saltzman.

Saltzman: Thank you, Mr. President. The multi program encourages private developers to include affordable units in their projects by offering fiscal incentives. Projects approved for the program receive a 10-year exemption from the property taxes due on the newly built structure. The program also allows for the extension of an existing tax exemption for the affordable units of projects which have restrictions on affordable rents. The specific multi project in front of us is located in the pearl district, has 209 residential rental units, 203 units which is 97 percent of the project are affordable at 50 to 60 percent of median family income. This multi project was first approved in 2004. The project was completed in 2005. The 10-year exemption is now expiring on June 30th. 30 and 60-year affordable restrictions still applied to the project. The housing bureau's housing investment committee has reviewed and approved this application and staff presented the application at a public hearing to the Portland housing advisory council. I'd like to thank members of the housing bureau for their hard work on the multi program. Dori is here if there are any questions.

Fish: Commissioner Saltzman, I'm going support this application because we have been pushing to have the option to extend the 10-year tax abatement in consideration of a benefit from the developer. While I would like to see deeper affordability in some of the units, these are occupied units. What we are doing is essentially continuing the original deal for occupied units in a building that is technically under or guidelines affordable. So I think this is good public policy, I tend to support it. Colleagues, questions or concerns? Has anyone signed up to testify?

Moore: Mr. Lightning would like to speak.

Fish: Mr. Lightning, welcome again. Yes, my name is lightning, I represent lightning watchdog pdx. I do approve of the extension on this, the multi program. One of the issues I have is where we have the \$3 million cap placed, I don't really want that taken off to be applied toward the cap. I almost want, when somebody does an extension, is that actually is applied above the cap. It kind of falls under a different type of a category. Now they have used it for 10 years, they are coming back and they are going to do another 10 years. So again, if at all possible I'd like that to be applied above the cap based upon an extension. Now, another issue I have also on this, the extension, is that I know that you require a lot of upfront fees on this. And also basically you also require a fee for Multnomah County of approximately \$9,000. And originally the applicant will come in, they will do a \$1,000 application fee, and then upon activation you do a \$16,000 activation fee. And again, \$9,000 goes toward Multnomah County. So again, since we're doing an extension I'd like to have the \$9,000 that goes to Multnomah county waived because technically they are not doing the administrative work, to my understanding. They are not doing the process like Portland housing bureau is. So why, upon the extension, are they getting another \$9,000 handed to Multnomah County? Again, I'd like to have this looked at to possibly have that extension of the \$9,000 to Multnomah county, to be waived. I think it's a little excessive due to the fact that the developers are willing to do an extension, I think is commendable. In my opinion there shouldn't be any fees because for them to go from the 10 years up to the now 20 years upon the extension, I think it's very beneficial. And I think we need to offer more incentives to people that do this, and not hit them with these what I consider outrageous upfront application fees and activation fees that I think are outrageous. Again, I wanted originally this multi program to go from the 3 million I was proposing up to \$6 million. I think it's very beneficial. I think the cap needs to be increased. And again that's why I'm stating my position that I don't want to see it being

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applied toward the cap but up above the cap to make sure other people have that opportunity. That's my position. Thank you.

Fish: Thanks very much. Anyone else like to be heard on this? This is a first reading, it'll come back to us next week, thank you. Karla, please read item 138.

Item 138.

Moore: Assert the city's intent to engage in a fair, deliberative, data-driven community discussion of potential enabling ordinances resulting from the potential removal of the presumption on inclusionary housing.

Saltzman: Today is a very important day in Salem with regard to the fate of the city's number one priority in this legislative session, to lift the ban on inclusionary housing, also known as inclusionary zoning. I've been working closely with our excellent government relations team and the response of the bill to assist in moving this legislation forward in Salem. Last week the senator and myself had a meeting with local developers to learn of their concerns about the implementation of inclusionary housing. Many developers in the community are supportive of the efforts to remove the ban but they do have concerns about the implementation of such a policy, how we engage the development community in that process, and that we consider the impact of all impending changes that we have on the table regarding affordable housing that affect the development community that. Includes our floor area ratio incentive bonus program in the comp plan for affordable housing, and also a proposed linkage fee for affordable housing this. Resolution simply asserts or commitment as a city council that during any consideration of the inclusionary housing policy we would engage in a communitywide data-driven discussion that would include the development community as well as affordable housing experts and advocates. Further that, a panel of housing experts with representation from the development community would be expected to advise the council throughout the discussion of an inclusionary housing ordinance. I urge support of this resolution and hope for good things today in Salem.

Fish: This is a four fifths matter, it's a resolution. We are going to vote on it today. Karla, has anyone asked to sign up on this?

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

Fish: Seeing that will you please call the roll?

Fritz: Commissioner Saltzman thank you for your leadership on this, I didn't know today was the big day. It's great it got on the council agenda at least to give the heads-up to the development community last week that we were hoping to do something. We didn't have a quorum to be able to do that. I very much support a fair deliberative data-driven community discussion of almost everything we do.

Saltzman: That the you'd like that.

Fritz: Yes, indeed. It's very fair that we continue to do this. Thank you, aye.

Saltzman: I want to thank Senator Michael Dembrow for all his efforts in Salem on behalf of lifting the ban on inclusionary housing. I was to that I sarah zahn and mike dane of williams and dane development for their supportive efforts on the bill. They have testified in front of the legislature and both went down and met one on one with several key senators. I think they will make a difference. Aye.

*******:** Commissioner, if I could, just a clarification. While this matter was introduced last week as a four fifths, it was put on the agenda this week by.

Saltzman: So this is a stand-up resolution.

Fish: Thank you. You're free to vote your conscious, Steve.

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Novick: Well, in that case, I appreciate the hard work on this critical issue. And yes, of course, I would expect that we have a fair, deliberative data-driven discussion of enabling ordinances, and I particularly look forward to the discussion of what models have worked particularly well in other communities. Aye.

Fish: Aye. Matter passes. Two items left. Karla, item 139, please.

Item 139.

Moore: Apply for a grant from the Oregon office of emergency management on the amount of \$30,000 for the implementation of a damage assessment application for the city.

Fritz: Did we get our presentation on this before?

Novick: I think this was originally scheduled through the consent agenda. Staff is here prepared to give a brief presentation on this project.

Fish: This is the kind of coaching I need on a regular basis. Thank you, colleagues. We have a presentation on 139.

Timur Ender, Commissioner Novick's Office: Good morning, I'm emergency management policy advisor for commissioner Novick. This is a collaboration between the bureau of technology services and the Portland bureau of emergency management for a collector app, which is for post disaster inspection and assessment. What this does is after a disaster city bureaus go and look at their facilities and report back to yvoc, it is city's clearinghouse for disaster reports. Inspectors will go out and rank red, yellow, green on this app that. Get to show at the ecc in east Portland where the most disaster-prone areas of the city are. And so based on exercises done last year we realized there were two issues with the app. One of them is when there's multiple users it kind of freezes. The other one is after an earthquake or a disaster internet may not be available so. There's issues with uploading. So what this funding would do is provide funding for programming which would allow users and building inspectors from city agencies to hold that information in the app until there's internet available, and then they can upload that to the web eoc when internet becomes available. It would address the issue of multiple users so the app wouldn't freeze. And so this is a \$30,000 request from the state office of emergency management and there's no required matching funds. I'm happy to turn it over for questions.

Fish: Forgive me for asking this, but is this your first official presentation to council?

Ender: It is.

Fish: Well done. Colleagues, any questions? Anyone signed up to testify, Karla? I did not have a sign-up sheet for this.

Fish: This is an emergency, please call the roll.

Fritz: Commissioner Novick I very much appreciate your staff attention to the office of emergency management, it's an important function we need to have a lot of focus on. You've been a champion it for and continue to be so. This is an important application because it essentially looks at the worst case scenario and how do we get the city back online as quickly as possible. Thank you for doing it, aye.

Saltzman: Aye.

Novick: Thank you, commissioner. I appreciate the whole council's support to use the word commissioner Fish points out is the word of the year, resilience. I didn't realize that was your first official presentation, thank you, commissioner Fish for noting that. I'd like to thank you for using the word encourage instead of the nod word incent from a previous item. Aye.

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Fish: Aye. The item passes. 140, Karla would you please read that. Second reading vote only.

Item 140.

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

Fish: Aye. [gavel pounded] colleagues, we have one time turn at 2:00. Commissioner novick, it's scheduled for an hour. Is that about what you're expecting?

Novick: We hope that'll be about right. Actually we expect testimony from folks in the community. We have a number of folks for -- expected testimony. I think it might take about an hour. I won't promise, it might spill a little over that. I suspect it'll be less. We've got a range.

Fritz: I'm guessing from the volume of input I've received, that if folks are able to get away at 2:00 on a Wednesday there may be a lot of folks wanting to give us their input.

Fish: Thank you all. We're in recess until 2:00.

At 11:41 A.M. council recessed.

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Closed Caption File of Portland City Council Meeting

This file was produced through the closed captioning process for the televised City Council broadcast and should not be considered a verbatim transcript.

Key: ***** means unidentified speaker.

FEBRUARY 10, 2016 2:00 PM

Fish: Karla, would you please call the roll?

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

Fish: Before I ask the Clerk to read the matter at hand, I have a little script I'm going to read. Mayor Hales is out of the country and sends his regrets. And as the president of the Council, I have the honor of chairing the committee.

The purpose of Council meetings is the orderly consideration of the public's business. Preservation of order and decorum is necessary for due consideration of matters before the Council. The public is welcome to attend Council meetings, and we welcome everyone who's here today. During the meetings, there will be time-limited opportunities for public comment on the agenda items. Although -- that doesn't apply. We ask you to confine your comments to the matter before us this afternoon. All you have to do is put your name in the record, we don't need your address. And for those of you who have testified in Salem, you don't have to address any member of the Council as you make your comments. If you're a lobbyist, please disclose that information at the start of your testimony. If you are here representing an organization please disclose that as well.

Because we have, I'm told, 30 or more people here who want to testify, each community member this afternoon will be given two minutes to speak in front of the Council. There's a light and buzzer that goes off as you get close to the end, and at two minutes, it starts flashing like crazy and you'll be asked to stop. The reason we ask you to honor the time limits is that we want to make sure we can hear from everybody that's here. If you go over the allotted time, it might present someone from testifying.

If you have a handout with you today -- and probably some of you do -- please give the handout to Karla, our Council Clerk, and she will distribute them to the Council and make sure it's a formal part of the record. And by the way, if you want your written testimony to be part of the record, you're free to email it to us and we'll make sure it goes into the record.

Council rules and procedures are designed to maintain public order and to assure that Council deliberations proceed efficiently and that all those who participate have a chance to be heard. Conduct that disrupts the meeting -- for example, shouting during someone's testimony or interrupting testimony or deliberations -- simply cannot be permitted. We'd ask that you show your support or displeasure with your hands, but not your words. And this technically constitutes a warning that anyone disrupting this proceeding may be asked to leave. With that, I'd like to ask Karla if she could read the sole time certain item that we'll take up this afternoon.

Item 141.

Fish: Commissioner Steve Novick.

Novick: Thank you, Mr. President. Before I ask Kurt Krueger and Lance Lindahl and Teresa Montalvo from PBOT to begin a presentation explaining the rationale behind this vacation, I want to thank the architect of the project associated with the vacation and the

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community members joining us here today. Alan Jones, the architect; Farid Bolouri, the property owner; Lindsay Jensen from St. Johns Main Street; Shamus Lynsky, vice chair of the St. Johns Neighborhood Association; Barbara Quinn from Friends of Baltimore Woods; and John Teply, who I believe is in the audience, representing Save Ivy Island. Thank you, everyone, for taking time to education the Council on the street vacation proposal. And again, I want to thank PBOT staff, Kurt, Lance, and Teresa for their work and I'd like to ask them up to give their presentation.

Lance Lindahl, Portland Bureau of Transportation: Good afternoon. My name is Lance Lindahl with PBOT right of way acquisition. Before you today is a proposal to vacate 5505 square feet of N Lombard Street. This street vacation was initiated by the Bureau of Transportation on behalf of property owner, St. John 5 LLC and its owner, Mr. Farid Bolouri. A mixed use commercial development with apartments will be constructed on their parcels to the north. All of the right-of-way being vacated will revert back to them and become taxable property.

This project includes 103 market-rate apartment units and 24,000 square feet of ground floor retail and office space. A total of 89 parking spots will be constructed, with all but 13 of these located underground. The project also includes 126 bike parking stalls and two formal pedestrian plazas with a total of 9535 square feet that will be constructed at the developer's expense and open for public use.

The existing landscape area at this intersection known as Ivy Island will be removed to make room for the reconfigured N Lombard Street. A new formal pedestrian plaza of comparable size will be built within the remaining public right-of-way, and that is located to the northeast of the current Ivy Island. The existing St. Johns gateway sign will be relocated to this new plaza.

Approval of this vacation will support a number of safety improvements at this intersection. PBOT, ODOT, and the developer have worked together to redesign this segment of street so that it's safer for all modes of traffic. On November 17th of last year, the Planning and Sustainability Commission held a public hearing and voted unanimously to support the vacation. The commission added a condition of approval that a tree mitigation plan be completed and forwarded to the Urban Forester for review. This condition has been met. Nine black locust trees with a total of 77 caliper inches are currently located within Ivy Island, and these will be removed during construction. Per Urban Forestry, new street trees being added will satisfy all Title 11 density requirements for tree planting. At this point, I'd like to turn it over to Kurt Krueger from PBOT development review

Kurt Krueger, Portland Bureau of Transportation: Good afternoon, City Council, President Fish. It's important that I present a little bit of history for this context, both the conversation --

Novick: Kurt, of course we know who you are, but please put your name on the record.

Krueger: Sorry. Kurt Krueger with the Portland Bureau of Transportation. I want to set a little context of why we got here, how we got here today, and then walk the Council through a little bit of legislative history that this Council has with St. Johns. So, if you'll bear with me.

I want to thank the architect and development team that has been overly cooperative with us for over a year. This project came to us -- and I'll give you a site plan to let you orient yourself with the area. This applicant approached the City with the application just about a year ago. One of my new staff, Teresa Montalvo, started her review and came across the St. Johns/Lombard Plan and weighed that project versus

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what's in front of us today and identified that there was a designated public improvement project that was called for as part of the Lombard plan, and that included a pedestrian improvement, a pedestrian safety improvement, potential public plaza, and removal of a slip lane through St. Johns off of N Lombard.

We discussed that internally and decided it would be advantageous to at least call the developer in, have a meeting with the developer, and suggest if they would be willing to slow their project down -- or essentially almost stop it -- while we looked at whether a street vacation was possible. The developer looked it over, came back to us, and said, "I think we're supportive of this. There's a public benefit here. We think this is a good move for us to make."

Knowing that they were supportive, we thought the next appropriate thing to do was to reach out to the neighborhood and main street and business district. We invited them in, and in your packet presentation I've handed out is a sign-in sheet from that meeting last March. There was support there. The applicant continued to work back and forth with the neighborhood and business, district gaining additional support as the project design evolved. Concurrently, we ran the street vacation with the applicant through the City's process that led us here today.

What I wanted to do is walk you through a few elements of the St. Johns/Lombard Plan to see that this wasn't just a crazy idea for PBOT looking for a developer to fix a traffic safety problem. There was an intentional plan that was laid out that was many exhaustive hours of neighborhood involvement putting this plan together that ultimately came to City Council in 2014. It may be difficult to read this, but essentially this is the planned summary for the Lombard plan. One of the things it identified in item number two was balancing some transportation improvements.

I'll read from that. It says, balance of transportation improvements designed to improve circulation and safety of pedestrians, bicyclists, vehicles, and transit users. The improvements emphasize that better pedestrian environment will facilitate traffic flow and freight movement in a way that furthers the area's livability.

This is just an outline describing the St. Johns process to adopt this plan. This came to the Planning Commission before it was the Planning and Sustainability Commission approximately five times. It went to the Portland Design Commission, and ultimately came to City Council for a vote.

Saltzman: What year was that?

Krueger: 2004. This intersection was specifically studied, analyzed in that plan. There were three alternatives presented. I'll present all three just briefly, but the preferred plan is essentially what you'll see today from the developer. It was closing the slip lane, developing a plaza, making an intersection improvement, and making it safer for pedestrians. This was identified as the preferred option as it was the most safe improvement from a pedestrian's standpoint.

Two additional alternatives were considered. And I won't dwell on this, but I wanted to mention in the language that you can't quite read at the bottom describes that these alternatives are not as safe for the pedestrian as preferred alternative one. There was still a concern about pedestrian safety in those two plans.

Further into that St. Johns/Lombard Plan, it talks about transportation actions and the timing that result moving forward. Obviously, you guys are aware of PBOT's financial struggles and limited dollars to move capital projects forward, but at the time, it was identified that this intersection improvement would occur within five years of adoption. That would have been approximately 2009.

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Again, here's additional language that talks about implementing tools for the specific -- I won't read from this but it again it describes the importance of making these pedestrian improvements and maintaining orderly flow in the area.

Real quickly, this project also went through the City of Portland's Bureau of Development Services design review process. This is a Type II application, it was a staff review. Notice went out to the neighborhood. There was a reason for a second notice that went out later last summer. It went through design process, comment period was opened, the site was posted, notification went out to property owners surrounding the area as well as the required neighborhood district coalition and business district.

That's essentially my presentation. I'm happy to take questions now or if there are questions will certainly arise from the testimony today. Again, I want to reiterate that this developer -- every time a question had come up or a new ask came forward, including signal reconstruction, as we discussed this as ODOT, the applicant has said, yes, and yes, yes. And I can tell you -- in my day-to-day operations, that is a rare thing that we see that much of a willingness from a developer to stall a project and accept asks of the City.

Fish: Kurt, we have about 30 or so people that want to testify. I understand we have another panel. My intent is to have us keep a running list of questions that come up and then ask you and your team to come back at the end of the testimony to answer questions of the Council. Thank you. Commissioner Novick? Dan?

Saltzman: On that left slide you had appeal in parentheses, Multnomah County. What does that mean?

Krueger: The applicant can talk to this a little more than I can. There were some issues around shared parking with the library adjacent to the site. And so that issue had not been worked out and resolved, and unfortunately, an appeal was filed until that issue was resolved.

Saltzman: OK.

Fish: Thank you.

Novick: Can you elaborate a little on the pedestrian safety issues you see with the current configuration?

Krueger: Certainly. I can say in full disclosure, the City of Portland in today's way of designing streets would never have designed an intersection like this today. This was a slip lane that had a streetcar component many, many years ago, but essentially it is a slip lane off of a state highway on Lombard. There is no safe pedestrian crossing across that side of Lombard if you are a pedestrian continuing along Ivy Island across the street to the north and along Lombard. You're exposed to vehicles that may exit Lombard at whatever speed they may be at Lombard because they're not controlled at an intersection. So, this proposal actually removes that slip lane and forces pedestrians to remain on a designated built sidewalk to an intersection with a controlled signalization that makes it safe for pedestrians to cross.

Novick: Thank you.

Saltzman: Could you just define what a slip lane is?

Krueger: Um -- how would I describe this?

Saltzman: Is it a shortcut?

Krueger: It's almost like an off ramp. I hate to compare to it, but if you were on I-5 south and wanted to take an exit off to 217 or any other interstate, that's what you would do. You would take an off ramp exit. That's the way this functioned. Actually, I should importantly note that James John Elementary School is just immediately adjacent to this site. Vehicles

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that leave Lombard continue on past this slip lane across the intersection before they reach a stopping point for pedestrians to cross.

Saltzman: Thanks.

Fish: Thank you.

Fritz: I have a question about the Planning and Sustainability recommendation regarding withdrawing the northeastern portion of the vacation area from the proposal. Could you show us on the map what was meant by that? What was the previous proposal?

Krueger: And probably it's maybe better described from the applicant. There were some private negotiations that were occurring. So, there were originally two proposals, two street vacations proposed with this application. There was an adjacent property, who is not part of the vacation today, who would have likely have been the beneficiary of some of this land reverting back to them. In all of our years of doing street vacations, it's usually very clear who would retain -- or where the property would return once vacated. And a lot of hours of research both in our right-of-way section and with the County, we could not quite definitively determine who would get what piece of land back. And so there were negotiations. There was a private sign in this right-of-way that were part of the negotiations, and that negotiation fell apart as this project moved through the Planning and Sustainability Commission. So, it was in the best to withdraw that piece of the application and let it remain in the right-of-way.

Fritz: It's not clear which bit was withdrawn.

Lindahl: It's a triangular area on the right-hand side of the project on the west -- or is it the east?

Fritz: Is that on exhibit three, the second triangular shape?

Krueger: We actually didn't call it out. You can see the cursor here, it's essentially in this area right here.

Fritz: So that one will stay in -- [speaking simultaneously]

Krueger: -- remains right-of-way.

Fritz: Is there some kind of a covenant? Is there anything to restrict -- that the vacated area will be a plaza rather than be covered with a building?

Krueger: So, they could not -- they would have to apply for a permit to build a building on the right-of-way, which we would not approve.

Fritz: But in the vacated part, it's not right-of-way anymore.

Krueger: Correct, so --

Fritz: So is there anything to stop a building being built or the applicant from changing the footprint of their proposed building to now take advantage of the vacated area?

Krueger: Yes, and I think --

Fritz: How do we know we're going to get a plaza, in other words?

Krueger: I think you'll see that in the development proposal that's going to come alongside this. They've got exhibits showing the public plaza. It was conditioned as part of the design review applications. We've got the tools necessary to implement the plaza.

Fritz: So it doesn't need to be a condition -- well, wait a minute, though. Supposing they then withdrew that plan completely and they've got the street vacation and they come back with a different plan that's got building all the way to the edge?

Krueger: They would have to go back through and amend their design review approval right now, because that design approval is --

Fritz: Right, at that point -- [speaking simultaneously]

Krueger: -- contingent upon --

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Fritz: -- it would get in the way of the right-of-way, right? Is there a way to condition the street vacation on it remaining plaza rather than building?

Krueger: May I take that question back and think about it as we're taking testimony?

Fritz: Thank you very much.

Fish: Steve?

Novick: Thank you. I believe the first presentation of invited testimony is from the architect, Alan Jones.

Alan Jones: Hi, Alan Jones, Jones Architecture.

Farid Bolouri: Farid Bolouri, owner, developer.

Christe White: Christe White, land use attorney for the developer.

Bolouri: I want to thank you for your time. We applied for an early assistant about a year ago, and the original plan did not include any vacation. And then the City approached us and asked if we were willing to listen to the St. Johns/Lombard Plan and redesigning, basically, the entire design that we had earlier on. After thoughtful consideration, we decided that's a good idea and we decided to go with the vacation. We've entered the drawing board, and the new design you see is what we have come up with.

Working with PBOT and the City of Portland for over a year, we considered the public and safety improvements that this project is going to bring to the neighborhood. You might ask yourself, why would the developer want to go through the headache of vacation and postponing a project for a year? It makes our project a better project. It helps the neighborhood, and I'm not your typical developer who builds and turns it around and walks away. We took a lot of pride in this project, and I think it's going to do really well.

We have numerous meetings with the neighborhood association and also with the business association. Numerous meetings -- I think we had a total of four meetings. A lot of people came in, they gave us great ideas. and we tried to incorporate those ideas into our plan as best as possible. We have letters of support from the business association and also from the neighborhood association. And all the cost is going to be paid by -- by me, if you will. And that's pretty much what I would like to say.

Jones: Kurt and Lance did a great job of showing you the site, but on your screen there's a --

Fish: Could you put your name in the record, sir?

Jones: Alan Jones, Jones Architecture. There's a site map, or a context map, an aerial photograph on your screen. The site -- as Lance mentioned -- is right at the intersection where Highway 30 or Lombard Way, as it's also known, meets Lombard Street of downtown. So, it really is a gateway site, it's the entrance into St. Johns. Also noted on this slide, we've labeled James John Elementary School and Multnomah County library is directly to the north.

As Kurt and Lance mentioned, we are implementing a portion of the St. Johns/Lombard Plan. This intersection has three objectives to it that we took directly out of the St. Johns/Lombard Plan. The first objective is a stronger gateway to the business district, number two is to calm traffic, and three is to enhance safety for pedestrians and children crossing Lombard.

There's two key pieces to that. There's a public space piece, which are the plazas we talked about, the plaza on the corner and then the secondary that will be built under the encroachment permit. Then, there's the public safety pieces, which are the reorganization of the intersection which involves four new traffic signals and new pedestrian crossings.

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I took a couple of quotes here directly out of Lombard Plan that we think really applies to this. As was mentioned, the traffic island was from an earlier era. It was more of an auto-centric world, so to speak. It really was a slip lane, really is a slip lane, it is like a highway spur. It's about the automobile, buses, and trucks leaving the highway as they enter into St. Johns. What St Johns/Lombard Plan aimed to do was to extend the pedestrian district all the way to Highway 30, to build a stronger sidewalk system, and to put plazas on the corner, and to mark the gateway into St. Johns.

So, a couple of quotes here are pedestrian-oriented retail centers linked by tree-lined sidewalks featuring attractive housing land uses that serve the peninsula. It's also a place where people are comfortable walking on streets and spending time in public spaces. Its appealing sidewalk environment is essentially made by small community gathering spaces, an array of retailers, restaurants, and services. And at the bottom here, we understand one of Mayor Hales' priorities is to develop what he calls "complete neighborhoods." So, we think implementing this piece of the St. Johns/Lombard Plan is an opportunity to do that. It really completes St. Johns and extends the district to the east all the way to Highway 30. It makes a strong entrance into St Johns, increases public safety, rebuilds the neighborhood, and provides an opportunity for public space.

This slide shows the vacated area. As Lance mentioned, it's 5005 square feet. I'll talk about some of the specific safety features first. As you can see, the slip lane has arrows that show the slip lane or the highway spur that come westbound off the Lombard Way or the highway into St. Johns. Currently, traffic leaves St. Johns eastbound heading one way out of St. Johns back to the highway. The slip lane and that one-way eastbound are separated by a traffic island. What the vacation would allow is that traffic island to be relocated, pushed to the north, and attached to the block that's to the north so that we could make a public plaza on the corner and we can rebuild the intersection and put in pedestrian crossings.

So there's two diagrams here. These are traffic diagrams. The diagram on the left shows there's red boxes on these diagrams that indicate intersections or the traffic signals. In the existing condition, the first intersection you come to is west of James John Elementary School. So, cars, buses, and trucks leaving Lombard Way or the highway pass by this site through the slip lane, they speed past James John Elementary School before they come to any kind of traffic slowing measures whatsoever. On the right is the proposed plan with the rebuilt intersection with a dedicated right-hand turn lane, a new bike lane, and pedestrian crossings. So, fast-moving traffic stops at the new intersection and then moves in a slow rate of speed as the site as it enters St. Johns and past the elementary school.

I have three photos taken recently, and these were taken at about 3:00 p.m., after school gets out at James John Elementary School. This first image is a pedestrian that's peeking around the slip lane trying to evaluate whether he has time to dash across the street between cars because there are no pedestrian crossings whatsoever at this point.

This slide show as father and daughter leaving the elementary school heading across Lombard. If you look behind the bus, there's another pedestrian back there with a red arrow over him that's also kind of bobbing and weaving through traffic, through vehicles that are going in four different directions here with no pedestrian crossings. A mother and a daughter running across the intersection, and then the green arrows show cars moving in three different directions.

So, the new intersection will have -- the arms that are indicated in red are new traffic safety poles that have new traffic heads on them and all of the expense of this is at

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Mr. Bolouri's expense, and it's quite an expensive endeavor. But putting up new signals on all four poles. In addition to that there's new crosswalks that cross over both the highway and Lombard Street. New pedestrian poles with buttons to push to cross the streets.

Next, I'll talk about the public space. This is the ground story or the site plan for the project. It is a mixed use building. It is a four-story building. The ground story has approximately 20,000 square feet of flexible space in it. It's broken down into small increments that could be used by local retailers, restaurants, and cafes. There are also opportunities for some office space. But the important thing about this slide is it shows the three plazas. There's the plaza on the corner which we've labeled plaza one, where the building is pulled back. The building is broken down into three modules so it's not a big monolithic building, it's broken down into individual bays. Those bays pull back at different steps from the sidewalk in order to make plaza one. Plaza two is the area that was described as the right-of-way encroachment development. Courtyard number three is on private property.

When he we went back to the drawing board originally, the building was a completely different shape and configuration. We completely reconfigured the building to open up to these plazas, and we created this courtyard plaza that opens up to plaza two. In total, there's 9500 square feet of new plaza area completely open to the public, no barriers to entry of whatsoever. That's nearly twice the vacation area.

Fish: Sir, off this proposed site plan, where is the access to the parking stalls?

Jones: So on the top left -- which would be the north corner -- off N Charleston, there's an area there in yellow which is a ramp to the basement. So, we worked closely, Kittelson got involved, we looked at the trip generation to make sure that location would be OK.

Charleston is the site of the project that's has the -- you know, it's the furthest away from the public streets and was identified as the best place for a driveway.

Fritz: If we move from that slide, plaza two is still public right-of-way, right?

Jones: Correct.

Fritz: So, what is the plaza area without plaza two?

Jones: I have a slight I can flip to next that'll show you that.

Fritz: OK, well before you flip to it, where do you envision the "Welcome to St. Johns" sign going?

Jones: On plaza two. We've been working closely with the Boosters, the group that owns the sign. The thought being that currently, the St. Johns sign is on the traffic island, so kind of after you arrive in St. Johns. The great thing about this opportunity that the St Johns sign comes prior to the intersection on that plaza. It'll be in the right-of-way on plaza two.

So, here's a slide that shows you a little more about plaza one. Before I start here, I'll say that we had a long dialogue and worked really closely with Jeff Mitchem, who is the planner on this project for BDS. And there was a long discussion about how large this plaza should be. And in the CS zone, 50 percent of the building is required to be directly on the sidewalk. We only have one-third of the building on the sidewalk, so we had to seek a modification to push the building back in order to create this plaza, which obviously was a good modification to get. But there was a discussion just about how far the building should be pushed back. And what was proposed and what was approved is 40 feet from the curb at the corner, and then it steps down at the next module to 28 feet.

Fritz: How wide is the sidewalk?

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Jones: Sidewalk is 12. So this plaza, not including the sidewalk, is 3190 square feet. This is a rendering of plaza one from the intersection. You'll see that we're showing a piece of public art, there's room for public art on the corner. We also have benches and planters to help buffer because there is a lot of traffic on Highway 30 and on Lombard at this point, and the thought is that in order to make pedestrians comfortable on the plaza, we need a little bit of buffering. So, there's concrete planters with benches on them, and the courtyard.

Plaza number two is the area of the right-of-way encroachment. That's 2815 square feet. The courtyard plaza -- which is entirely on private property but is completely open for the public to use -- is 3500 square feet.

We had four meetings -- as was mentioned by Farid -- with the neighborhood association. Well, two meetings with the neighborhood association and two meetings with Main Street, and there was a lot of discussion about the design of these plazas. What was finally concluded is that there was a desire to have this as flexible as possible so that, ideally, there would not be a lot of built pieces in the middle of the plaza so that it could be used as a Saturday market or other things. So, we've kind of buffered the perimeter of it with trees and planters and benches in order to buffer the street but left the center as open as possible. Here's a rendering of plaza two and the courtyard, showing one potential use with farmers market type tents.

As was mentioned, there was a tree mitigation plan that Urban Forestry looked at and approved. There are a total of nine trees on the traffic island, as Lance mentioned. They are black locust, total of 77 caliper inches. We are proposing to put back 32 trees. We have as many trees as possible. We've worked with PBOT and ODOT to put as many street trees as possible around the site, as well as a lot of new trees in the plazas and the parking lot. So, that wraps it up. This rendering shows the new St. Johns -- the location for the new St. Johns sign in that plaza.

Fish: I'm just curious -- you mentioned that the developer was going to put some, quote, "public art." We tend to think of public art as art that the Regional Arts and Culture Council or some body places. Are you referring to just a piece of art that he's going to acquire and place in a public right-of-way?

Jones: Yeah, we're not proposing to go through the RACC process on this. We're proposing to put a piece of art in that area.

Fish: And you have a restaurant penciled in there as a potential use in the mixed use. Is it part of your plan to potentially allow them to have outdoor space, outdoor seating in the summer?

Jones: We think it would be ideal for the public to coexist with restaurant use on that plaza. The plaza is large enough to have at least one line of tables that are up close to the building. We think the building can activate the plaza, and the sidewalk can activate the plaza as well and that it all would work together. But the intent is, yes, that there hopefully would be some room in that space for a few tables and chairs for the restaurants.

Fish: And does this rendering, which you've given to us -- does this reflect decisions which the developer made about the kind of brick, the color schemes, and the design?

Jones: This is what's been approved by design review. So, there are three colors of brick on the building. It's a very high-quality building with nice materials. It's all brick, nice windows, nice storefront.

Fish: Colleagues, questions? Steve, do we have another panel?

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Novick: We do. But before that, Christe, I have to tell you that Kurt Krueger wants to discuss with you a potential amendment to the ordinance in order to address Commissioner Fritz's concern, and I hope you can reach agreement on such a thing.

White: Yeah, no objection at all.

Novick: Oh, you already know what it is?

White: I'm imagining what you want to do is some extra condition that ensures it retains plaza.

Novick: OK. Ideally, if the two of you can agree on some language before we get through the invited testimony so we can put the amendment on the table before we get to public testimony.

White: Sure.

Novick: Thank you.

Jones: Thank you.

Bolouri: Thank you.

Fish: Thank you very much.

Novick: Next panel is Lindsay Jensen, Shamus Lynsky, and Barbara Quinn.

Fish: Barbara, if you come to one more hearing this week, you get a door prize.

Barbara Quinn: I was just saying that -- I know, this is two days in a row.

Fish: Who's first?

Lindsay Jensen: I'll go first. My name is Lindsay Jensen, I'm the Executive Director for St. Johns Main Street. I'm here to show our support for the street vacation of the traffic berm.

We are intimately connected to this space, because our office is located at the corner of Lombard and Charleston and because we've also been the primary drivers behind the revitalization efforts of this island. Daily, I count of number of honks and sounds of screeching tires outside of our office. We're so excited to have safe crossings for our volunteers and for our staff. I know our neighbors directly connected to the traffic island also feel the same way. They want the traffic berm gone.

The berm is an auto-centric gateway to our business district, and it was designed in the '70s, an era that valued cars and automobiles. It does not promote walkability and invites cars to barrel into our downtown business district at dangerous speeds. We have a unique opportunity for a private developer to invest in our neighborhood and to create a vibrant, active, and pedestrian-centered gateway that features useable public space, trees and native plants, and our iconic St. Johns marquee.

The reconfiguration would enliven of our side of the business district, which currently feels a little dead, quite honestly, with fewer businesses, less activity, and fast-moving traffic. I just don't see how keeping the traffic berm would help these issues and enliven that space.

This is such a great opportunity to fulfill the City's vision of creating complete neighborhoods and enhance our main street area. So, so much planning and time and thoughtful consideration has gone into reimagining this intersection. Between the time spent on the Lombard plan and recent community meetings where the developer met and sought input from the community, there have been ample opportunities to weigh in. My heart slightly sinks thinking about how much energy has gotten into fighting this proposal, particularly in the eleventh hour. I appreciate the passion and creativity but would much rather see our neighborhood up in arms about affordable housing, something that would directly combat displacement in St. Johns. This development is positioned in the URA and could qualify for the new MULTE program at the Housing Bureau. If you as a Council are

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going to push back or leverage this vacation for additional community benefits, I would urge you to put affordable house on that agenda.

Fritz: Commissioner Saltzman's eyes light up. [laughter]

Fish: Thank you very much.

Barbara Quinn: Good afternoon, thank you for having me here. My name is Barbara Quinn, I'm an activist in St. Johns -- long time. I worked on the St. Johns plan in 2004. That was three long years of many, many hours planning. The reason we worked on that so hard was because we wanted to avoid conflict in the future and have a vision that we could develop in the future the way St. Johns neighbors would like. And prime among our considerations was the development of a pedestrian district -- a pleasant, safe place for people to walk and visit shops and see into the corridor. The reason we came up and suggested a removal of the blind curve was mainly for safety, but also a reconfiguration that would allow drivers to see into the corridor and actually see our shops and help the pedestrian district could develop.

This plan was fully vetted in North Portland among all the neighborhood associations, all the existing business associations, including the St. Johns Boosters who had a representative at our meetings. There is no way to address safety with this blind curve without its removal. There's just no good way to make a blind curve safe. People just can't see people crossing until they're 20 feet from them and they're zooming off of that main corridor at a pretty high rate of speed. So, safety is the first and most important characteristic of the pedestrian district. Beauty and design don't count as high as safety, and we need that. The adjacent school makes it even more important.

If St. Johns is going to become more dense, density should be located in the town center to help the shops. That is one of the things that came up during the plan. We don't quite have enough density to support an 11-block main street.

Removal of Ivy Island should not be an icon for gentrification. Gentrification is a huge and important issue in our neighborhood that needs to be addressed, but this is about safety and this is about a development that fits the St. Johns plan. I'm thrilled because I think the plazas are going to be a real plus for the neighborhood. They are going to look good. I think there's a lot of interest in eating outside near the shops now that didn't happen 10 years ago. There was nobody who wanted to be outside in St. Johns 10 or 15 years ago. So, it's a really positive thing for us.

The developer and architect did inquire about providing some native trees for the Baltimore Wood corridor in St. Johns, and it turns out our partners said we are maxed out. They at least tried to reach out to us, and we appreciated that.

Once again, I just really feel that without -- if we could get past the polarizing language here, it's possible there could be some kind of discussion and communication. This project could possibly become better if both sides could talk to each other. Without the polarizing language and a discussion with the developer, I think some of the qualities people really like about the island could possibly be moved to these plazas. And I think that would be a real plus. Things like that have happened in the past in St. Johns. It has happened, and sometimes things end up being better. That's my hope for the project -- that this energy will move it forward in a better way.

Fish: Thank you very much. Welcome.

Shamus Lynsky: My name's Shamus Lynsky, and I'm involved in a lot of groups in St. Johns, including vice-chair of the neighborhood association. I'm here today to urge City Council to approve the street vacation at N Lombard and N Richmond.

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There's been a deep history of public outreach and public involvement in this project, first with the original St. Johns/Lombard Plan that was years and hours and hours of public time, volunteer time, and these are the safety improvements that are called for in the St. Johns/Lombard Plan. This is the preferred treatment of that intersection.

The safety improvements here are consistent with City Council's own Vision Zero. The developer presented to the neighborhood association this specific design two times, he presented with groups organized by Main Street two times. It's been discussed and discussed and discussed. The community members and attendees showed overwhelming support for the improvements. The developers have been very cooperative and open to feedback. And, you know, the bonus here of course is that the developer is going to pay for these improvements, so it's saving the taxpayers a lot of money.

I understand those in opposition to the street vacation are anxious about growth in St. Johns, about rising rent, home prices, about traffic safety and traffic congestion. I share those anxieties. But I've observed that a lot of the language that's against this specific street vacation for this traffic island gets confused with the sort of anti-development and anxieties of large buildings and increased traffic. They're separate issues. So again, I'd like to urge City Council to approve this street vacation so that the neighborhood could focus on those more important issues. Thank you.

Fish: Is that your last panel?

Novick: Yes, it is.

Fish: Thank you all. Commissioner Novick, I've just conferred with your PBOT reps. They are in the process of wordsmithing some language. They are confident they will get an amendment. They would like a little extra time to get the wordsmithing. So, I'm going to suggest we will effectively treat the amendment as being on the table. The proposal we will be taking up is to have a covenant. There's some legal language being worked out. If anyone would like to testify about whether they like that idea of some restrictive covenant on the plaza, please address that item. When the amendment is drafted, we will bring it forward this afternoon for consideration.

Novick: And that's OK with the City Attorney to approach it that way?

Fish: Yes.

Novick: OK.

Fish: Karla, how many have signed up?

Moore-Love: We have 27 left now.

Fish: 27. We're going to ask everyone to try to stay within two minutes. For those who may be first-time testifiers -- and I know we have people here that have been here before -- I just want to say that this Council is very interested in what you have to say. We rarely make a decision based on, you know, the fact that 20, 30 people say the same thing, the identical thing. So, what we would encourage you to do is if you have a strong view one way or the other, state it. If there's something you want to highlight -- you're free to testify to anything you want, but in the time we have together, we'd like to hear as many interesting and different ideas that you have to say. But you'll have the full two minutes. We'll call people up in groups of three. And let's take our first three.

Moore-Love: The first three, please come on up.

Fritz: For those who might not have testified before, at 30 seconds, you'll get one beep as a warning, and at two minutes, the beeper will start going off. There's a clock in front of you that will go off.

Fish: Sir, why don't you start us off?

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Peter Brown: OK, yes. Hello, my name is Peter Brown, I'm a resident of St. Johns and I'm here to speak against the proposed vacation of Ivy Island. The first thing that I'd like to speak to is what I perceive to be a lack of public awareness that Ivy Island may be given away and developed. In my very limited free time, I've gone door to door in my neighborhood asking whether people would like to sign a petition to preserve Ivy Island. I talked to well over 100 people. Overwhelmingly, people have no idea that the public land might be given away.

Since the demolition at the adjacent corner, many folks have some idea development is coming. Most don't know a four-story building is going to be built. None of them know if Ivy Island is vacated, the proposed four-story building is going to move on to and occupy much of Ivy Island -- what is now public green space. At that point, they usually grab the signature petition out of my hands so they can sign immediately.

As a consequence of this experience, I would like to say that the endorsement for this project of St. Johns Main Street and the neighborhood association is not representative of the community of St. Johns, the 15,000 or so people that are immediately affected by the loss of the island. It's more than the 10-person board of the neighborhood associations that has decided to send the letter supporting the proposed vacation.

The second thing I'd like to mention is how the St. Johns/Lombard Plan has been used to justify the vacation of Ivy Island. The Lombard Plan was developed with extensive input from the St. Johns community as well as the City. The point I'd like to make is how different the proposed development is from the Lombard Plan. I can just kind of hold these up. The only real similarity is that the slip lane would be removed. If you look at the image from the Lombard Plan and the proposed plan, they are strikingly different. The Lombard Plan envisions a large open plaza with ample tree cover and easy pedestrian access from east to west. Specifically mentioned in the Lombard Plan are improved sight lines into the commercial core and pedestrian walkability. The proposed building would cut off the sight lines that currently exist into the commercial core and make east-west pedestrian use more difficult. I urge the Council to vote no on the proposed vacation of Ivy Island. Thank you very much.

Fish: Thank you very much, sir. Welcome, and may I say I like your T-shirt.

Brown: Thank you.

Fish: I'm sorry, I like your T-shirt, too --

Fish: Oh, you liked her's better!

Fish: I like to volunteer with Depave, so I was just --

Betsy Valle: Yes. Ivy Island is a special green place for the people in St. Johns. It's named for the ground cover of English ivy that once covered it before University of Portland students and local citizens re-landscaped it with native plants and Oregon grape, but no ivy. Most importantly, there are nine mature trees -- not native trees, but black locust with their leaves that allow sun to easily filter through. The leaves fall to the island, decompose, and there is no cleanup problem.

The island is slightly hilled, not flat. Approaching it, you can see a view of the St. Johns Bridge over the roof of Safeway on your left, and on your right you can see into the heart of downtown St. Johns.

The island hosts one of three 45-foot "Welcome to St. Johns" signs. They tell us about school fundraisers and so forth. They are easy to read because it's at an angle to both lanes.

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People need nature because it helps to heal the stress of urban hardscape. A couple of blocks from Ivy Island at St. Johns elementary school, parents, kids, and businesses worked hard to dig up large sections of blacktop in the playground and re-pave, with the help of Depave -- which the City supports -- and plant native trees and bushes. I worked for Friends of Baltimore Woods for six years and saw hundreds of volunteers in that corridor remove nonnative plants and replant and care for native ones, with the guidance of SOLV, also supported by the City.

On Ivy Island, we already have such a slice of nature. I believe the people of St. Johns will think it a poor trade to transfer public land to a private developer when they see a four-story condominium in place of the island exchange. There is talk of building a plaza, but plazas are concrete, and we already have two. I have faith that PBOT can calm traffic in a two-block area when I see Linnton across the river that went from 50, 60 miles per hour traffic to 35 miles an hour without stoplights. As St. Johns becomes more vertically developed, the value of this small piece of green open space will only increase. Give us pride in the place that we live and remind us of the mystery of nature. Thank you very much.

Fish: Thank you very much. Welcome.

Barbara Adamski: Good afternoon, President Fish, Commissioners Saltzman, Fritz, and Novick. Thank you for the opportunity to speak today. My name is Babs Adamski, and I live in St. Johns neighborhood. I'm testifying today in support of the vacation of the public property that's located on Lombard Street between Charleston and Richmond. I support this vacation to Farid Bolouri specifically because of the traffic improvements that will be paid for by Mr. Bolouri's development company in crossing traffic at N Charleston at Lombard.

The intersection is extremely dangerous whether you're on foot, on a bicycle, or in a car. The slip lane diminishes the sight line, and as illustrated earlier with slides, it's a very questionable thing to even attempt it at that point. Additionally, bus riders who de-board the TriMet 75 on the east side of the development at Richmond heading south when they get off the bus -- even at the beginning of that slip lane, it's angled in such a way that decisions are difficult to make for our driver who is headed west. And I have stood with an auditor from the national highway safety commission who's looked at that and said that that is unsafe in that circumstance as well.

I understand the complexity the issues involved with this development, but I feel strongly that it is particularly a safety issue. I've obtained 77 signatures on my own as I stood at the corner of Charleston and Lombard, and then just before today's meeting, some other signatures were given to me that were collected by businesses in that area. Thank you for your conversation of this matter specifically as a safety issue.

Fish: Thank you very much, thank you all. Karla, let's take the next three. Welcome. Do you want to kick us off?

Kanchan Gokhale: Thank you. Hello, my name is Kanchan Gokhale, and I'm a resident of St. Johns and I'm here to testify against vacating Ivy Island. My husband and I moved to St. Johns four years ago because we fell in love with the character, and St. Johns is a complete neighborhood is what I felt with a gateway, a downtown, and a business district. And the downtown also has space for a beautiful farmers market.

About a month ago, I learned there is a proposal to vacate Ivy Island and give it to the developer to extend his building into what is now a public space. What this will do is it'll block the view of the main street into St. Johns and it'll destroy the gateway to St. Johns. When I heard this, I was really horrified. And the only way I found out about this is

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because I saw some people standing there with signs. There was no other announcement that I heard about this.

When I learned about this, I tried to find out what prompted this and I learned it was safety and the Lombard plan. When I comes to safety, I went and looked up this Vision Zero map that mentioned earlier, and this intersection -- the intersections are represented as little circles. And this one is a tiny little circle, and there are so many others which are way bigger which identify the areas which have high risk. And this circle is not even close to some of the other ones in St. Johns. And also, if this was really a danger issue for safety, it hasn't warranted high enough signage in that area.

Lombard Plan talks about one to three-story building maintaining the identity and character of St. Johns. There is no mention of giving up public space. It shows a plaza instead of the building. I also went door to door, and none of the people I spoke to except for a few didn't even know this was being considered, that Ivy Island would be vacated. I think if this happens, there would be a public outcry and people not aware of what's going on will be really shocked if there are bulldozers on Ivy Island. I really encourage you to vote not to give up the space and keep our identity and character. Thank you very much.

Fish: Welcome.

Heather Bilyeu: Thank you. Dear City Commissioners, my name is Heather Bilyeu and I am a concerned St. Johns resident. I live very close to N Lombard and N Richmond, the proposed site of the Bolouri development and vacation of public land known as Ivy Island.

Some time ago, while I was a regular customer at Huk Lab, I heard the land and building were being sold and developed. I figured a new curved building would go in like Marvel 29 on the other side of town. Some months later while eating at the local diner down the street, I heard the owner and other customers talking about how now the land was going to be given to the developer in exchange for a traffic light and the slip lane would close and a four-story building would go there. I was very surprised by what I heard because it was different from before. I was shocked and I did not understand why the City would give away prime real estate and block the view of the St. Johns Bridge from the public and close off the entrance to our town. The piece of land is beautiful and for everyone to enjoy.

By then, the Huk Lab was closed and a lot of people in town would ask me about it because I have their stickers all over my car. I would tell them what I heard and ask them if they knew anything. Nobody I encountered knew big changes were set to happen. I met John Teply a few months back he and he let me know -- I met him a few months ago and we happened to talk about our neighborhood and the changes taking place. It was he who let me know in fact it was not set in stone that the land was being given to the developer. I joined with him to help save Ivy Island.

Our group held a town hall meeting to discuss the proposed development. It seemed now that safety was an issue where it had not been before. I live near and use the intersection on a daily basis. I walk, drive, and come from all directions, and I have never felt unsafe. If I truly felt it were dangerous, I would understand. The only thing I learned at the meeting was from the president of the St. Johns Neighborhood Association that the City would never, never, never do any maintenance at that intersection. [beeping]

Fish: Ma'am, can you just wrap up?

Bilyeu: Sure. I do not understand why the City would refuse to do their duty and just give away our land. I cannot support this proposal.

Fish: Thank you very much. Welcome.

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Chloe Frisella Kunst: My name is Chloe, I am a resident of St. Johns and I support keeping Ivy Island.

St. Johns is a valuable neighborhood. It's one of the things that attracts people to our city. Its small-town feel and historic neighborhood, its natural places and natural spaces like Ivy Island with its mature trees -- these are key elements to St. Johns.

From the moment a person enters the downtown of St. Johns, whether traveling over the historic St. Johns Bridge or ushered in by the welcome sign and the foliage of Ivy Island, one feels that they are entering a community and a little piece of history. Ivy Island highlights the small town feel of St. Johns business district and provide easy access.

Ivy Island is a signature gateway in to St. Johns. This new intersection that would go in place of Ivy Island would get rid of our valued green space and it would obstruct the view of the St. Johns business district and of the bridge. This development would be a deterrent to the current feel of St. Johns and has the interests the out-of-town developers in mind more so than the people who made this neighborhood what it is.

I am in favor of saving this historic green space for the good of the neighborhood and for its people. The developers might provide some people with new spaces to live for the time being but this is our character and our history of place. It is our -- it is the character of this place that brought the people to it, and that will be what makes them stay.

Fish: Well done, thank you very much. Karla, next three. Why don't you kick us off?

Donna Cohen: Good afternoon, Council. My name is Donna Cohen and I'm a resident of St. Johns. I'm glad to see there are four residents here who served on the stakeholder committees for the St. Johns truck strategy phase two plan. During that process, we dealt with a lot of pedestrian safety issues, including that of the blind curve. And we need to call that what it is, which is a blind curve. I believe it's unsafe there. I am in that area regularly. I think the reconfiguration, the traffic reconfiguration is going to make the area much safer.

In terms of the plaza, I, too -- I like Alan Jones' terminology of activating that area. That's exactly what I look forward to. Right now, the area around the island, that whole corner -- nothing is going on there. I mean, to me, it's just kind of a dead zone to me. So when I look at the design and I see the possibility of people being able to sit out there with coffee and just hang out there, I think that's going to do a lot for the community.

I do agree and think it's absolutely crucial that it be, in perpetuity, publicly available. That is something that would concern me, so I would want to know that. And I'd like them to take care of plaza and just keep it clean.

Fish: Thank you very much, welcome.

Joe Adamski: Thank you, Council. My name is Joe Adamski, and I, too, am a St. Johns resident and have been active in local and community organizations and groups and efforts for quite a time.

I have been as passionate supporting the vacation as some other voices have been against the vacation. It comes from a point we both care about this place greatly. I don't know that the pros and the con groups speak for the entire community. I think we are a small group, but we have a shared love of the place though I sometimes think we're misdirected hanging on to a piece of something when we're forgetting those other elements of the community such as schools, park, safe sidewalks -- you know, the whole laundry list of the things we enjoy living in St. Johns.

I'm testifying today to support the vacation of the traffic island, I believe the benefits of the intersection redesign and the creation of a gateway far outstrip any concerns about a perceived giving away of land to a developer. This is not a free lunch for the developer.

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The city is gaining the benefit of a needed intersection design. The community is gaining that gateway and that improved pedestrian access to the business district. And the business district is giving another asset in that collective piece of the downtown St. Johns area. So on that note, I think we're kind of cutting off our nose to spite our face with getting into battles. I think as the two different groups, we need to coalesce and find out the things we value. But let's not fight over this vacation. I think it's the wrong thing. Thank you.

Fish: Thank you, sir. Welcome.

Silver Boo: Hi, my name is Silver Boo and I have lived in St. Johns for four years. I moved here because of the small town atmosphere and because of the St. Johns Bridge. I been meeting with the people of St. Johns at Ivy Island to discuss the situation involved with the vacation of Ivy Island. In order to better inform the people of St. Johns, we have been passing out flyers regarding this matter. I have been on Richmond, giving flyers to folks who rolled down their window to learn what we were doing there. Most of these travelers have no idea what's going on with this wonderful oasis from the hurley-burley noise of the surrounding paved roads and brick buildings. The ones who are somewhat informed are outraged that anyone would consider rearrangement of Lombard as it moves traffic easily into the business district and affords the gateway viewing nine established trees and colorful heavenly bamboo among waving grasses and Oregon grapes.

Not all of our citizens know what vacation of Ivy Island involves. Some have heard about it and think the apartments will be built across the street behind a fenced area. They do not get why the City of Portland should give up the space for underground parking. After speaking with many people, the most-asked questions are: Why did they plan the structure without available parking on site? Where do restaurants and other new businesses park? How did the major changes affect St. Johns? Why upset the unique setting this lovely island affords St. Johns? It is our gateway.

Not all the people renting at Marvel 29 park in the underground parking at this building. They park on the surrounding streets and make a lot of people upset. What is wrong with this picture? My big question is, how will TriMet buses be able to go around the corner at Richmond? Just from observing the width of the turning radius they now make, how could they make this turn on a two-way street? I understand that TriMet is making new bus us 45 feet in length. Has that been included in this plan?

It has been said the slip lane was dangerous. I was nearly hit by a car on Lombard a few weeks ago. [beeping] It is possible to put up speed bumps, flashing lights, and create crosswalks --

Fish: Ma'am, if you could wrap up, please.

Boo: That costs a lot less than re-routeing the entire entry into our sweet little river city. Thank you for listening.

Fish: By the way, we are making notes as we're hearing testimony, and the questions that you're posing we'll have a chance to ask staff at the end. Thank you.

Richard Tennant: Hi, my name is Richard Tennant and I'm a member of the St. Johns community. This is my wife, my mother-in-law, my granddaughter, and my daughter. And what I wanted to tell you and inform you today is that I'm a member of the St. Johns Heritage Society, and we were not informed of any of this. I didn't know any of the details of Ivy Island until John Teply raised my attention by an article written in the St. Johns Review. In the article, John explained that others might want to attend a meeting of the St. Johns Neighborhood Association in order to voice our opinions. Susan my wife and I attended. During the course of the meeting, we both felt discouraged because the officials typified this project as being a done deal. I had just learned about the Ivy Island transfer,

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yet it was done deal. I bring testimony to the City Council about the lack of relevant information that would ensure the proper input that might help us build a foundation.

A foundation is a base or basis upon which something stands or is supported. If an architect wants a building to stand, an engineering study must be the first step. In a large project, a foundation is actually begun in the science of planning. The community is both the aggregate and can be the bond if the formula of strength, mass, and informational science is applied. A foundation is also a legal term. The lack of foundation is a valid objection that an adverse party may raise during a trial. I am here to tell you that a proper foundation was absent during the public input avenue during this process. There was a proposal made and a bargain struck that seemed hidden and out of sequence. Someone offered a piece of property for sale in lieu of payment, signal lights.

In any bargain, there is a movement between the seller and buyer and a benefit of the bargain is struck between them. The buyer expends funds based upon the transfer of property which generated engineering detail. I believe only after this bargain was struck that the other ingredients and public notification and input were talked about. [beeping]

Fish: Thank you.

Susan Tennant: Thank you. I humbly present myself and wish all people here peace and love and good health. Thank you. I'm against the removal of the island. I speak in behalf of the children also at James John school who will get the traffic coming out. They just put a little green in so they can have soccer, and the trees, so this has an impact. The trucks are not speeding through town at maximum speeds and above because they go a different direction. I also want to say that the conduct of this whole process -- somebody mentioned two neighborhood associations, two neighbors, main street. The public had absolutely none and this conduct is unbecoming to the City of Portland. The department of transportation, main street, St. Johns, and the association, development commission. Lack of transparency for over 14,000 people is bad. When our Bureau of Transportation can call a developer and make a deal of real property belonging to the City and the people of St. Johns for a developer's service in exchange for property and that developer acts on that as conveyance to others in this plan and then when that developer goes to the neighborhood association, puts in a call, "I have a deadline, I need to know if you're for me or against me." They put in an electronic vote. And we don't know what day, what time, but it's illegal, and he gets that support. And that is not fair. And when we come to the meeting in early fall and there's 80 people he and the chair says, "Hey, it's a done deal." OK.

Now the gateway at Marvel is one of the worst. We heard that earlier. You go to your Vision Zero Portland crash and you will see this and you will look at the other areas. Now go down to ivy -- not ivy, to Ida, the other gateway, and you'll see one tree with a fence around it. That's a gateway for them. Now, these contributes of marvel island to main street, back to main street and Fred Meyer and New Seasons, we're going to have the next bomb and the traffic is going to be right at the corner of union. Mark my words.

Fish: Ma'am, thank you very much.

Fritz: I missed your name. Could you give your name again?

S. Tennant: My name is Susan Tennant.

Fritz: Thank you.

Fish: I welcome the younger member of the audience who is here to testify.

Heather Tennant: Absolutely -- and probably our eldest.

Fish: There you go. Welcome to both of you.

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H. Tennant: Thank you. My name is Heather Tennant, and this is my 91-year-old grandmother and this is my 4-year-old daughter. I'm here to speak against the removal of Ivy Island. We have had -- ourselves have had five generations of St. Johns in North Portland family. Four generations, including grandmothers, that are living. And grandmother herself has lived in St. Johns for a little over 65 years. I live with my grandmother four days a week taking care of her in St. Johns. Grandma was also a part of the Shirley Ann fund for the local fire department. My grandmother also helped you save the St. Johns library. She gathered neighbors, including boy scouts, school children, to stop its removal by protesting. So, we come from a protesting family. My grandfather used to whistle and tap dance in the St. Johns Theater that is still in St. Johns.

But the reason why I'm here is to say that our Ivy Island -- St. Johns is such a small community. We have great people, we have history, we have roots. I would ask that you guys take a drive through St. Johns and you'll see how quaint and how lovely our community is. We may be a small community, but we stick together. We were not notified publicly in regards to the removal of the Ivy Island. I -- like so many others here that you will hear testimony still and the ones that have given their testimony -- we were not given any form of adequate awareness. And that's too bad.

Four-story buildings don't meet what you see when you enter St. Johns. Just because you have money and you claim that you are a good person doesn't mean that we should trust you. Thank you for your time. What do you have to say? Save Ivy Island. Want to say, save Ivy Island?

*****: Save Ivy Island! [laughter]

Fish: Wow: That's the best testimony today. By the way, I'm pretty sure that during my seven years, we have all at least once a year convened for one of our favorite events, which is the St. Johns parade. We all proudly -- I don't think anyone's missed it and I can speak for myself, it's one of the highlights of the year, one of the best parades in Portland.

H. Tennant: We appreciate it, thank you so much.

Fritz: And if the vacation is approved, I'm assuming that the parade would make the corner rather than cutting across the plaza? Or have you thought about that?

H. Tennant: We don't know. That's a good question, thank you for asking.

Fish: Is grandma speaking or is she just here?

H. Tennant: Grandma's here in support.

Fish: Thank you very much.

*****: I didn't want to say too much.

Fish: You would be considered young in my family. My grandfather lived to 102. Thank you for taking the time, all three generations. Karla, will you call the next three? OK. Welcome. Would you like to kick it off?

Kelly Tadlock: Sure. I have this thing I'm going read and try to make the in two minutes here. Might be a little speed reading. My name is Kelly Tadlock and I've lived in St. Johns for the last 15 years, I think.

Dear Mayor and Commissioners, here are the issues in a nutshell. The strongest pro-Bolouri development to vacate island decision is the safety issue at Charleston. From this point of view, the only way to solve the safety issue is to remove the Lombard slip lane and square the corner with a traffic light. PBOT will not pay to do this. To have a developer to do this in trade in order to build on Ivy Island is a bonus. The City will privatize public property in this scenario. According to PBOT, there have been seven accidents at this scorn between 2005 and 2013. Pro-vacate ivy islanders say the number

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of accidents is excessive and creates an urgency that only the Bolouri development will remedy.

St. Johns/Lombard Plan is the authority for this traffic reconfiguration. The safety issue of the Richmond-Lombard horizontal blind curve by the storage facilities is irrelevant. Save Ivy Island will argue that it's a safety issue at Charleston -- it's a safety issue at Charleston, not an issue of the slip lane. As a safety issue, we can break it down into components. One, blind curve. Two, vehicle speed. Three, walkability. Four, pedestrian crossing. We can work on and make each component safer.

When talking about safety, the conversation usually begins with the blind curve. Save Ivy Island would work with the developer to improve the sight line, make the blind curve a sighted curve by moving it back six feet. Curb extensions are already planned, which adds another three to four feet of visibility. [beeping] The PBOT safety audit of 2011 had many low-cost solutions that weren't implemented --

Fish: Ma'am, if you could just wrap up.

Tadlock: OK, sorry. The Charleston corner is not inordinately unsafe. According to the crash map, it is as safe as Chicago seven, Baltimore and Lombard seven and 11, which is very dangerous in my view.

Fish: Ma'am, thank you very much. Thank you for testifying. Welcome, sir.

Gary Boehm: Thank you. My name is Gary Boehm. I had served as the president of the St. Johns Boosters from October 1996 through December 2009. In that capacity, I did participate in the St. Johns/Lombard planning effort. That, and personally, I have been impacted by the gentrification of St. Johns.

I don't support this proposal for a lot reasons. Some of it is due to the lack of affordable housing that the St. Johns-Lombard plan calls for -- This development does not indicate any affordable housing. Additionally, the claim of the safety at N Charleston and N Lombard intersection maybe valid, but in my opinion, it's short-sighted. There is significant information out there through the intersection safety audit of N Richmond and N Jersey that indicate that the slip lane can be made safe through narrowing the entrance of it, appropriate signage, cleaning up the street clutter that exists, and additionally points out something called a horizontal blind curve coming westbound as you round the corner for the storage facility that's there. They do not recommend the northern crosswalk crossing from the island because that is a safety issue.

Additionally, if you go to the PBOT website and look up the Vision Zero traffic injury fatality from 2004 to 2013, the Charleston-Lombard intersection has very little pedestrian, bicycle interaction. One or two bikes have interacted there, and no pedestrians. Throughout the commercial district, there are larger pedestrian issues than totally wiping out the blind curve, claiming they are going make the Charleston-Lombard intersection safer. Thank you.

Fish: Thank you, and thank you for your many years of service. Sir?

John Petty: Hello, Commissioners. My name is John Petty. I've been a resident of St. Johns for 10 years. I worked as a city planner, urban designer for 45 years prior to that. I moved here because I love the green weather that we have.

This gateway we're talking about, Ivy Island, is one of two built in St. Johns something like 25 to 30 years ago -- one at the foot of the bridge and then the other one here at Ivy Island where we're talking about the slip lane. The Lombard Plan very explicitly says there's a safety issue here that need to be addressed and it propose as new interchange for that purpose, but it also is very explicit in saying that the right-of-way that's vacated by the slip lane should be used to provide for a great visual gateway into St.

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Johns and not to be occupied by a building. The building that's proposed would occur over the right-of-way line by several feet.

I would suggest that the way to approach this would be for the building to be restricted to being on the private property. Even though PBOT says there will never be any public money to spend on this, you know, there are always fund-raising mechanisms. Although PBOT says any mitigations to the slip lane as suggested in professional literature would just be band-aids, I would suggest it's been several years now that this hazard has been recognized and to date, there have been no mitigations to try and save someone who happened to be caught out in that slip lane.

I would suggest that the building being back and slip lane remaining open -- mitigated until the money is there -- and then the new interchange can be built, and the new gateway can be done on top of what the slip lane used to be.

Fish: Sir, thank you very much for your testimony. Karla, the next three, please? OK. Good afternoon, everybody. Ma'am, would you kick us off?

Judie Briner: Sure, thank you for having us here today, I really appreciate it. I am a relatively newcomer to St. Johns, which means I've only lived there for 15 years. That means I'm pretty new still. I moved there from Northwest Portland -- I lived on NW 21st for six years -- and I thought there needed to be many changes in St. Johns when I moved there. I never, ever thought let's start tearing things down. I never said or thought let's tear down a building, let's tear this down, let's just completely change the neighborhood. I never thought about that, I just hoped restaurants and different people would take over buildings that were already there. We have lots of empty spaces in St. Johns now that have never been filled.

I feel if Ivy Island was taken away, he and the building built there, we would lose a lot of the character of St. Johns. Lots of it. And I just saw pictures today of what it would look like. We all saw those. I want to say not only could that building be anywhere in Portland, it could be anywhere in the world. That building has nothing to do with St. Johns at all. It could be anywhere. It's generic, completely generic. It looks very pretty, but it has nothing to do with St. Johns. I also want to point out that because a lot of time has been spent on getting this building approved, that doesn't make it right. Just because the amount of time you spent on it does not make it the right thing to do. I just to say that as a voter, I am really hoping that we look for new and inventive ways to cure or to get ready for all the people moving here. Obviously, we're going to have very high density. We all know that, we're not arguing with that. But we need to save the character of our neighborhoods while we're doing this. We just need to be more creative about it.

Fish: Thank you very much for your testimony. Welcome.

Dayna McErlean: Good afternoon, Commissioners. My name is Dana McErlean. My address is 7525 N Richmond Avenue. I have lived and worked in St. Johns in North Portland for 20 years, opening eight businesses during that time, including the Colony, which is adjacent to the proposed union development. I am heavily interested in the neighborhood and committed to see its residents and businesses thrive. I'm here to request that the City Council only approve a vacation of the entire portion of N Lombard street right-of-way as was originally proposed and noticed to the public, and not the partial vacation proposed before you this afternoon. Fairly considering the community, the City, my and the petitioners' interests, I am opposed to the partial vacation as presented.

At the time of my previous public testimony, I stated I was in favor of entire vacation conditioned by a discussion with the petitioner regarding cooperation between us as adjoining property owners. These good faith discussions were terminated by the petitioner

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when he became aware that the City-initiated and requested partial vacation would circumvent the need for any further collaboration between us and that he would be able to obtain the property through an encroachment easement.

Although the costs of the vacation and proposed improvements presented in this hearing are very attractive, they do not reflect the visual magnitude and monetary value solely benefiting the petitioner. The gateway to St. Johns will be the gateway to the union development. Under no uncertain terms, the union will encroach with structure and presence into what is legally currently a public property. This monetary mechanism should not marginalize procedures or interested parties' rights. This is a valuable community asset being traded for short-term improvement costs. [beeping] Traffic safety as a result of the right-of-way vacation and sidewalk and road realignment should be examined more cautiously and in more detail --

Fish: Thank you very much --

McErlean: -- semi trucks' turning ability is tight --

Fish: Ma'am --

McErlean: I'm almost done -- at the dense urban and pedestrian intersection and crossing is made dangerously inadequate. Thank you for hearing my testimony.

Fish: Thanks very much.

Fritz: I have a question. You own the Colony, which is right here, right?

McErlean: Yes.

Fritz: Which is this one, colleagues, the white space. So, this proposal would be quite different if that plaza two were vacated also and then you would get some of that property at least.

McErlean: That is correct. And I have done title search work that states that it would be very clear that it would revert back to my property from historic records which they had stated early they were unable to find proof of that.

Fritz: And potentially a future -- if that is the case -- and I don't know whether it is or not -- you or a future property owner could petition to vacate that plaza two.

McErlean: I could.

Fritz: And then you could develop it or whatever.

McErlean: I could.

Fritz: I think that's an important point, colleagues, because this site plan is premised on plaza two contributing a fairly large amount of open space that eases the amount of -- the magnitude of the development on the proposed site plan.

McErlean: On that site as well lives my signage, my frontage to Lombard, which will be taken down and not put back up. It's a sign that's been there for 30 years.

Fish: We'll have staff come back --

Fritz: So yeah, I was wondering -- that is really the sight line to your property.

McErlean: It is.

Fritz: And the access way is off --

McErlean: And I think the proposed design really just creates a buffer zone between me and the plaza. It really isn't incorporating my property or any idea of future development that may happen at some point, which would be my intention -- my intention at some point in time.

Fritz: And your signage is currently in the area that's designated as plaza two.

McErlean: Yes, it comes about 10 to 15 feet -- it's within 10 feet. And the petitioner and I had been in communications and negotiations, and he terminated them. I had responded

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and he did not respond. I had gotten in touch with him numerous times with very reasonable, you know, counter negotiations, but.

Fish: We can't get into that.

McErlean: OK, sorry about that.

Fritz: I appreciate knowing more of the background because obviously in a street vacation process, the adjacent property owners have a particular interest. I really appreciate you taking time to be here.

McErlean: Yes, I would like to continue the dialogue, if possible.

Fritz: Thank you.

Fish: Thank you very much. Welcome, sir.

Clinton Doxsee: Hello, President Fish, Commissioners, thank you for the time. My name is Clinton Doxsee, I live at 8540 N Charleston Avenue, two blocks away from the intersection at Lombard where the proposed intersection -- or the proposal will affect that particular intersection. I think I'd like to keep it short. A lot of good points were made today, I'd like to kind of focus on two.

First point is safety. This is an issue that can't be hammered quite enough. I cross it multiple times a day to get to the grocery store by foot, by bike, by car. I cross it to get to the bus. I cross it with my son and my family and I've had multiple near misses -- one this week -- quite frequently. And so for people to say that they don't feel like it's unsafe because they haven't experienced it is a little narrow-visioned, in my opinion. So, I just want to reiterate that the safety issue has been identified and I'm here to put a face to that.

The second point I'd like to make is regarding the gateway issue, which is a very pertinent point to make about this proposal. I'd just like to say that gateways aren't just about signs. Gateways are about community. And the people as you can see here all testifying today are very passionate about it. People what are makes the community, and the community is what makes St. Johns St. Johns and our gateway what a gateway is. Thank you.

Fish: Karla, can we call the next three? So, we have about nine people left, so just for a time check we'll give everyone a chance to speak and then bring staff back up. We'll have some questions based on the testimony and then we'll have Council deliberation to see where we want to go. So I'm guessing plus or minus 4:00, we'll start deliberations. Welcome, if you'd like to begin, sir.

Joshua Leslie: My name is Joshua Leslie, I'm current land use chair for the St. Johns Neighborhood Association. Thank you for giving me this opportunity to present. I want to express my support for the proposed street vacation which will eliminate the slip lane and redesign the intersection to bring it in line with recommendation from the St. Johns/Lombard Plan.

There's been a lot of conversations in the neighborhood about this project. The developers have attended four public meetings to answer questions and they've been really open and responsive to the community and community groups that have reached out with them. I've talked to a lot of people in the community about this issue. There's definitely vocal opposition from quite a few of our neighbors, but based on conversations I've had, I think there's at least as much support for redesigning the intersection. Most of the people I've talked to want the intersection to be safer. They disagree on the best way to move forward with that, but a lot of them do agree with the recommendations from the St. Johns/Lombard Plan, which was developed through a community-based process.

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Personally, I think the intersection at Lombard and Charleston is my least favorite in the neighborhood. Traffic doesn't stop as it goes on the highway, and I feel unsafe every time I cross it. I can't wait until that intersection becomes safer by reconfiguring the intersection and adding a traffic signal. This has been on PBOT's to-do list for years, but with the long backlog of street projects, it might take several more years before the funding is available for the changes. I think this is a great opportunity for the neighborhood to get a public-requested improvement made. Partnering with the developer to fund a transportation project like this is a good precedent and I think that it should happen again moving forward.

Beyond the safety of the intention, the developer has taken measures such as the staged setbacks of the building with the different colored bricks to match the building with the community design overlay. They're incorporating plazas and agreed to relocate the "Welcome to St. Johns" marquee onto the property. The tree mitigation plan which the developer has offered adds extra trees. [beeping] I believe the combination of the relocated sign, the trees, the plaza, and the proposed aesthetics of the building will make an attractive gateway to the downtown corridor. I hope you support this vacation.

Fish: Thank you very much. And just by way of clarification, when we're finished with testimony we'll have a discussion and take up amendment. This is an ordinance, it is not an emergency, so it'll go to a second reading next week or whenever the sponsor so indicates. Sir?

Tom Karwaki: Tom Karwaki, 7139 N McCrumb. The University Park Neighborhood Association land use and transportation committee supports the vacation of this for safety reasons and because it's consistent with the Lombard Plan. We note that the new plaza would be about the size of two of the Cadillacs that you usually drive in the parade in, Mr. Saltzman, plus a Smart car and possibly even a Prius. So, it's fairly sizeable and might be providing a public benefit. It's about the same size as some of the standard insurance setback there, so you can see what you sort of get in 40 feet. That's why we're in favor of it -- for safety and because it's consistent with the Lombard Plan. Thank you very much.

Fish: Thank you very much, sir. Welcome.

Karwaki: One second. I think you do have the authority to put conditions on the use and through a covenant so that you don't get stuck with this issue of printing the street vacation and suddenly it becoming redesigned. I think that's something you're gonna wanna look at.

Fish: And sir, that is the issue -- [speaking simultaneously] -- we got from the City Attorney. We're trying to get draft language as we speak. Welcome.

Tom Stubblefield: My name's Tom Stubblefield and I live on Willamette Boulevard. My family home was on N Richmond Street and I just sold the home we had for 60 years and it's just a few hundred feet from there. I also own the St. Johns thrift store where Safeway is now. As far as the City giving land to private, we vacated six streets in that area thanks to City of Portland. At the time, we were on a growth spurt and it was redeveloped. I owned the store after that, and now it's Safeway.

I've got a pretty good history on that square on the Ivy Island. When I was eight years old, I stood there with a safety patrol flag right in front of the old furniture store and the traffic came around, it was dangerous then and it's dangerous now.

Fish: You went to the school?

Stubblefield: Yeah, I went to the school back -- I won't say when -- [laughter] -- try after cars came out, it was terrible. [laughter]

Fish: Sometimes in the 80s.

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Stubblefield: Yeah, right. So anyway, we have done -- I'm on the board of the Main Street program and we have done a lot of work on that island and drove across Washington County getting all the plants, brought them in, U of P came in. We worked really hard. I spent the summer watering, which I got in trouble with the City. But anyway, the plants lived and the City forgot about it. That's a good thing. The second thing is it was -- it was Ivy Island had rats in there and it took us forever, we got it cleaned up. It's going and it looks great. But in 1978, it was a great idea. In 2016, it's not. We need to eliminate it. We're getting private money to help us, let's go for it. It's going to save the City a lot of money.

So anyway, it doesn't matter how long you've been there, if you came yesterday or in the '40s or '50s. It's still a problem he and it's a safety factor. In my second career, we restored the gas station there and we were working on it and I saw probably the worst head on collision I've ever seen on that blind corner. Nobody got killed and it was amazing. Yesterday, I was coming out of Main Street office and a lady was coming across the street with her child, and it was a near miss and stupid. Anyway, all in favor of vacating the island, cleaning it up. Thank you.

Fish: Thank you for joining us.

Shae Uisna: Good afternoon, Commissioners. My name is Shae Uisna. If the vacation is approved by Mr. Balouri and Mr. Bolouri is given our public lands, then the union at St. Johns will spill over on to Ivy Island and the slip lane. A four-story building on what is now a gateway is like building a wall where now there is a wide-open entryway. There will no longer be visibility among the trees of Ivy Island into the downtown corridor. There will no longer be a gateway into St. Johns. It'll just be a corner like any other corner in Portland.

Right now, our gateway works. Cars and buses are brought into our downtown via the slip lane. Vehicles are siphoned off from the traffic headed for the bridge. Based on data provided by the PBOT 2011 safety audit, we know that 42 percent of cars approaching St. Johns from the east utilize the Lombard slip. So, the slip lane actually plays a major part in reducing traffic congestion. The safety audit suggests that without the slip lane, traffic will self-divert into residential areas to avoid the congestion on Lombard. Oh, this is interesting. Turns out there's a second blind curve we'll need to deal with -- a horizontal blind curve is what they call it -- at that intersection that we're planning on changing at Jersey and Richmond. This blind curve won't be fixed by raising Ivy Island because the problem is in the shape of the block across the street from it where the storage units sits. This explains why PBOT does not recommend putting a crosswalk at that north end of the intersection. It's too dangerous for pedestrians to cross there.

Look, development is coming. We get it. In a sea of new construction of three- and four-story buildings, this is all the more reason to hold on to our commons, our public open green space. Cars can be slowed down as they enter the slip lane. The safety audit had many low-cost solutions that were never implemented, such as improved signage, better painted directions on the asphalt, narrowing the slip lane to calm traffic. And how about we change the speed limit to 20 miles per hour throughout the downtown? By hanging all of our safety issues on the Lombard slip and the blind corner at Charleston, we run the risk of throwing away so much that's really wonderful about our gateway. If we think the traffic woes will go away by eliminating the slip and scouring the block, I think we're in for a rude awakening. Thank you.

Fish: Ma'am, I just want to comment. You said reduce the speed to 20. I've got streets in my neighborhood in northeast that are marked 25. And I feel like I'm a hazard because going 25, the cars are passing me at such high frequencies. I wish there was a better

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appreciation, a broader appreciation of what we mean by Vision Zero. So, I applaud that comment. Sir?

Stan Hoff: Thank you very much. My name is Stan Hoff and I've been in and out of St. Johns since 1978. Currently, I live in Southeast Portland. I can't tell you how many times that I and my friends go over to St. Johns. We just love to go there because this same accolade I've heard for 20 years: St. Johns has a small-town feel. And I just believe that anything that contributes to its irregularities -- it's so historical, there's so much. And I think with this ivy triangle, it would be very important just to really make sure that we totally understand the history of that little area. Because it does serve the purpose of giving that small-town feel, which I really like, and it helps make St. Johns a destination. And once it's gone, it's gone. There must be some way to try to -- if does go, have things that contribute to that small-town feel. Because St. Johns is currently a destination. It's not a grid. And because it isn't a grid is one reason it has that small town feel. That's all I have. Thank you very much.

Fish: Thank you, sir. Welcome.

Rockmond Beach: Rockmond Beach. My family has been in St. Johns since the '40s and I run a business in downtown St. Johns. I'm opposed to the removal of Ivy Island. I'm not going to -- a lot of people have already expressed my concerns. The safety issue -- that's a separate issue. People try to connect that issue with simply the part about saving Ivy Island, the traffic pattern -- as I say, that's a separate issue. I think you the can be addressed. As I say, I've lived in St. Johns most of my life and run a business dead center of St. Johns. So anyway, that's my opinion. Some of these other safety issues can be addressed but that's a different topic from simply preserving that island. That's all.

Fish: Sir, thank you very much. Next three, Karla? As three gentlemen are getting seated -- if there's someone in the audience that came hoping to testify and didn't hear your name, please let Karla know and we'll give you a chance to testify. Welcome. Sir, would you kick us off?

John Teply: Thank you, Commissioners, for allowing me to testify. What I have here is over 1000 signatures of St. Johns whose voices have never been heard and considered in the development of the union at St. Johns. Throughout the entire process, there was never enough engagement to ensure the community of St. Johns would be properly informed about the details and impact of the proposed plan. I have five reasons why I think you should vote no on vacation.

Public property should be public and not privatized. Two, the Ivy Island parcel both have large, mature trees. Mitigation for these trees does not reflect their true value. Three, we are told this is based on the St. Johns/Lombard Plan and our community asked for this but the site plan for the two developments are decidedly different. Four, inexpensive safety improvements that involved signage and paint and recommended by the 2011 safety audit were not implemented. Then, our community is told that PBOT can't afford to improve the intersection and we must go with the Bolouri plan if we want improved safety for our community.

The fifth reason is that PBOT did not do a good enough job engaging the community in this project. The outreach had fully been in the hands of St. Johns Main Street and St. Johns Neighborhood Association without PBOT guidance. The ensuing four meetings facilitated were essentially meetings in which the developer and architect promoted their project. I attended two of them. There was no opportunity for an open discussion concerning the project and its meaning for the St. Johns community by the St.

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Johns community, a project of this importance which radically changes the face of St. Johns. It needed proper public involvement.

I think the process needed stronger PBOT and Planning department presence in developing the discussion. Concerning what this corner was to look like, it specifically says in the St. Johns/Lombard Plan on page 86 that specific design details still need to be developed through a design engineering process with public involvement. And to Ms. Jensen who said that I came in on this during the eleventh hour -- this has been since June, so I don't think we can consider this the eleventh hour. And it has been a struggle, you know, with doing this through the community. Thank you.

Fritz: Can you give us your name again, please?

Teply: John Teply.

Fish: Thanks very much. Welcome.

Joseph Purkey: My name is Joseph Purkey. I've lived in St. Johns for the past 13 years. I'm a business owner of an architecture firm in the center of St. Johns and a parent with students at James John school nearby this proposed development. I've been deeply involved in the community ever since I lived here, including leading the volunteer and donation-based project with Depave at the school to put in the soccer field and remove 8000 square feet of asphalt there.

The first time I heard about the proposed traffic change in the St. Johns/Lombard Plan, I was interested in that. It looked like a good solution to that dangerous corner. Then in 2011, a student at my kid's school at James John got struck by a car on his way to school. That increased my interest in that project and I joined the principal when ODOT came out to start their study of the intersection, which resulted in agreeing with the St. Johns/Lombard Plan intersection change, which is included in this vacation project.

I think that this is a great opportunity to further the Vision Zero goals with zero public dollars, and I think that the important sight lines that are spoken about in the St. Johns/Lombard Plan are preserved with the cars coming to a right angle and seeing all the way -- a full block -- before they get to the next intersection. I would like to encourage you to consider any additional considerations, caveats, but keep a priority on the safety of our community at that intersection.

Fish: Thank you very much, sir. Welcome.

Eugene Darco: Hello, thank you for having me here. My name is Eugene Darco. I help run a business that's local to St. Johns. I am a father, and my son attends James John elementary as well. I believe I've seen all of you at the parade. You know about the small town character. The proposed development destroys our gateway. That's an aspect of our character. I'm asking to you save the gateway because there are solutions to this problem. A 2011 safety audit shows the slip lane works. 62 autos traveled south and 44 traveled into the business district. We've just got to slow them down.

night at the neighborhood association meeting, a member of the safety and livability team mentioned 20 miles per hour limit like N Williams has. Or, how about a four-way stop at Charleston and Lombard? It'll be good for TriMet bus number four that always has to make that turn. It'll be good for the students, my son. It'll be good for walkability. It'll be a good way to reduce speed downtown in general.

There's a lot of talk about safety. OK. So, I want to talk about the 2011 safety audit, which explains that a blind horizontal curve makes a northern crossing at the Lombard, Richmond, Jersey unsafe. That's page 43. To quote: Some longer term plans have identified the possibility of reopening the northern crossing, and indeed, full movement intersections should be standard practice as was done for the stopping sight distance for

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the southern crossing. A similar analysis was done for a re-opened northern crossing. Conducting the same analysis but applying this to the northern crossing indicates that the more limited sight distances argues against reopening that. That's the intersection we're talking about. Making it a four-way intersection, not a squared off one, but a parallelogram.

Let's not destroy nine 30-foot plus tall trees. Let's not vacate the public lands. We don't have to do that. I'm asking for your vote to save the gateway to St. Johns and keep our small-town character. Thank you very much, sir.

Fish: Thank you very much. Karla, who else? Anyone else in the audience like to be recognized? Sir, you have the last word.

Philip Fensterer: Right on. [laughter] Thank you for having me. My name is Phillip Fensterer and I'm a 15-year resident of St. Johns. I support vacating the slipway and Ivy Island.

Traveling the length of N Charleston, the intersection of N Lombard is a part of my daily bicycle commute. I find this intersection to be unnecessarily dangerous due to the inability to see traffic coming from the east and the slipway inviting motorists to glide right on through. I fear that implementing crosswalks or flashing lights would do little to slow motorists and that in the absence of pedestrians, it would be business as usual exceeding the speed limit. At the very least, the slip lane should have speed bumps -- at the very least, the slipway should have at least two speed bumps to effectively slow traffic.

Over the years, I have seen great improvements to Ivy Island. I was a member of the team that removed that invasive ivy. I very much appreciate the value of plants as carbon sinks. The plantings on Ivy Island have great value as carbon sinks, and I do not take the idea of their removal lightly. I am confident that replanting as required by code would be met, but I would hope that the developer would voluntarily go beyond code in their replacement of plants in order to make the extra effort to combat climate change.

I feel that the proposed public plazas create useable and inviting spaces for the community of St. Johns. I do not see the vacation of the slipway as creating unacceptable traffic congestion, and if it were to increase congestion, I would encourage motorists to transition to bicycles. [beeping] Regarding the proposed amendment, I support the vacation -- regarding the proposed amendment, my support of the vacation is conditional on the guarantee of the proposed plazas being included. Thank you.

Fish: Sir, thank you very much. That concludes the public testimony. Steve, do you want to have staff come back up?

Novick: Yes, please.

Fish: If we could have PBOT staff come up.

Fritz: And the applicant?

Novick: And maybe the representative of the applicant.

Fish: Christe, would you like to come forward?

White: Sure.

Fish: We'll start with you. And Commissioner Fritz, would you like to go first?

Fritz: Thank you. First of all, thank you, everybody, for coming today. It's very impressive how many of you were able to take time away on a Wednesday afternoon to come downtown, showing that actually it's really not that far to St. Johns and people can do it either direction. It's very accessible. And I really appreciate the passionate testimony on all sides. It's part of a rich tradition of the St. Johns neighborhood to have people disagreeing with each other. I first went there 25 years ago, and it's no different. And that's great. It's different folks and it's different issues, but it's always people who care a lot

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about your community and who are reasonable people who disagree. And so, we'll now have a discussion about, is there a way forward that could find solutions that satisfy even more of the needs?

Thanks to Kurt Krueger and the staff and also the applicant for looking to see if there are creative solutions that can address the St. Johns/Lombard Plan safety issues and still make a viable development and satisfy many values. Because I think we all share the goal of a great gateway to St. Johns that is clearly a public gateway and not a private development blocking the way into St. Johns.

With all that framing my discussion, the amendment I raised before testimony started was to make sure that, in particular, plaza one would always remain an open space. So, with the various proposals -- and perhaps we could come back with something before the second reading -- my latest suggestion that is perhaps we could put a public access easement on a certain distance from the curb, which there isn't currently a public access that I can see and that certainly needs to be a condition anyway. I'm wondering if you could work on that before we come back with a second reading? Or if you have a different solution to my concern?

Fish: Christe?

White: Sure. I think there are a lot of mechanisms we can use. That's one of them. The one we spoke about is the property was subject to a design review that will be recorded against the property and requires the development not only of plaza one but also of extended plaza two subject to public use with no restrictions. And if there was any changes to that -- which he we don't anticipate at all -- we'd have to go back through design review -- which we don't anticipate -- but we can carry that condition forward and articulate in the street vacation that should there be any changes -- which again we don't think there will be -- that there would be a public review process to ensure that those changes comport with this discussion and our desire for the plazas. An easement is another way. There are a lot of different mechanisms. I think that's important for me to communicate is that my client is all in, and we recognize that the beauty of this project is that those plazas are public and stay public.

Fritz: I appreciate that. Just occasionally, we have had developers whose plans change, they sell the property. This is our one chance to have influence over the public right-of-way.

White: Sure.

Fritz: I'm disappointed that it wasn't a Type III design review because I'm concerned about some of the elements of the design, particularly showing in the proposed site plan the encroachment of the building into the vacated area. It really doesn't seem to comport with the St. Johns/Lombard Plan -- that this corner was envisioned to be more open in the plan. It says, "future restaurant here." What is this lower portion designed to be?

White: So, there is ground floor retail. The idea is that it's flexible so that it can be broken up into smaller components based on the idea to have more local and small scale retail. The piece that I would respond to is that the St. Johns plan is one thing, and then the design guidelines and development standards for that particular roadway is another thing. And so, in order to comply with the building line standards, a certain percentage of that building had to be within a particular distance. And what we asked for to expand the plaza area was actually for a modification, a departure from what otherwise required under the code so that we could back that building off as much as possible. And there was a really robust discussion about that during the design review process. And then the building as articulated with varied setbacks in order to soften the edge as much as possible.

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The other thing in the St. Johns plan is that the plazas are a bowtie. The concept plan was based on the design that was there at the time the plan was adopted. So, they're shown in the building footprints there at that time and of course, it doesn't necessarily anticipate that particular building or configuration will be there in the future.

Fritz: Thank you for that. You're actually raising a chicken and egg problem in that the design review has been approved assuming that the street vacation would happen. If we say no to the street vacation, it has to go back to a previous plan, which would seem to be a shame. But we can't now modify the design -- at least that's my understanding. Might need some information from the City Attorney. Can the Council at this point asked for a rounded corner on that building or something else? And that's something maybe you can get back to us before the second reading --

White: Sure.

Fritz: -- or a continuance of this hearing. My other concern is raised by the owner of the Colony. You mentioned the design use is conditioned on the plaza being approved according to the plan. It really seems like that plaza is a gateway to this development and not like an accessory to the Colony. I need to say -- ex parte contact. I was at the gathering six months ago which was held in the Colony, along with Fire Bureau staff, Police staff. I don't remember if Transportation staff were all participating in this ex parte contact. It's not an ex parte decision --

White: No objection.

Fritz: Thank you. It's a street vacation. In some instances when we're acting as judges, we're not supposed to have contact with the parties. This is a little different, but it is site-specific. I just wanted to get that out there, because I am sensitive to the concern raised by the owner of, what about her sign? What about the orientation of the St. Johns sign? What about taking this plaza two, which is not being vacated, and essentially giving it to the developer both for the responsibility to improve it but also with the impression that it's part of the landscaping for that property rather than the public right-of-way? Could you address that concern?

White: I can. And then, Kurt, you might able to help me out with a little more history on the sign. So, two things. The only reason the street vacation actually went from whole to partial is because all of the research, including our own independent research with the title companies, the County's research, City's research, and PBOT's research indicated there was no clear title post-vacation, which would have created an immense hurdle for actually building out the plaza consistently with the St. Johns plan. So, what actually happened is that plaza stays in public property, and what we're doing is building the plaza on public property and dedicating it, of course, to public use because it's still public property. So it's actually kind of the best of both worlds. It is not a vacated right-of-way, it stays in public use, and the developer is actually funding the maintenance and capital improvements for the plaza.

What didn't have to happen under the St. Johns plan or under design review was for us to extend that plaza and open up more private property in that gateway configuration and then dedicate that to public use. It should be noted -- and I know it's hard to read on the site plan -- that is complete seamless space. There is no demarcation. There's no --

Fritz: That's my concern -- [speaking simultaneously]

White: There's nothing. It's all public.

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Fritz: If that plaza, too, is still public space, shouldn't the other adjacent property owner have input into what it looks like, how it gets developed, where her sign is, where the St. Johns sign is?

White: So, in the normal course when you're in design review, everybody has notice of the design review within a particular distance of that property, and the plaza was developed in design review under that notice. If a neighboring property owner doesn't particularly like the design of something, they comment in design review and then it's the City's authority actually -- not ours -- it's the City's authority to determine whether the design is compliant with the design guidelines and interfaces well with all the surrounding buildings.

Fritz: This is public property, it's not part of the site. So maybe, Kurt, you could address this.

White: It was in design review --

Fritz: But I don't see why design review has jurisdiction over it, since it's PBOT's.

Krueger: Again, for the record, Kurt Krueger with Transportation. So, we have an agreement -- it's actually in code with BDS, Bureau of Development Services -- that when we do a non-standard improvement in the public right-of-way, which this would be, it requires design review.

Fritz: Wouldn't then the adjacent property owner who's not this applicant be required to be a co-applicant?

White: No.

Krueger: No, PBOT's in control of issuing that permit if it's in the right-of-way, and that's why we take it through the design review process to get public input on that non-standard improvement. If this was a typical street curb sidewalk street trees, we wouldn't ask anybody for any design because that is the standard we're implementing. But because we're varying from that standard, the code requirement to take that through design review to open up that public comment period.

Fritz: So what's the provision for the Colony's sign, and where will that be?

Krueger: The sign, to my knowledge -- to our knowledge -- was permitted years ago through a short-term allowance, a permit set to expire. And I believe it expired five years ago. That sign is -- probably for lack of a technical term -- an illegal sign in the right-of-way that we would not permit today. It's a private sign in the public right-of-way, and we typically don't allow them.

Fritz: How is it clear that the plaza is in fact public space and not part of the courtyard plaza? It doesn't seem like it is because there's a seamless -- it seems like there's an appropriation of public space that looks like it's associated with the private development and that, especially if the Colony's sign has to come down, they seem out of luck.

Fish: Can I jump in on this for a second? I feel like I will be eligible for college credit soon, listening to this discussion. [laughter] Don't we have the same situation throughout the city, like the River District, where areas have been -- there is public space integrated into a design and it's seamless but it's clearly public space?

White: Yes, we have that situation. Actually, what's happening here is this is not a private appropriation of public space. The opposite is more true -- that this is the expansion of public space on to private property as to plaza two and an expansion of that. I completely understand the concern that, like, let's be sure it's very clear that it is all public. It's designed to accomplish that, which is what they do in the River District and in other areas of city where you have an extension of a plaza space maybe on to private property. The

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design staff is very cognizant of that and tries to ensure that all of our design elements are seamless so people experience the space that way.

Fritz: So how was the design modified by input from the Colony and by the neighborhood -- of the plaza two?

Krueger: We would probably have to bring up BDS staff to answer that question. They are in the audience.

White: Yeah.

Fritz: I would be interested. I know you always do great public outreach. When I was there six months ago, there was discussion about this in general and there was a lot of, "Well, we don't know yet." And now here we are and it seems like there is still an opening for looking at how the interest of the other property owner can be safeguarded because she could come forward with a street vacation request tomorrow.

Fish: Except that no one who has done the legal search on this has been -- I mean, with all due respect, there is one property owner who has raised this issue and we have four jurisdictions who have said, legally, there is no clear answer to that. So, we can't resolve that in this proceeding and she's no better off or worse off.

White: That's right.

Fritz: She is because her sign will come down.

Novick: But her sign is illegal to begin with.

Fish: Anyway, let's come back to -- let's stick with this panel first. I want to make sure that we get all of the questions and then we'll come back to that. Can I jump in for one sec? Because I -- and I -- I heard some questions. If I missed the questions, please blame me, not the author of the question. I was trying to keep track of comments from the public. One person raised a question about TriMet buses and the turning ratio or something. Could you address that?

Krueger: Commissioner Fish, I apologize I was spending more time out of Council chambers than in, but I think I did catch that question.

Fish: You were doing that at Council direction, so we appreciate that.

Krueger: Thank you. We have consulted TriMet. They have been part of the design. We will make sure that the TriMet bus can make the corner at the new intersection. What probably wasn't made clear is there will be a new westerly lane developed where Ivy Island is that will be the new gateway, the new entrance, the new travel way into St. Johns. So, that corner is actually going to grow and have more room just like a downtown street corner. TriMet will be able to make that turn.

Fish: I've seen a lot of slides and it's late in the day and we've had a full day of Council, so I'm just going to ask you a question that I should know but don't remember from the earlier slides. Someone testified that most of Ivy Island will be built on, and that sounded like the building portion will be on it. What percentage of Ivy Island is actually occupied by a structure? Do we know?

Fritz: It's not in the landscape plan.

White: A corner.

Fish: OK.

White: Most of Ivy Island will be in the road improvement and the plaza, the public plaza.

Fish: My understanding was very little of the building --

White: Very little. And Ivy Island -- the vacation is 5000 square feet. The area dedicated back to the public through whatever mechanism we ensure that that occurs is near 9000.

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Fish: And just so I understand this, there's less building on that footprint because the applicant sought an adjustment so that the building is actually moved back beyond what the code would otherwise require. Is that correct?

White: That's true, and the building complies completely with all of the density requirements in the code.

Fish: I want to make sure that I understand what's before us here and what is separate. Because a lot of important issues have been raised. Some seem germane to this proceeding, some maybe are addressed in another forum. Are there any issues, Kurt, that have been raised about the design of the building that have any connection to the issue before us today?

Krueger: Thank you. I think the design of the building before a vacation or after a vacation are the key issues. If the vacation didn't occur and we didn't go through this, if we left everything as it is today, the sight lines will actually get worse because the applicant could build all of the way out to the property line, as the code would ask today.

Fish: Would the applicant be able to build the same scale of a building? Because we had concerns raised by folks about the number of floors and some of the massing. So that would still be as of right?

Krueger: That's correct.

Fritz: Could I just ask a clarification? I know you are in the middle of questioning. But I don't see why -- and I am in favor of changing the street, let me be really clear about that, but I don't see why sight lines would be worse because there's this encroachment into the slip lane.

Krueger: The problem today is that the -- it would be easier if we were all standing at the corner and looking at this.

Fish: Alright, alright. We have five buses out front, enough for everyone in the audience. We're heading out there, we're having dinner on you, Kurt. [laughter]

Krueger: Thank you, I retract that statement. The building that the code requires would set that building up at the property line today. So if we didn't vacate it and the right-of-way there stayed the same, we would actually have a building that would move closer to the right-of-way than there is today. So that sight distance would actually get worse if we left it alone.

Fritz: No, because it would be on the slip road.

Krueger: The curvature of the road right now doesn't have a building that's up to the edge of the back of the sidewalk --

Fritz: Oh, I see.

Fish: Commissioner Saltzman, I want to be sure that we're giving everyone equal time here. [laughter]

Saltzman: No questions.

Krueger: Commissioners, if I may, I want to highlight what Commissioner Fritz painted as the chicken and egg issue. We struggle with this when we see this situation arise from time to time. It happens probably once a year where we think we see a street vacation that we would support for traffic improvement, but trying to bring a developer along, knowing there's an arduous process and long road ahead -- most developers choose not to jeopardize a project not knowing what that outcome may be 10, 11, 12 months down the road. So what we in PBOT tried to do with the applicant was try to do the due diligence and reach out to St. Johns residents, St. Johns business, St. Johns Main Street to get ahead of this so that the applicant knew what they were getting into, and we did that with the recognized neighborhood association that City identifies with.

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Fritz: And is it possible for the Council to have different conditions now that would modify the design review's -- because if they had come to us, we could have said, no, you don't have to put the building right up to the right-of-way. We could have said we are going to vacate it and we don't want it all the way to the right-of-way.

Krueger: I'm not going to suggest, Council, that there's a limitation on what you could do. I think you have the ability to make modifications.

Fish: Can I just do a time check and process check? Currently, this is a first reading of an ordinance, so this would go to a second reading. I want to ask a few questions. Commissioner Novick, is it your intention to seek a time certain for next week for this matter?

Novick: I would like to do that. And what I would hope is -- apparently the City Attorney said if we instruct staff to come up with an amendment that will ensure that the amount of plaza space is not diminished and that there will be public access to that plaza space, then we could add that amendment after it's drafted next week without having additional testimony.

Fish: We've also had plenty of testimony from folks explaining that they would like to see such a mechanism. The legal terms of how we structure that -- because one of the things I want to propose as a next step -- I don't want to foreclose this discussion, we'll go as long as the Council wants -- is that we ask Karla to see if we have a time certain next week that we can move this to, we make clear that the applicant working with PBOT and Commissioner Fritz, who is the sponsor of the amendment, work over the next week to see if they can come to an agreement on an amendment that would be brought to Council, and that we then see next week whether we're ready to take a vote on the matter before us. Is that conceptually acceptable to my colleagues?

Fritz: Yeah, but the public easement over all the plaza area is really important. I guess we can figure out how to do that.

White: Yeah.

Fish: I'm comfortable saying -- since Commissioner Fritz, you are the sponsor of the amendment -- you, Commissioner Novick, the applicant, PBOT staff will work together to come up with an amendment. If you're not satisfied, it'll have consequences next week. Karla, can I ask you -- we have the public here and I want to make sure that we pick a time that is convenient. What time certain would we have available next week?

Moore-Love: I have 10:45 in the morning or -- the afternoons are really booked both Wednesday and Thursday.

Fish: What's the biggest thing?

Moore-Love: Wednesday is the 2:30 deconstruction. They've asked for two hours. And Thursday is the 3rd and Harrison.

Fritz: What about 2:00 Wednesday?

Moore-Love: That's taken by the age-friendly presentation.

Fritz: Oh.

Fish: What's the 10:45 on Wednesday?

Moore-Love: 10:45 is --

Fish: 10:45? That sounds good. That is usually --

Fritz: What are the time certain before that?

Moore-Love: The southwest corridor project for 45 minutes, and PP&R labor agreement.

Fish: Steve, could we flip those two? Southwest corridor and put this first?

Novick: I don't know. I mean, what I'd have to ask -- I would have to figure out if staff could -- and others would need to rearrange their time --

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Fish: Let's not do it --

Novick: -- I suspect so, but --

Saltzman: Electeds are going.

Fish: I think we have electeds. Let's grab 10:45 time certain on Wednesday as a control date. If for some reason the Council needs to reschedule, people will be notified, but let's grab 10:45. And if history is any guide, it's likely the time certain would start a little after 10:45. But I would encourage you to come at 10:30 just in case. It will not be heard before 10:45, but would likely be heard a little afterwards. Commissioner Fritz would then, as the proposer of the amendment, work with her colleagues -- her colleague and staff and the applicant to work out an amendment. And that amendment, Commissioner Fritz, ideally would be posted how soon before the next hearing?

Fritz: Whenever we can do it -- I can't tell you.

Fish: Ideally, we have it the day before at least so that we could post it so people could see it. And are there any other questions for this panel?

Fritz: So then, Mr. President, there are two issues that I think are compelling that I'm wondering if -- obviously, we're not going to get everybody happy with the whole thing, but there's two things I think we might be able to do something with. One is the corner with the building in the current slipway, and the second is the treatment of the plaza two and the signage for the Colony and the appearance that it's shared with the Colony as well as shared with the new development. And so maybe as part of the discussions, we could just brainstorm to see if there is anything that could be done with those two issues. I'd like to have some options to be able to explore that -- whether we can or not. It may be challenging. But surely with the issue with the Colony, there should be something that we can do to make sure that the other adjacent property owner has their needs met.

Fish: Let me be clear. By Council process, those discussions can occur by right. Whether there is an agreement that comes to Council that has majority vote is to be determined. If a Council colleague feels strongly about it, I think that should be part of the discussion. If there is some proposal that ultimately the sponsor, Commissioner Novick, wants to be forward, that would be PBOT's decision. Encourage that discussion. And there's nothing in our rules which precludes that discussion because we're going to a second. And a majority of Council determines whether we vote next week or not in any event.

Fritz: We would have vote on the amendment and pass it to second reading the week after. anyway.

Fish: That's right. OK. [laughs]

Fritz: And I learned recently it requires four votes for street vacation because public right-of-way is an extremely important thing. I am delighted. Usually street vacations -- nobody -- well, Commissioner Novick cares about them because he's in charge of PBOT -- [laughter] -- all the great staff cares about them, I care about them all the time, and I really appreciate it that everybody else here cares about this one. And you can see why, right? Because it's public right-of-way. We want to make sure that we don't give it away, that we invest in something else if we're going to not have it anymore.

Fish: I want to join my colleague in just observing in the course of this, I've noticed it sort of unpacks as a whole suite of issues which are the issues that we're debating as the city is going through growing pains. And every one of the issues has traction and is current and is real. And I want to thank everybody for the thoughtfulness of their testimony and the time. Without objection, Steve -- oh, final word?

Novick: I want to make sure that everybody watching at home understands that what Commissioner Fritz just said suggests if you want to make her happy, come and testify on

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all future street vacations. [laughter] That would not necessarily always make me happy, however.

Fritz: We do have another humdinger next Thursday afternoon if anybody would like to join us. That's going to be fascinating, too.

Fish: We may limit the testimony in some of those street vacations that are otherwise done on consent.

Fritz: They're important.

Fish: Without objection, this matter goes to a second reading. Karla, time certain next Wednesday at 10:45?

Moore-Love: Correct.

Fish: And we are adjourned. Thank you all.

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

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Closed Caption File of Portland City Council Meeting

This file was produced through the closed captioning process for the televised City Council broadcast and should not be considered a verbatim transcript.

Key: ***** means unidentified speaker.

FEBRUARY 11, 2016 2:00 PM

Fish: Hello everybody, in the interests of time I will dispense with the script that I have been handed.

Fritz: Michael Harrison better behave.

Fish: I want to say to Michael Harrison in the Christy white, if you cross me you will be excluded. Karla, please, roll call. [roll call taken]

Fish: Mayor haes is out of town. I understand commissioner Saltzman is wrapping up very sensitive negotiations involving an issue we care deeply about in Salem. Karla, please read the item time certain.

Item 142.

Fish: Commissioner novick I'm going to recognize you, I understand you have a substitute to offer.

Novick: That is correct. This resolution came to council in December of last year. Staff was ask to work with OHSU and zrz on straightening the alignment of southwest bond. Changes in the resolution included shifting the alignment west, north of southwest port porter. More details about the southwest project design process, addition of the ohsu commons and modification of street car alignment. Resolution only changed alignment at ohsu, not the zidell properties. At this point I was going to ask for move to accept substitute resolution and ask for staff presentation. I think Commissioner Fritz has questions. Maybe -- you want those questions before --

Fish: Shall we adopt the substitute and then take questions or lay it on the table?

Fritz: Yes. I'll second your motion to move it.

Fish: Karla, please call the roll.

Fritz: Aye. **Novick:** Aye.

Fish: Aye. The substitute has been placed on the table. Commissioner novick.

Novick: I would like to ask Dan Layden and Geraldine Moyle of pdc to present on the modifications.

Novick: Brian from Ohsu is available for questions.

Dan Layden. Portland Bureau of Transportation: Good afternoon. I'm Dan Layden from pbot to discuss this amended resolution. There are two items in the resolution, the first is changing the alignment of Bond Avenue north of the Tilikum Bridge. That changes the alignment from what's in the south waterfront street plan, second modification of the streetcar alignment. We'll go through a brief presentation that describes what we are proposing. If you go to the next slide --

Fritz: We'll try.

Layden: This is the adopted street plan from 2009 to give you context. It shows where the ohsu area is in the red box which you can't see because of the black that's my voice. But that's okay. So the part we're discussing today is the pink section that's in the red box

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so we can move to the next slide. Realignment that's been proposed by ohsu, reviewed by the bureaus, would shift the alignment of bond avenue approximately 75 feet to the east, which would provide a connection with the greenway trail on the east side of bond avenue and provide a little more room for ohsu on the west side of bond avenue. There are a couple of major advantages to this alignment as far as the bureaus are concerned. One, it provides a better opportunity to connect bond avenue to the greenway. The other is that in the old alignment there were a couple of parcels that were fairly narrow that were likely not to be developed as part of ohsu's development plans and Brian can speak to that if necessary. This allows for a better continuous development for ohsu. So those are the two major things. It also complements the ohsu master plan. You can see the long term plan for ohsu, which is a series of streets, bond being the street on the far end towards the greenway. Series of other private streets would be constructed by ohsu to provide a comprehensive campus alignment and comprehensive campus design that will happen over time, not immediately. The other item that is included in this resolution is modification of streetcar alignment. The original streetcar alignment was as you can see in the adopted street plan again was to go down bond avenue and to turn the streetcar on to southwest wood street so the northbound streetcar would go down bond and turn on to southwest woods to connect back to moody street. We found as we began more detailed analysis and engineering of this alignment that that caused a significant traffic safety problem because of the need to pull back the intersection of southwest moody and southwest woods and bond, so we have proposed removing that alignment from the street plan and instead proposing a future discussion around where the streetcar will go somewhere if you go to the next slide -- in this area between the aerial tram and moody avenue on zrz's property there's still some development to be determined as to exactly where that will go. I'm going to turn it over to Geraldine to discuss the overall schedule for development in the district.

Geraldine Moyle, Portland Bureau of Transportation: So we wanted to close on an update on implementation of the south waterfront north district development agreement in particular the city of Portland obligations as it relates to Bond Avenue. Since the development agreement was approved in the summer of 2015. We have made progress on a number of items related to Bond Avenue culminating in the completion of 30 percent design and cost estimates which will be concluded this month. Based on a 30 percent we will be advancing to full design for the north of porter segment in order to meet the city commitment to ohsu to deliver that segment concurrent with the knight cancer building. We expect to be before you again in the late spring of this year with the pdc-pbot intergovernmental agreement for that work and will include detailed information on cost and funding sources at that time. The bond avenue surcharge would begin this summer. That would also come before you. The majority of the bond avenue construction is permanent. There are portions of the road that are in the special design area and part of the design commission those special design area treatments should be designed concurrent with the adjacent greenway and with the adjacent ohsu development. As such pdc would lead with pbot concurrent to park's greenway master plan project which is expected to start this summer, design phase for the special design area such that the greenway and areas of bond could be designed together. This is of particular note given that the alignment before you today includes essentially an additional five foot of greenway. If you note in the resolution ohsu is agreeing to move the street a minimum of five feet from the greenway. That results in a minimum of 105 foot greenway in this area. Bond Avenue would be --

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Fritz: Compared with what?

Moyle: To the 100 feet that's currently there.

Fritz: You said they agreed to move it five feet. It's currently further away than that.

Moyle: The alignment that came before you in December was actually closer. We have been -- [speaking simultaneously]

Fritz: So closer than the current alignment.

Layden: That's correct.

Moyle: Bond Avenue would be constructed in 2017 to 2018 in alignment with the knight cancer building construction. Any changes that would occur in the special design area, primarily edge of the curb back, sidewalks and street furniture, what not. It could include some pavement treatment within the street as well would be constructed concurrent with the greenway construction. That would be expected with greenway implementation in 2020. In light of the article in today's paper about the greenway we want to just talk about cost. We don't have cost at this time to provide to you. We will bring that with the iga, in the spring, with detailed information. We wanted to note a few things. On the alignment is what is being voted on today. The proposed alignment has benefits in terms of integrating with the greenway. It also requires less fill. Fill being one of the most expensive items for the street. Ohsu is carrying all the environmental cleanup cost for their portion of bond, so they will be delivering to us a cleaned up right of way with contaminated soil removed such that what we're is a clean street. With the advancement of the design between now and when we see you in the spring we'll have a better understanding of utility costs. There are elements of bonds that are better built with adjacent development. So we are trying to understand those costs and make sure that those costs are not repetitive and that things such as sidewalks adjacent to buildings are built with that development rather than now and then rebuilt later. Again, the majority of the bond avenue is permanent. All of the under structure, all of the curbs and what not are permanent. There were portion of the road that may change and per the resolution those cost changes or improvements for the special design area are cost shared. Ohsu is responsible for improvements west of the west curb. The city is responsible for improvements east of the west curb which means the city has cost control for those elements that are under our jurisdiction and that includes both design elements and construction. We control how the special design area looks and how it is costed and how it's constructed. We just wanted to end with that so you know we're coming before you in future with costs. Most of the cost control for Bond Avenue and the special design area in the future is in the city's realm.

Fritz: Who is responsible for cleaning up the greenway? If the greenway has contaminated soil, who is responsible for that?

Moyle: If at this point they have delivered a cleaned up greenway in their portion. If you remember from like a property standing they own a majority of the greenway. They cleaned it up including everything within the setback both top of bank riverward and top of bank landward with their cleanup they completed in 2010-2011.

Brian Newman: And we as part of our obligation related to the greenway overlay when we took our first building through there and went through the review we only have a small portion, just north of the zidell panhandle if you will, and we're responsible for remediation on that portion of the greenway.

Moyle: They have about 200 linear feet.

Fritz: Who is responsible for the cost of greenway construction?

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Moyle: Per the development agreement, the north district development agreement, there is pdc funding for about \$11.7 million worth of greenway design and construction.

Fish: Does the substitute resolution change substantively any of the preexisting liability issues?

Layden: No.

Moyer: No.

Fish: Are we -- remember last time we had this hearing the mayor thought there was a wiggle here and a little -- is that what we're addressing, a different configuration?

Layden: Most of the mayor's concerns were around zrz properties to the south of the Tilikum Bridge. This resolution does not -- we have worked with zrz, and we have decided to do more work on that area. The resolution does not deal with that issue. There will be future discussion around the alignment of the Tilikum Bridge.

Fritz: The mayor's staff is okay with this?

Layden: Yes.

Fritz: Do we think the amount of pdc money is going to be adequate for the greenway construction?

Moyle: The amount of money that pdc has is based on the production of tif in the district and the amount that was available per our budget predictions. Again, the city would control the design and the construction of the greenway, so it's in our jurisdiction to control those costs.

Fritz: That's one way of looking at it, it's also if we're going to have a beautiful greenway. It's also part of our cost to make sure that we do that. We're not going to be putting in a substance, my understanding is part of the investment so it's as beautiful as the greenway we recurrently completed. This is why I was apologizing to commissioner novick. I didn't have an opportunity the way my schedule has been the last three weeks to fully delve into what parks is planning and how much we're -- whether there's any additional investment from parks system development charges that were affected into how much this might cost.

Moyer: The development agreement currently only identifies pdc funding. If there is additional it was not included at this time in the development agreement.

Fritz: The concern I have is that the substitute resolution which I just saw today ties the construction of bond with concurrently doing the greenway.

Moyer: Sure.

Fritz: I need to check and find out if that's in our work plan.

Moyer: I think I can explain a little further. Working with parks, what we have clarified is that while parks has a grant to pursue greenway master planning over the next year, we would come in and lead and fund a concurrent design process for the special design area. We do not expect to tap into parks' 500 k grant for a greenway master plan for the special design area. That would be outside of that. Any costs for Bond Street required by the city for the special design area while done concurrent with greenway is not currently included in the 11. X million dollars' worth of tif identified for greenway improvements. Currently those special design area costs that are outside or future improvements outside of what is done construction-wise in 2017 are being shared between ohsu and the city.

Novick: My reading is it didn't seem to be committing us to spend any money we don't have or weren't committed to before. It says construction is expected to occur with construction of greenway improvements in the segment. That refers to expectation, it didn't seem to commit us to doing anything in particular. And then it says that the special design areas pre-segment will be constructed as interim awaiting final design to occur with

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adjacent greenway development. My assumption was that that's a reflection of our expectations but they are not something that binds us to spend money we may not have.

Fritz: The challenge, commissioner, it has in other areas of the greenway taken significant amounts of system development charged money to make the kind of beautiful waterfront we're all striving for in this area. Yes, we could build a basic greenway with the pdc money. What I'm leading up to is asking is if we could have the testimony and the hearing today but defer voting on it until I can get a more in-depth read from my parks staff. I apologize, I just didn't have more hours in the day to be able to devote to this prior to the hearing.

Moyle: I guess I would say I don't think we anticipate that special design area will have significant costs there are things we can do to control them and while that process is concurrent with greenway and concurrent because the design commission indicated that they would like to see both together because they inform each other, that those improvements are not anticipated to be included in the greenway dollars.

Layden: I think one other point, it's important to make, with this resolution it amends the south waterfront street plan and that's all it does. So basically it just moves that line to a different place on the map. It's fairly important for pbot to be able to get certainty on this alignment soon. We have a commitment to deliver this street to ohsu, or deliver the street to the public whether ohsu opens up the knight cancer building in 2018 and there's a fairly long construction period that's necessary we need to do about eight months of what we call surcharge, basically putting fill on the grounds and letting it settle. That work really need to occur this summer, if that work doesn't occur this summer we get pretty far behind schedule. In order to really begin the design of that project, we need certainty on the alignment. So there is some urgency to get resolution to this.

Fritz: The previous resolution, that's all it did. It just had one therefore be it resolved. We now have four additional be it resolveds some of which involves greenway construction which I wasn't-

Layden: They are for background. They don't change the purpose of what we're coming to --

Fritz: That's not the way I read it. It seems it's committing parks to do this in a certain time frame and I need to find out if we can do that in particularly in light of previous greenway improvements turning out to be more expensive than was anticipated. I just want to make sure that we will have the money to do what we say we're going to do.

Novick: Commissioner I have a question which is if the references to the greenway were intended as background and if there is some urgency to getting this done would there be any problem with simply deleting the references to the greenway and saying be the further resolved will be constructed as interim and leave out the reference to greenway and leave out concurrent with the greenway's master plan process and leave out expected to incur with construction of greenway improvements?

Layden: I'm fine with that.

Fritz: I think with significant deletions take it back to what pbot just asked for, that was what I was expecting today plus assurance from the mayor that we will sort it out to his satisfaction. [speaking simultaneously]

Fish: So I'm tracking this, we have a substitute resolution on the table offered by commissioner novick. Which particular resolves are we proposing to strike?

Novick: What I was just -- my question was whether we could in the first be it resolved just in the sentence after the word interim in the second line, and then in the second be it resolved delete that concurrent with the city's greenway master plan process, and then in

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the third be it resolved, delete with construction expected to occur doing improvements in this segments.

Fish: That would strike the greenway references in the resolves. Before I ask if there's a second, any commentary from our panel. Does our panel concur in those changes?

Moyle: I think it still meets the intent.

Fish: If there's a yes or no it's helpful. We're just doing some sausage making.

Moyle/Layden: Yes.

Fish: Thank you. Is there a second to the amendment?

Fritz: I'll second it for the sake of discussion. I would like to hear from Brett Horner.

Fish: We have a second. Before I take a vote I would like to give Brett a chance to weigh in.

Brett Horner, Portland Parks and Recreation: Good afternoon, Brett Horner, planning manager at parks. We have been working closely with staff here on the changes and the street realignment. I think what you were asking about, commissioner, was, was there any expectation of parks sdc money for either bond or for additional greenway enhancement, and at this time, we don't see the need for that. So in the development agreement there's funding for the greenway improvements, and then the bond work will have to be funded through pdc and ohsu, and you can correct me if I'm wrong, Geraldine, but that's our understanding.

Moyle: We have had an email exchange between Brett and I indicating that the design process for the special design area run concurrent with the master plan is pdc's responsibility in terms of funding and leading.

Fish: So we have a proposed amendment on the table that's been seconded.

Commissioner Fritz, are you comfortable going to a vote on those changes?

Fritz: Difficult to do things on the fly. I'm not sure why we have to do it today, but --

Fish: Let's get the amendment voted on and come back to the question of timing. That's a fair question. Karla, please call the roll.

Fritz: It's really difficult.

Fish: I'm not going to move the resolution without concurrence of the council. We're just amending the version that's on the table.

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

Fish: We now have a substitute resolution as amended. The question I would have to the sponsor is in light of the concerns raised by the parks commissioner, is there some reason this has to be voted on today or could this be set over until next week?

Novick: I have some concern about bringing this back yet a third time. Could you elaborate on why there's some urgency here?

Layden: There is some urgency in terms of being able to complete the design. I think if we brought it back next week that would probably be sufficient, but we are getting very close to the point in time where my engineers need to be able to have certainty as to where the road is going to be.

Fish: Here's what I'm hearing. Parks commissioner, the mayor, and the transportation commissioner seem to have the three biggest oars in the water. The mayor is not here. Yet we have attributed to him his oar. The parks commissioner has said she would be more comfortable digesting this, making sure it lines up with her understanding. You said that the sky won't fall if we put it over until next week.

Layden: It may fall in a few weeks, but not in a week.

Fish: Next week it would be decided. Colleagues, is there any objection to setting this over until next week?

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Moore-Love: It's a Thursday. We can't set stuff over to next week unless you do it as a four-fifths.

Fish: Can we do a four-fifths orally? I don't see why not. We can do anything by unanimous consent.

Moore-Love: The agenda is already done, so it would have to be a fourth-fifths.

Fish: Can we do a four-fifths motion at the council now?

Moore-Love: I need signatures if you want to do that.

Fish: Is it the intention of all four --

Saltzman: Where do we sign?

Fish: Does anyone object to signing a four-fifths?

Fritz: We can't continue it until next week?

Moore-Love: Remember in the new rules anything can't go on Thursday [speaking simultaneously]

Fritz: Got it.

Fish: Are we prepared to sign a four-fifths?

Novick: Yes.

Fritz: Yes. Do we have a meeting next Thursday?

Moore-Love: That is the 3rd and Harrison item. They have asked for four hours.

Fritz: We can do this in five minutes.

Fish: We'll put this first.

Saltzman: I'm comfortable.

Fritz: Could we do it on Wednesday rather than Thursday?

Fish: We can do anything by four-fifths. Could you put this this on first up on the regular agenda Wednesday morning?

Moore-Love: Morning or afternoon?

Fish: Morning.

Moore-Love: It's a packed schedule. Ivy Street is the third time certain.

Fish: What do we have that afternoon? Age friendly followed by---

Moore-Love: deconstruction for two hours.

Fish: Ok, I would be happy to have age friendly bumped for five minutes if we can put it on first.

Moore-Love: For a 2:00 Time certain?

Fish: 2:00 time certain? We'll work out the kinks, sign a four-fifths today. We have an amended resolution for the council. Is there anyone who feels they -- is there anyone who is present feels they need to be heard on the matter before us before I continue this before we continue this to next Wednesday?

Layden: Do you feel the need to have a presentation or -- we have done this twice. We can do it again -- [speaking simultaneously]

Fritz: We take testimony today so people don't have to come back again.

Fish: Karla, who is signed up to testify?

Moore-Love: I have no one.

Fish: Is there anyone in the audience that would like to be heard at this point? Okay. So we now have a substitute resolution that's been amended. Council will sign a fourth-fifths this afternoon to put this on for Wednesday afternoon at 2:00. And in the interim, my understanding is the commissioner Fritz and the parks bureau, commissioner novick, the transportation bureau and the mayor's office will work out any differences. Fair enough? Thank you all.

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At 2:32 P.M. council Adjourned.