



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **11<sup>TH</sup> DAY OF MAY, 2016** AT 9:30 A.M.

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

Commissioners Fish and Fritz left at 11:31 a.m.

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

Item Nos. 485 and 486 were pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

<b>COMMUNICATIONS</b>		<b>Disposition:</b>
<b>469</b>	Request of Eric Fruits to address Council regarding crisis intervention (Communication)	<b>PLACED ON FILE</b>
<b>470</b>	Request of Trena Sutton to address Council regarding proposed transitional community (Communication)	<b>PLACED ON FILE</b>
<b>471</b>	Request of Michael O'Connor to address Council regarding the City's event permit for Last Thursday on Alberta (Communication)	<b>PLACED ON FILE</b>
<b>472</b>	Request of Brad Perkins to address Council regarding SW Corridor Plan, Oregon Department of Transportation-Oregon Passenger Rail Study and Cascadia High Speed Rail (Communication)	<b>PLACED ON FILE</b>
<b>473</b>	Request of Crystal Elinski to address Council regarding rent control (Communication)	<b>PLACED ON FILE</b>
<b>TIMES CERTAIN</b>		
<b>474</b>	<b>TIME CERTAIN: 9:45 AM</b> – Presentation from the 2016 Portland Rose Festival & Rose Festival Court (Presentation introduced by Mayor Hales) 15 minutes for items 474 and 475	<b>PLACED ON FILE</b>

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<b>*475</b>	Grant revocable permits to the Portland Rose Festival Foundation to perform activities relating to Portland Rose Festival annual celebration from May 27 through June 12, 2016 (Ordinance introduced by Commissioner Novick) (Y-5)	<b>187728</b>
<b>476</b>	<b>TIME CERTAIN: 10:00 AM</b> – Proclaim May 15, 2016 to be Hefe Day in Portland (Proclamation introduced by Mayor Hales and Commissioner Fish) 20 minutes requested	<b>PLACED ON FILE</b>
<b>477</b>	<b>TIME CERTAIN: 10:30 AM</b> – Proclaim the summer of 2016 to be Portland in the Streets season in Portland (Proclamation introduced by Mayor Hales and Commissioner Novick) 10 minutes requested	<b>PLACED ON FILE</b>
<b>*478</b>	<b>TIME CERTAIN: 10:40 AM</b> – Accept a grant in the amount of \$100,000 from the United States Department of Transportation for Beyond Traffic: The Smart City Challenge grant project and formally authorize a Cooperative Agreement (Ordinance introduced by Commissioner Novick) 10 minutes requested (Y-5)	<b>187742</b>
<b>CONSENT AGENDA – NO DISCUSSION</b>		
<b>Mayor Charlie Hales</b>		
<b>Bureau of Planning &amp; Sustainability</b>		
<b>479</b>	Authorize the City Attorney to intervene on behalf of the City of Portland in Oregon Public Utility Commission Docket UM 1716, Investigation to Determine the Resource Value of Solar (Resolution) (Y-5)	<b>37208</b>
<b>*480</b>	Authorize an application to the National Institute of Standards and Technology's Replicable Smart City Technologies Cooperative Agreement Program for a grant of \$100,000 to test new approaches to monitor and report on air quality (Ordinance) (Y-5)	<b>187729</b>
<b>*481</b>	Authorize application to the U.S. Department of Energy for a grant of up to \$300,000 to implement the Climate Action Plan building energy actions (Ordinance) (Y-5)	<b>187730</b>
<b>Office of Management and Finance</b>		
<b>*482</b>	Pay claim of Adrian Reyes Cruz in the sum of \$33,418 involving the Portland Police Bureau (Ordinance) (Y-5)	<b>187731</b>
<b>Commissioner Dan Saltzman</b>		
<b>Portland Fire &amp; Rescue</b>		
<b>*483</b>	Pay award per Employment Relations Board Order in UP-059-13 dated December 2, 2015 (Ordinance) (Y-5)	<b>187732</b>

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**Commissioner Steve Novick**

**Bureau of Transportation**

<b>*484</b>	Authorize a contract with Fehr & Peers for the Transportation System Development Charge 2016 update project in the amount of \$373,500 (Ordinance) (Y-5)	<b>187733</b>
<b>*485</b>	Authorize a contract with the lowest responsible bidder for the SW Oak Street: SW Naito Parkway to SW 10th Ave project for an estimated \$975,000 (Ordinance) (Y-5)	<b>187736</b>
<b>*486</b>	Authorize a contract with the lowest responsible bidder for the NE 122nd Ave: I-84 Ramp to NE Skidmore St project for an estimated \$1,720,000 (Ordinance) (Y-5)	<b>187737</b>
<b>*487</b>	Amend contract with CH2M Hill Engineers for additional work to complete the Smart Cities Challenge grant project and capacity for other project work in the amount of \$65,000 (Ordinance; amend Contract No. 31000660) (Y-5)	<b>187734</b>
<b>*488</b>	Extend Intergovernmental Agreement with TriMet through July 1, 2018 for jointly funded design and construction of Capital Improvements for Safe Access to Transit (Ordinance; amend Contract No. 33000070) (Y-5)	<b>187735</b>

**City Auditor Mary Hull Caballero**

<b>489</b>	Approve Council Minutes for January-March 2016 (Report) (Y-5)	<b>APPROVED</b>
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**REGULAR AGENDA**

<b>490</b>	Report on year one implementation of Citywide Tree Project (Report introduced by Commissioners Fritz and Saltzman; Previous Agenda 314)	<b>RESCHEDULED TO MAY 18, 2016 AT 9:30 AM</b>
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**Mayor Charlie Hales**

**Bureau of Planning & Sustainability**

<b>491</b>	Adopt the Skidmore/Old Town Historic District Design Guidelines (Second Reading Agenda 466) (Y-5)	<b>187738</b>
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**Office of Government Relations**

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<b>*492</b>	Authorize an Intergovernmental Agreement with Portland Development Commission for Federal and State legislative and lobbying activities (Ordinance) 10 minutes requested (Y-5)	<b>187744</b>
<b>Office of Management and Finance</b>		
<b>493</b>	Adopt City of Portland Investment Policy (Resolution) (Y-5)	<b>37209</b>
<b>494</b>	Accept bid of Landis & Landis Construction, LLC for the Tabor Sewer Rehabilitation - Phase 1 Project for \$5,333,325 (Procurement Report - Bid No. 00000246) <b>Motion to accept report:</b> Moved by Saltzman and seconded by Novick. (Y-5)	<b>ACCEPTED PREPARE CONTRACT</b>
<b>Commissioner Dan Saltzman Portland Fire &amp; Rescue</b>		
<b>*495</b>	Authorize Intergovernmental Agreement with Multnomah County for Community Healthcare Assessment Team Pilot to pair one paramedic with one County licensed clinical social worker to connect the High Utilizer Group callers with the right care (Ordinance) (Y-5)	<b>187745</b>
<b>496</b>	Correct and clarify Fire Regulations, and adopt 2014 Oregon Fire Code with City of Portland amendments (Ordinance; amend Code Title 31)	<b>PASSED TO SECOND READING MAY 18, 2016 AT 9:30 AM</b>
<b>497</b>	Authorize the purchase of five pieces of emergency apparatus for a total not-to-exceed amount of \$2,325,000 with General Obligation Bond funds and two pieces of emergency apparatus for a total not-to-exceed amount of \$2,329,151 with general fund resources (Second Reading Agenda 456) (Y-5)	<b>187739</b>
<b>Portland Housing Bureau</b>		
<b>498</b>	Approve application under the Multiple-Unit Limited Tax Exemption Program for Jarrett Street Condominiums located at 5732 N Interstate Ave (Ordinance)	<b>PASSED TO SECOND READING MAY 18, 2016 AT 9:30 AM</b>
<b>Commissioner Steve Novick Bureau of Transportation</b>		
<b>499</b>	Vacate a portion of NW 101st Ave south of NW Thompson Rd subject to certain conditions and reservations (Hearing; Ordinance; VAC-10104)	<b>PASSED TO SECOND READING MAY 18, 2016 AT 9:30 AM</b>
<b>500</b>	Create a local improvement district to construct street, sidewalk and stormwater improvements west of SW 30th Ave in the SW Dolph Ct - Spring Garden St Local Improvement District (Second Reading 457; C-10053) (Y-5)	<b>187740</b>

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<b>501</b>	Extend contract with Cogan Owens Cogan, LLC thru December 31, 2016 to provide administrative and logistical support to the Private for-Hire Advisory Committee not to exceed \$43,000 (Second Reading Agenda 458; amend Contract No. 3004332) (Y-5)	<b>187741</b>
<b>502</b>	Establish a Heavy Vehicle Use Tax to fund Portland's Street Repair and Traffic Safety Program (Second Reading Agenda 468; amend Code Section 7.02.500) (Y-5)	<b>187743</b> AS AMENDED
<b>City Auditor Mary Hull Caballero</b>		
<b>503</b>	Amend Regulation of Lobbying Entities and City Officials to improve administration, clarify requirements and Auditor duties (Previous Agenda 373; amend Code Chapter 2.12)	<b>REFERRED TO CITY AUDITOR</b>

At 11:42 a.m., Council recessed.

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

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fritz, Novick and Saltzman. Commissioner Fish arrived at 3:07 p.m., 5.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Kathryn Beaumont, Chief Deputy City Attorney; and John Paolazzi and Mike Cohen, Sergeants at Arms.

The meeting recessed at 5:03 p.m. and reconvened at 5:08.

<p><b>504</b>      <b>TIME CERTAIN: 2:00 PM</b> – Council to convene as Portland Development Commission Budget Committee to receive the proposed budget (Mayor convenes Portland Development Commission Budget Committee) 45 minutes requested</p>	<p><b>Disposition:</b></p> <p><b>PLACED ON FILE</b></p>
<p><b>TIME CERTAIN: 3:00 PM</b> – On April 28 and May 11, 12 and 19 the Council voted to accept or reject the potential amendments to the City’s new 2035 Comprehensive Plan. See minutes May 19, 2016 for list of Amendments Considered and Summary of Vote Outcomes for all four meetings.</p> <p><b>505</b>      Adopt new and amended supporting documents for an update of Portland’s Comprehensive Plan; accept report of the Citizen Involvement Committee (Previous Agenda 430; Ordinance introduced by Mayor Hales) 3 hours requested for items 505 and 506</p> <p><b>CONTINUED TO MAY 12, 2016 AT 2:00 PM.</b></p>	<p><b>CONTINUED TO MAY 19, 2016 AT 2:00 PM</b></p>
<p><b>506</b>      Adopt a new Comprehensive Plan for the City of Portland, Oregon (Previous Agenda 431; Ordinance introduced by Mayor Hales)</p> <p><b>CONTINUED TO MAY 12, 2016 AT 2:00 PM.</b></p>	<p><b>CONTINUED TO MAY 19, 2016 AT 2:00 PM</b></p>

At 5:34 p.m., Council recessed.

May 12, 2016

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,  
OREGON WAS HELD THIS **12<sup>TH</sup> DAY OF MAY, 2016** AT 2:00 P.M.

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

Commissioner Fish arrived at 2:03 p.m.

Commissioner Saltzman arrived at 2:06 p.m.

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

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Clerk note: Items 505 and 506 were continued from Wednesday,  
May 11<sup>th</sup>, and heard at this time.

**Disposition**  
See 505 and 506

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At 4:21 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.

**MAY 11, 2016 9:30 AM**

**Hales:** Good morning and welcome to the May 11th meeting of the Portland city council. Would you please call the roll?

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

**Hales:** There she is. We have our usual council business today but we also have some special guests and some special business because it's rose festival season. First we want to take the first time certians then we'll move on to communications and we will turn to that in a moment. We will take the first time certians and then we will move on to communications. But first we want to welcome the students, the third grade students from Sunnyside. We make an exemption and applaud for students. [applause] had a chance to talk with them a little bit before council about the history of the building and they stumped me with a couple of questions. So they have been studying hard, both history and geology. When you stump the mayor on the first try you know that you are learning well. So smart kids from Sunnyside. We are happy to have you here. One of the questions I didn't know the answer to was where did the sandstone for this building come from because there's not sandstone in Oregon. Whoever gets the answer first can stump somebody else. And then of course we have our rose festival court this morning and we will get to those two items next. Because it's that time of the year and we are very happy about that. So would you please read items 474 and 475, please?

**Item 474.**

**Item 475.**

**Hales:** The rose festival is everybody's favorite time of year and certainly mine as well. And Nancy's here. We had a chance to meet the court this morning and we are looking forward to meeting them. Let's bring up Jeff Curtis, executive director of the rose festival, and frank chin to tell us about this year's celebration.

**Jeff Curtis:** Good morning. Thank you, mayor hales. I'm Jeff Curtis, the ceo of the rose festival foundation. It's a pleasure to be up here and speak with you this morning. You are going to hear a little bit about the rose festival itself from frank and the court. But I thought I would just take some time to paint a little perspective. I have done this job for 12 years in front of fellow councils. I never take it for granted. It's always a big day in our cycle of planning to come before council and hopefully have the ordinance that potentially gives us the green light to produce these world class parades. I thought I would take a brief moment and share with you about the role of special events in general. And do it from a person perspective. Because what many people don't know I have the privilege of being on the world board of the international events association. I have a role of traveling to different festivals across the country. A few across the globe including Korea for the mud festival to carnival in France. While I work in this capacity as a ceo to produce this world class festival that we are all very proud of, over 12 years I have gathered a lot of knowledge and helped the industry in different ways. I am proud of that. But one of the things that grew on me that's culminating really this year with my friends at the rose festival foundation's board support is that there's incredible place for special events in society.



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And it's this movement that special events are not just special. They are essential some. Some of the best cities across the globe embrace special events as part of their culture. It gives people pride in their community to come together and celebrate the great quality of life, where they live, how they live, and essentially creates a healthier economy and healthier society. So that's a movement that you are going to hear more about from the rose festival here in Portland. But it's going to grow as we are having conversations nationally and internationally about the role special events can play in the growth and development of cities. And communities. Because there's a place to play. There's no other greater example than, from a historical perspective that I would like to share something from 1905. The great mayor Hales, it was a great mayor Harry Lane who is father of the rose festival. But he knew this concept over 100 years ago. It's humbling to read it and understand it and have this role that we play every day to produce the rose festival. But this, he had this statement that he read to the board of governors after the big Lewis and Clark event that was actually the rose festival was born out of in 1905. The actual rose festival started in 1907. But the Oregon daily journal posted something that essentially his speech. I am going to do an excerpt of it. I will going to read it to you because actually this year the rose festival's official charity is smart. And so in honoring them, Oregon reads aloud I am going to take to read an excerpt from the Oregon daily journal from October of 1905 from mayor Lane who was speaking to the board of governors from the Lewis and Clark centennial celebration. And it reads as follows. These are his words. "It's nothing more than a wild dream. But I believe if the people would take hold of this proposition it would be one of the greatest things ever attempted." Keep in mind he's speaking in the context of creating the rose festival. "This would be the greatest permanent advertising for the city that was ever attempted and make Portland's fame as the rose city worldwide. In this way Portland would become famous. Instead of going to other places, people would come to Portland. All that would be necessary would be to get them started and they would come and bring their friends for the summer. What Los Angeles is a winter resort, Portland, would its delightful climate would be a summer resort. Let the civic improvement spirit take hold by the people. Let them plant roses which grow here in the summer, but with little care. Let them park in the streets and plant hedges of fir trees. We will have a successful, beautiful green and red city. Green with fir and red with roses. Let the people paint their houses and continue public improvements. Let the great railroads make this a center and a great seaport that will soon have the most wonderful and most famous city in the United States. And I read that with a great sense of pride that in my role as CEO and the staff and the board that puts on this festival, that's why we do what we do. That's a movement that we are having conversations with cities across the country. And I think Mr. Lane had it right. So with that said, I want, we work with the obviously a great team of volunteers. I want to introduce Frank Chinn, volunteer, been on our board for a number of years, the president of the Portland rose festival foundation. Frank.

**Frank Chinn:** Thank you, Jeff. My name is Frank Chinn. I am president of the Portland rose festival foundation. Good morning, Mayor Hales and city commissioners. I am pleased and honored to be here representing the board and staff of the Portland rose festival foundation. First I would like to take a little time to acknowledge one of your valuable and our valuable board member, Ms. Leslie Goodlow who is chair of our court and also works for the city. And you guys should be proud of her because the way she represents our organization and your organization is outstanding. Please acknowledge Leslie. [applause] Last summer, we chose a really fun theme for the 2016 rose festival. Excessive celebration. What does that mean? Excessive celebration, think of excessive celebration as showing off your happy dance. There's no penalty for showing your

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excitement for your favorite event. We even have a special referee this year to encourage everyone to have a great time. In just a minute I will bring the rose festival court up to give you a preview of this year's Portland rose festival. But before I do, I have three specific things to share on the overall status of the Portland rose festival. First, the rose festival is stable. The private sector continues to support nonprofit, the nonprofit Portland rose festival foundation through corporate sponsorship, attending events, and making charitable donations. On the corporate side, five premiere sponsors stand out. They are Fred Meyer, Portland general electric, spirit mountain casino, Alaska airlines, regence blue cross blue shield of Oregon. Second, the rose festival is sustainable. This year, we are celebrating the 109th Portland rose festival. The 40th anniversary of the starlight parade and the 20th anniversary of our world famous cleanest and greenest parade cleanup program. And third, the rose festival is successful. We continue to be the largest civic celebration on the west coast. And we garner international attention and accolades from the international events industry. And as the official festival of the city of Portland, we create huge successes for the city itself. Generating over \$70 million in economic impact annually. Now I would like to bring up this year's rose festival court. As they come up here are a few interesting statistics about this incredible group of young leaders. We have 12 seniors and three juniors on the court. They have an average gpa of 3.69. They play a total of 13 different sports competitively, ranging from soccer to taekwondo. Some were born right here in Portland. But an equal amount of them were born elsewhere across the country and three different continents. All 15 love the city of Portland. Council, I present the 2016 rose festival court to give you a preview of the 2016 Portland rose festival.

\*\*\*\*\*: Hello. We are the 2016 rose festival court presented by united community credit union. We like to introduce ourselves and tell you what's happening during this year's rose festival. Emily.

**Emily Jayne:** I am Emily and I am from st. Mary's academy. The highlight of my rose festival experience has always been the spirit mountain casino grand floral parade. Growing up my father would wake up early and drive me downtown to find the best spot for parade viewing don't miss the parade that started it all Saturday June 11th. Watch for dancing groups amazing horses, marching bands, and all floral floats including the new mini floats which represent communities from around the region. You can watch it from the streets, inside veteran memorial coliseum or live on kptv fox channel 12.

\*\*\*\*\*: Olivia.

**Olivia Wolfe:** I am Olivia from grant high school. When I am not in the studio taking dance classes, I am outside with my friends hiking around Oregon, enjoying the beautiful scenery. Hike or dance your way down the grand floral parade and the grand floral walk. Wear a funky costume or a brand-new t-shirt as you walk the walk past hundreds of thousands of spectators cheering you on. There's no better way to get your 10,000 steps in.

\*\*\*\*\*: Katie.

**Katie Johnston:** I am Katie from Roosevelt high school. Some things in my life are essential like doing my morning yoga, ceramics or playing the flute. Other things in my life are worth celebrating like cheering on my favorite team at Providence Park with 20,000 other screaming fans. This year, the Portland rose festival is merging both worlds to spread the word about excessive celebration because everybody needs a celebration in their life. Show your support for the festival when you use #eventsareessential on Facebook, twitter and Instagram.

\*\*\*\*\*: Mariella.

**Mariella Fischer:** I am Mariella and I am from central catholic high school. When it comes to rose festival events, my favorite is city fair on the waterfront. I love visiting new

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vendors and trying delicious foods. Bring your family and friends to the fair for three weekends of fun. Make crafts in the kid's zone, pet a baby tiger at walk on the wild side and hop on your favorite carnival ride. It all starts on May 27th with opening night fireworks presented by Oregon live.

\*\*\*\*\*: Melissa.

**Melissa Ibrahim:** I am Melissa I am from Parkrose high school. Athletics or my passion. I play water polo, compete on tennis teams and have been awarded athlete of the year three years in a row. Bring out the athlete in you when you register for the sixth annual memorial golf tournament. This tournament supports the Portland rose festival foundation on Friday, August 12th. We will see you on the green.

\*\*\*\*\*: Stephanie.

**Stephanie Vo:** I am Stephanie from David Douglas high school and I am in my element when I am working on theater productions such as musicals. Join the rose festival court. Fresh up and you can be a member of the court in 2017 mark, the tenth year of this community program. This group of colorful comics is sure to share laughter with audiences everywhere.

\*\*\*\*\*: Bryana.

**Bryana Hanks:** I am Bryana from Jefferson high school. I love spending time with my friends. We never miss a school game or a chance to show our demo pride. 2016 marks the 20th year the Portland rose festival has been named the cleanest and greenest festival working hard to clean the streets. Look for characters. The green stooges showing you how to clean up with a laugh.

\*\*\*\*\*: Abby.

**Abby Freimark:** I am Abby and I am from Franklin high school. Each year my birthday falls right around the same time as my favorite rose festival event, the PGE Starlight Parade. There's no better place to have a birthday party. This marks the 40th anniversary of this parade. 40 years of illuminated floats. Be downtown or watch it live on KPTV Fox Channel 12 at 8:30 p.m.

\*\*\*\*\*: Kaytlin.

**Kaytlin Gaines:** I am Kaytlin. Cleveland high school. In my spare time I enjoy watching football and hitting the slopes with my family. Invite your friends and family to come join us to see who will be crowned this year's Queen of Rosaria. The Queen's Coronation presented by United Community Credit Union takes place on June 11th at 8:30 a.m. at the Veterans Memorial Coliseum. Watch the crowning take place right before the Grand Floral Parade. We appreciate your support.

\*\*\*\*\*: Abigail.

**Abigail Reyes Santiago:** I'm Abigail and I am from Madison high school. I enjoy visiting downtown Portland and taking pictures of the. Make your way downtown for a series of concerts taking place this season. Join us for the second after party or take another with your favorite radio station. Get ready to rock in Waterfront Park.

\*\*\*\*\*: Arianna.

**Arianna Webb:** I am from Westview high school. I love going to the Fred Meyer Junior Parade and seeing smiling kids take part in the truly special Portland tradition. Show your support for local youth by joining us for this parade on we understand, June 8th in the Hollywood district. Watch floats, community groups, baton twirlers, marching bands go by. Can't see it in person? Watch the telecast live on KPTV Fox Channel 12.

\*\*\*\*\*: Grace.

**Grace Ramstad:** I'm Grace from Centennial high school representing the Metro East area. In the future, I plan to work in the nonprofit or public service sector focusing on education. In fact, my fellow students and I started our own nonprofit which operates in mobile food

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pantry around our school district. Did you know the Portland rose festival foundation is also a nonprofit organization? You can show your support by becoming a friend of the festival and receive a variety of benefits to enjoy during this year's celebration. Or simply make a tax deductible donation at [rosefestival.org](http://rosefestival.org).

**Estee Emlen:** I am Estee from Wilson high school. I have enjoyed being asu vice president, joining the national honor society and competing in cross country. Set your goals to participate in a different kind of cross country race. The shortest half marathon yet. Join us on Sunday may 29th for the .1 run, a 528-foot race. And stay tuned for more information about the official rose festival half marathon coming soon.

\*\*\*\*\*: Thank you for hosting the 2016 rose festival court presented by unites community credit union. We will see you at the rose festival:

**Hales:** Thank you, ladies. Thank you very much. [applause] great to have you here. I am looking forward to the festival very much. You have pins for us. Thank you very much.

\*\*\*\*\*: Very kind. Thank you.

**Saltzman:** Thank you very much.

**Hales:** Thank you very much.

**Fritz:** Thank you.

**Hales:** Thank you. Thank you very much. All right. We do need to take action on one of these items because it's actually a revocable permit. So is there anyone else that wants to speak on item number 475 in if not let's take a vote, please, to approve that ordinance.

**Fish:** This is a wonderful annual ritual, mayor. And every year we get to witness these remarkable young women who compete for this honor and then come and share the story. So thank you, ladies, and congratulations. And I think all of us will be with you on Saturday for the st. John's parade where we get to know you even better. So I am pleased today to support this resolution or ordinance. Aye.

**Saltzman:** Thank you, court, for being here today. We appreciate it. Aye.

**Novick:** So I have to do a special shoutout for grace Ramstad of the court who among her other civic activities is working with doctors and other youth advocates and with my office to try to persuade school districts to push high school start times to later in the morning so that teenagers can get the sleep their bodies need. Thank you, grace. Aye.

**Fritz:** This is one of my favorite council actions of the year and thank you for coming to show Portlanders that there is a lot of great women in our public schools and our private schools who, this is just the things you share with us today are just a smattering of the things you do. I know. I was taking a picture. Arianna from Westview because my son Luke teaches there. She's nodding yeah. And then I saw Abigail at the Multnomah youth commission candidate fair. These young women are going to be everywhere for the next several weeks for the rose festival, and I know that they are going to be coming back and enriching Portland's society after they have gone to college and done great things. I love the theme of excessive celebration. That's always seemed to me to be the silliest of the college rules that you can't celebrate when you do something really great. So this is something that's really great. And it is a festival. It references is made to the father of the festival. I believe I am the mother of saying that it should be the Portland's official festival and this is our only festival that we recognize as a city event. And so I am looking forward to working with the foundation and the next mayor and the police with making sure we can bring the half marathon back next year. And others on the council share that goal. Next year is the centennial of the Washington Parkrose garden. It was great to hear the reading of the discussion about how this could become a destination. There's lots of great things to do in Portland's parks and everywhere around Portland in association with the rose festival. And I am reminded every time the mayor reads a proclamation this is the city of roses and we should be celebrating it and enjoying. And it's great that people can come

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down to the parade. I encourage everybody to join the grand floral walk. It is indeed the best way to get one's 10,000 steps for two reasons. Three reasons. You get to watch the queen being crowned at the beginning. Second you get the steps and people have been waiting for hours and hours for something to happen on the parade route after they have staked out their slots. They are so glad to see anybody. They just completely go very, very happy to walkers regardless. And third of all they save seats at the end so you get the really best slot in the parade because the seats are saved for you and you get to see the entire parade walk past in the end. It's very fun. I would like forward to seeing the court probably at the st. John's parade this Saturday and various other events around town. This is not just a downtown event. This is an event or series of events that brings joy throughout our city. And I am very, very proud to support it. And to vote aye on this resolution.

**Hales:** The rose festival is not only a great tradition but it's just a great event for us as a family of neighbors and friends. It's great in several ways. I think one is that it does, as the mayor in 1905 suggested bring a lot of visitors to town. And we have this experience a couple months ago with the world indoor track and field event. We had it with the mls all-star game as well. And when people come to our city, we see our home through fresh eyes. And they are dazzled by our city. And they were at those events and I know they will be at rose festival. And so they see the beauty of our city, and its many assets in a way that maybe we take for granted. So that's always a blessing. Secondly, it is great to come together as a community. And the rose festival provides lots of different kinds of activities. Some people want to go to a concert and they will. Some people love a parade. I do and I always will be there. And then some people love the carnival activities on the waterfront. So a whole variety of Portlanders get to experience the rose festival in the ways they like the best. So I think the diversity of activity that you provide is one of the strengths of the effort and of the organization. And finally the celebration of young leaders is something that all of us as leaders need to cultivate and encourage. These young women are part of our city's future. We are happy about that. We are happy about the opportunity to get to know you and to lift you up as leaders in our community. We are very proud of you. So looking forward to the whole season very much. Very happy to approve this and make it official. Aye. Thank you all very much. We will see you on Saturday. Ok. We need to move on to our regular agenda. We will start with council communications. I said we are going to start with council communications. We are going to do that first and then -- and then he will go on to our regular agenda. First before we do that, I have a request to pull two items from the consent calendar to the regular calendar. And those are 485 and 486. Anything else? Needs to be pulled to the regular calendar? Ok. And with that we will take the first of the consent items, 469.

**Item 469.**

**Moore-Love:** Request of Eric fruits to address council regarding crisis intervention. Mr. Fruits called. He is not able to make it.

**Hales:** Ok. 470 ok.

**Item 470.**

**Moore-Love:** Request of trena Sutton to address council regarding community. She also has to reschedule.

**Hales:** 471.

**Item 471.**

**Moore-Love:** Request of Michael O'Connor to address council regarding the city's event permit for last Thursday on Alberta.

**Hales:** Come on up. Good morning.

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**Michael O'Connor:** Good morning. My name is Michael O'Connor. This will be the third public testimony I have given in regards to the urgent policy issues regarding last Thursday on Alberta street. The last time was April 29th of last year. Where we presented to the city of Portland a 56 endorsements we received for our planning system from the businesses within inside Alberta street closure. We were very excited to work with the city of Portland at that time. Mayor Hales said he was excited to work with me. However, every request to meet with the city of Portland by Artists United was refused. However, we wanted to try to work with the city of Portland anyway so we came up with the idea to progressively take on last Thursday's public safety expenses starting with portable restrooms starting in September. I gave testimony again I believe it was September 16th to give an additional offer to the city of Portland where Artists United could go acquire \$50,000 in event sponsorship contract if the city of Portland could make a pledge to cover the expense of police officers overtime. I ended up waiting outside of the meeting to try to speak with Mayor Hales. To request a meeting. In which he said he would meet with me. Again, however, Chad Stover, the mayor's representative called me back the next day to say that what the mayor said was just a pleasantry and that his office was not willing to meet with Artists United at this time. In addition, he said that what we were doing with raising money for portable restrooms was a waste of time. They refused the \$50,000 offer and refused to set any goals or any requirements for any organization to take over the management of last Thursday. Since then Artists United has moved on to work on a build-up for First Friday in southeast neighborhoods which is a very exciting process. Everything is going very well. And so we should have a tested system by next year that could potentially resolve the dispute over last Thursday on Alberta Street. But today I come here as a concerned citizen with a couple questions. Specifically I am concerned over people's freedom of speech at last Thursday on Alberta Street. And I would like to know if the city of Portland is making registration an enforceable requirement for last Thursday's 2016 season. In addition, since the city of Portland has told us for about six years strong that they are looking for an organization to take over the management of last Thursday, what specifically they mean.

**Hales:** Thanks for coming. I will make sure Mr. Stover gets back to you. Thanks very much. Ok. Item 472.

**Item 472.**

**Hales:** Good morning.

**Brad Perkins:** Good morning, Mayor and Councilors. I am Brad Perkins. First of all I just want to start with another item. I believe that Mayor and the Council members have received testimony on Emanuel Hospital and the need to have Emanuel follow through with their signed commitment to create housing for 300 affordable housing units. First we proposed that three blocks of Emanuel's property be rezoned from IR to M3. Northeast --

**Hales:** We can't take comp plan testimony now. We can't take comp plan testimony now. Only during the hearing.

**Perkins:** Then we ask that these organizations, the Urban League, NAACP, NACN, Elliott Neighborhood and NEBA work with you, Charlie, in regards to having an meeting so we can actually go before Emanuel Hospital. And work out something that's beneficial to all. Ok. So Commissioner Steve Novick and the Mayor again, we need to work with Metro and ODOT and the legislature to get planning money to do a better comprehensive transportation plan for the whole region, including Southwest Washington. All transportation plans that are being done currently are done in silos with limited study area. \$2 billion for Southwest Corridor improvements will not relieve traffic on I-5 north of Tualatin. ODOT's passenger rail EIS study goes to Oregon City via 205 from I-5. Via Union Pacific right of way to Portland. After up has told ODOT they will not give any more of their rail capacity through Portland.

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Ok. And odot and wa-dot are not currently planning a new corridor over the Columbia River. Washington County is doing a new high-level transportation envisioning process. None of it has a new connection or corridor from 217 to a new bridge to Vancouver. Cascadia high speed rail probably relieves bottlenecks on all these corridors, on terwilliger curves, zoo tunnel, and i-5 Bridge. Connected tods with park and kissin rides could be very effective in relieving a place affordable housing and market rate housing. 11 minutes to the rose quarter from Tualatin, imagine that. Six minutes from Vancouver to the rose quarter. Six minutes from Vancouver to 26 and 217. The city and metro and odot needs to work with the state legislature to get funding for regional interconnected commuter and inner city high-speed rail study. Chsr has a viable concept as a head start for further study saving millions of dollars and years of planning. See the website, cascadiahighspeed.com. It should take our chsr plan seriously. Especially that it would invite private money to implement these projects. So we look forward to having further discussions regarding that.

**Hales:** Thank you very much. Thanks. Ok. Item 472, please.

**Item 472.**

**Hales:** Good morning.

**Crystal Elinski:** Pge, Alaska airlines. I have got a stumptown stumper for you. Remember when you were interviewed on opb, Commissioner Fritz, they got you? I'm sorry. Kboo. The kids had asked questions and they asked the best questions. But which public building is right on the waterfront historic beautiful building that the city gave no rent, no taxes over to the rose quarter-rose festival? And you are not loud to access it. It's not public anybody? The eon. The eon by the waterfront by the Hawthorne Bridge. My name is crystal elinski. And I got this at the library. I represent 10,000 members of the council. The title is not right. It should have been Bernie giusto. As you know we have had a long list of funny little sheriff debacles here. And then as far as the rent control issue, I will just point out again as I have been saying since day one, since I have been coming here and going to all of your other meetings that we need rent control. And on the front page of your paper today they are talking again about inclusionary zoning, zoning this. So I will just get that aside because I did try to change the title last week. And they said it was too late. You have to do it the Monday before the next week. So the funniest and most tragic part of the Multnomah county sheriff Dan staton debacle is that once he retires, he wants to have mike reese, former chief reese, yes, the one who my mother screamed at on the tv when him and Sam Adams shut down occupy. And he was also running the heat the other week for \$1,000 a pop. You could see all the war toys that the police play with. And I don't even know why he is in public service. Last I know that they just ruled that it was unconstitutional to kettle people. He was wearing his civvies although he had resigned, retired, whatever. He was at the main police building down there standing outside and coordinating the entire Michael brown protest kettling. As you know there have been lawsuits and settlements and everything over that I want to talk about also why is Sam Adams, why was he put into this system? But I want to talk about the heroes and legacies because I have been, you know, reading, I read things like Hillary's book and ben Bernanke and others like this. I like to hear their words that, for example, we rendered the question of Honduras moot. Or in these great words, you know I felt like I couldn't move this mountain of poverty. So I thought that the people that come here --

**Hales:** Crystal, you are out of time. Would you wrap up.

**Elinski:** We need to give -- I didn't even have three minutes.

**Hales:** Yes, you did. We need to wrap up.

**Elinski:** We need to give a moment of silence. I know you gave 30 minutes to Michelle mundt, one of the people who come here regularly and she passed away two weeks ago.

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I would like to dedicate one more minute especially since you won't be calling the police on me today since there are no children here anymore.

**Hales:** We won't be calling the police but we are not going to take a moment of silence and thank you very much for coming this morning. We are going to move on to the next regular item on the calendar which is 476. Thanks, crystal.

**Moore-Love:** The consent agenda?

**Hales:** No other items to withdraw? Let's take a vote on the remainder of the consent agenda.

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

**Hales:** Item 476.

**Item 476.**

**Hales:** Commissioner Fish, would you like to start? I have a proclamation here as well.

**Fish:** Thank you, mayor. We need --

**Hales:** You need to leave because we have to bring people up. Please let them come up. Thank you.

**Fish:** This is a special day in the city of Portland. And we celebrate hefe I would like to bring up Tim bole, Andy Thomas, ceo of the craft brew alliance. Kurt Widmer and rob widmer.

**Hales:** Bring up another chair if you would, please. Make yourselves comfortable [laughter]

**Fish:** The mayor declares a proclamation and says the city will honor someone really neat. The mayor has issued a proclamation and I want to tee it up with some preliminary comments. Today we get the chance to celebrate a great local company, widmer brothers. Its visionary founders Kurt and rob Widmer and their signature beer. And we honor kurt on his well-earned retirement we are so proud that widmer brothers calls Portland home we are proud that widmer brothers is one of our largest water customers. [laughter] and that bull run water is one of the keys to their success. And that their signature beer, the hefeweizen is one of America's great beers. The mayor has given me the honor to read a proclamation and then we will hear from honored guests and take some commentary from the council whereas in 1979, home brewing became legalized in Oregon, paving way for Brothers Kurt and rob widmer to begin making beer they actually liked. And whereas in 1984 the widmer brothers quit their jobs and cobbled together their first brewery on northwest love joy which was filled with retired dairy tanks and vessels intended for nuclear power plants. And whereas on April 2, 1984, widmer brothers brewing was officially founded and provided delicious German-influenced alt beer and weizen beer to Portlanders. And whereas in 1988 they joined Bridgeport and Portland brewing company to launch the Oregon brewers festival, which now hosts over 80 breweries and 80,000 people annually. And whereas by 1990 they moved to their current location in north Portland and renamed there brewery the widmer brothers brewing company. And whereas this may 15th marks 30 years from the very first delivery of widmer brothers hefeweizen, the first American style beer which is still Oregon's bestselling craft beer. Over the last three decades the widmer brothers have pioneered Portland's brewing industry use, our very own Bull Run water and transformed from a small local business into an internationally renowned company. And whereas widmer brothers brewing company calls Portland home and continues to brew delicious craft beer right here in our community. And whereas Kurt widmer has enjoyed a long and remarkable career as a master of craft brewing, contributing to the history of craft beer and to Portland, and we wish him the best in his retirement. Now therefore I, Charlie hales, mayor of the city of ordinarily, Oregon, the city of roses do proclaim may 15th, 2016, to be hefe day in Portland and encourage all residents to observe this day. Mayor, can we suspend the rules?



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**Hales:** We can. [applause] at an appropriate time and place the way to observe this day would be to have a nice cold tall hefeweizen. I think we have great memories of what you and your company have done for our city big and small. Like my brother-in-law from Virginia on a sunny day like this on a back porch while we were barbecuing he only had industrial beer. And I said, help yourself to one of those in the refrigerator. Now he drinks craft beer. Or the day that you opened your bottling line and I was there to see that machinery come to life. Wasn't it eight bottles a second? At the first. So the first craft brewery to a bottling line. It was an amazing moment to see the line flying by. Great memories of what your company has done for the craft beer movement. And what you have done for our city and now with more breweries than any city in the Portland. Look what you started. It's great to have all of you here this morning. Welcome.

**Fish:** What better way to kick off the celebration than to have the president and ceo of another great Oregon company join us and it's my honor to turn it over to Tim boyle.

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

**Tim Boyle:** Mr. Mayor, honored commissioners, I am honored to be here as Kurt is honored by the city of Portland, who proclaims may 11, 2016, to be hefe day. Its beer lingo for hefeweizen, the smooth utterly delicious wheat beer that Kurt and his brother rob first brewed on May 15th, 1986. Since that malted miracle day, the widmer brother's institution has expanded to include many brands but none more Portland than hefe. In 1990 the brewery moved to its current location and has been expanded many times. In 2008, widmer brothers combined with red hook brewery to form cba which is a public listed company here in Portland. In the last eight years alone, cba/widmer brewers has brewed more than 250 million pints of hefe which I have consumed at least a portion of. [laughter] so I am honored today to have all the members of the board of directors from cba and --

**Fish:** Why don't we have them stand and be recognized? The board members.

**Hales:** Good morning. Welcome.

**Boyle:** We are here to honor our founder and our friend kurt widmer.

**Fish:** Should I turn it over to Andy? Andy thomas is the ceo of the craft brewing alliance. Welcome, Andy.

**Andy Thomas:** Thank you, Mr. Mayor and commissioners, those first drops of hefe helped create a tidal wave which is candidly still sweeping across the nation with more than 4,000 active breweries in the u.s. And hundreds more in planning. More locally, though, currently, the brewing industry contributes nearly \$3 billion to the economy of Oregon. And both directly and incorrectly employs more than 30,000 people. I think it's fair to say that Kurt and rob's story embodied in hefe is clearly one worthy of the pioneering spirit of Portland and of Oregon. So on behalf of all of the employees and stakeholders of craft brew alliance and widmer brothers, I am proud to humbly sit before you and testify to that pioneering spirit of kurt and rob that has clearly touched literally thousands and millions beyond their modest beginnings here in the rose city of Portland. Kurt?

**Rob Widmer:** Mr. Mayor, council members, good morning. I am rob widmer. Kurt and I are Portland natives and we are really proud of the city. Portland is recognized throughout the country as beervana and really around the world as a center for excellent beer and brewing and we are extremely proud that we played a role in establishing that reputation. And thank you so much for the excellent, excellent brewing water. [laughter]

**Fish:** Welcome.

**Kurt Widmer:** So thank you very much, mr. Mayor and council members. This is truly an honor. On behalf of rob and myself the entire widmer family, our extremely savvy board of directors and 250 of our colleagues back at the brewery making delicious beer. I am very pleased to accept this recognition. This is very kind of you and I do appreciate it. As a

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Portland native, I have always been proud to call Portland home. There's simply no better place to live. And to us obviously there's no better place to be a brewer because there's no other place with more beer drinkers. With support from Portland city government, we are proud of the endeavor. Thank you very much and from everybody at the brewery, too. **Fish:** It's a tradition to have council members make some comments. So starting with commissioner novick.

**Novick:** Two things. One, I think we should salute jimmy carter who did legalize home brew, one of his many areas of advancement in human rights. I also wanted to say since I have gotten old and fat, I have cut down on my beer consumption. I do make an exception for hefeweizen.

**Fritz:** My brother did home brew when he was 18. He was not nearly successful. I have a question that is for the founders of this brand, we have heard various pronunciation of it. How would you like us to say it? I am going to be appearing at pioneer courthouse square on Saturday. I would like to say it the way you would like to say it.

\*\*\*\*\*: Widmer.

\*\*\*\*\*: Hay-fa.

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

**Fritz:** I will get it right on Saturday. And I believe there's a 12 to 5:00 celebration at pioneer courthouse square on Saturday? Is that correct? And everybody is welcome?

\*\*\*\*\*: Yes.

\*\*\*\*\*: Sunday.

**Fritz:** Come to pioneer courthouse square on Saturday. I am sure there's something great going on, but this is on Sunday. Thank you, commissioner. And thank you for the work that you do. And particularly want to thank you for the restaurant that's next to the brewery. I think that has also set the standard for good pub food. Compared with just where we are required to have this. So here you are french fries or whatever. It's certainly has been a favorite for my family for quite some time and I really appreciate that. Thank you.

**Hales:** Obviously not all of our German is up to par. Hefe weizen means half wheat? What's hefe?

**Widmer:** It's yeast. Weizen is wheat.

**Hales:** Thank you for our education. It's important to know the root origin of these terms that apply to something that we love. Thank you.

**Saltzman:** I would just like to say I am awed to be in the presence of two home grown companies, widmer brewing and Columbia sports. Your stories of amazing. I think we can thank the demise of the nuclear energy. I didn't know that connection before. But you really are two home grown successes. And we really appreciate everything you have done for us and, Kurt, I have always appreciated the tours you provided me of your facilities. And the opportunity to have lunch with both of you. It's really been meaningful to me over the years. And I wish you all the success in your retirement. I understand, I think you read you are going to be doing a lot of traveling and that sounds great. And I just thank you both cogs for your investments in Portland, Portland and its people. Thank you.

**Fish:** We are going to ask you to stick around for a second to take a picture but I want to close first by thank, Liam frost. He was more excited about this day than even the widmer brothers. It comes has a very important week. He was sworn in as the United States citizen. Let's give Liam a round of applause. [applause] I want to thank Tim bole for taking time out of his busy schedule to be here. I visited with Tim a few months ago at Columbia sportswear. And he and peter bragdon and I actually on a Friday afternoon had a beer and not surprisingly it was a hefeweizen. He serves in the cafeteria of his great complex. Tim, thank you for joining us. And to my friends Kurt and rob, I just want to say, in addition

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to just being great business people, you guys are wonderful community members. And one of the things I love is that you never seek the limelight about what you do. But you do a ton of stuff. In the signature way which is quietly and without any fanfare. And the city really is so proud that you are here and expanding and succeeding and thank you. Thank you for the support you give me as the water bureau commissioner I know once upon a time you were among those who had a constructive set of criticisms about the way we did our business. And you have become not just great customers but great supporters of our mission. So thank you for that. And Andy, thank you for joining us today. Good luck with the stock today on the markets. Mayor, why don't we take a photograph?

**Hales:** Please. Congratulations, guys.

**Fish:** This is what it is to be a widmer brother. Now that you are selling hefe in a can which is the better seller? Still bottles.

**Fish:** I personally think it tastes better in bottles.

**Widmer:** We're working on it.

**Hales:** Ok. We have a couple of items that we pulled from the consent calendar that we might want to deal with before our 10:30 time certain I don't know if we necessarily need staff here for them. 485

**Item 485.**

**Hales:** I don't think there's necessarily any need for a presentation but it was pulled to regular calendar I think because of the dollar amount. Is that right, Steve?

**Novick:** I think that's right. He is here from pbob to address this.

**Hales:** Any questions? Anyone want to speak on this contract? If not, it's an emergency ordinance. Let's please take a vote then.

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

**Hales:** And 486.

**Item 486.**

**Hales:** Same thing. This is a contract authorization but it was pulled to the regular calendar because of the dollar amount. Anyone have any questions about this item? Anyone want to speak on it? If not then let's take a vote, please.

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

**Fritz:** I appreciate both of these contract being pulled to the regular agenda. It highlights we are investing \$1.72 million on this improvement, which includes pedestrian signal improvements, upgrading ramps to meet current Americans with disability act guidelines, buffered by clients and other safety improvement. thank you, commissioner novick, for continuing to invest these limited general funds we have on available on projects like this that are going to make things better. Aye.

**Hales:** Agreed. Good project. Aye. Ok. Then we are still a little ahead of schedule for the time concern. So let's go to item 490.

**Item 490.**

**Hales:** This is a rescheduled to may 18th at 9:30 a.m. 491

**Item 491.**

**Hales:** This is a vote on a second reading, please.

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

**Fritz:** Mayor hales, I have very grateful for you bringing this along with the bureau's planning and sustainability and thank you to art de muro and Bing Sheldon in particular for all their work on this project which truly is a legacy. Aye.

**Hales:** As it happens on my way to work this morning on riding on the orange line I was talking to a neighbor who was pondering the question of whether that neighborhood should become a historic district. And I was encouraging her, because it's a good idea. And there's a lot of things that we need to do to protect the great old buildings in our city. And

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this kind of planning effort is one of them. And I am very happy and very proud that this is here and that we are doing it. Aye. 492

**Item 492.**

**Hales:** We may have gotten far enough ahead of schedule that people aren't here to present on this.

**Fritz:** Could we do second readings votes?

**Hales:** We will set that one over and come back to the ones that aren't second readings. We will just keep working our way through them. The next one would be 497 it looks like.

**Item 497.**

**Hales:** That's a roll call vote, please.

**Fish:** Aye.

**Saltzman:** Once again I want to thank port voters for supporting this bond measure to allow Portland fire and rescue to purchase critical life safety and fire safety equipment that they need to do a great job every day. Aye.

**Novick:** Aye.

**Fritz:** Thanks to Commissioner Leonard who was on pins and needles on this very dais for days after the vote because it passed by such a narrow majority at the height of the recession. And it's a testament to Portland voters that they are willing to invest in crucial safety apparatus. Aye.

**Hales:** Aye. Ok. Let's see. Down the list here. 500, please.

**Item 500.**

**Hales:** Second reading vote, please.

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

**Hales:** They are here?

**Fritz:** We could do 501.

**Hales:** And then come back to that. Let's do 501 and then we will return to the order.

**Item 501.**

**Hales:** Second reading vote, please.

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

**Hales:** Ok. We will return to our time certain item which is number 477

**Item 477.**

**Hales:** Commissioner novick.

**Novick:** To properly introduce this item I need to call on Martha and the vandellas. ¶ around the world are you ready -- [music]

**Hales:** Of course you did: summer's here and the time is right for dancing in the street.

**Hales:** Dancing in the streets. Thank you.

**Novick:** Streets and sidewalks make up our city's largest public space. As a result it's important that we utilize streets in a way that he would achieve multiple city interests like health, safety and livability. Pbot has been a national leader in urging people to become actively engaged in the public right of way whether it's through infrastructure like safe routes to school or through permitting the many activities that take place in our streets including running events, block parties, and farmers' markets. Livable streets is a concept that permeates the Portland bureau of transportation and it draws people from all over the world to study how we utilize our streets to make the many goals we have as a city. To give us more background about pbot's Portland in the streets initiative, I would like to welcome the head of the permitting group to say a few words.

**Margi Gradway, Portland bureau of Transportation:** Good morning. Thank you, commissioners. I am Margi, the active traffic safety division manager. I am honored to be here today to talk about people in the streets Fred kemp from project for public spaces said if you plan cities for cars and traffic you will get cars and traffic. If you plan for people

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and places, you will get people and places and at the heart of this initiative is really place making. In many ways, Portland has been a leader in this and a huge part to our community partners and the innovation of people like intersection repair and better blocks who you will hear from later today. And really pbots role in that is facilitating a place and using our public right of way as a template for them to have community uses. This is by intention by the city. The city of Portland's draft to 2030 plans calls for designing Portland will streets to create opportunities for a variety of community functions. To that end, pbot is taking that to the next level. We have just kicked off a livable streets initiative in which we will be coming back to this council in probably this winter with a strategy that will provide clear guidance from the bureau and our planning permitting and management of place making projects. We will look at how we can continue to innovative in the public right of way by opening Portland streets, parking plazas and alley ways at the same time we will be tackling issues such as liability insurance, and outreach. The strategy will provide consistent tools for the bureau to deal with the challenging issues of maintenance and program per misting as I mentioned. But at the same time it will move us forward to the next level of figuring out the best way to open our streets to the communities. So at the end of this I just want to say that I once heard someone refer to the best streets as being the key streets. And I liked that term. Sticky kind of being that the measure of a street is not how quickly one moves through it but how long one lingers and sticks to the actual street. To that end, this partnership has been a great collaboration between my group and the development services group.

**Kristin Alldrin, Portland Bureau of Transportation:** Good morning Kristin Alldrin with communities permitting group. Pbot supports and encouraging activation of the public right of way for the intent of building communities. Through our community events program, pbot issues permits for block parties, street festivals, neighborhood fairs, farmers markets and community demonstration projects such as those installed by better block pdx. Annually, pbot issues 200 community event permits as well as almost 500 every year block party neighborhood events. As stewards of the public of right of way pbot coordinates with many different city and government organizations such as fire and police, emergency services and office of neighborhood involvement. We ensure streets are closed safely for all modes of travel. Pbot's traffic engineers review every application and each permit is contingent upon approved traffic control plan. Thank you.

**Hales:** Thank you. You have some invited testimony as well, commissioner?

**Novick:** I believe -- let's see. I believe we do. We have Gwen Shaw. Elaine, and hau of Portland state university. Before they come up, Kristen, I wanted to tell you that I hear repeat lead from everybody who deals with you how wonderful you are. So thank you.

**Hales:** Thank you both. Good morning. Come on up, please. Who would like to go first?

**\*\*\*\*\*:** Gwen will go first.

**Gwen Shaw:** Hi. My name is Gwen Shaw and I am a better block volunteer and a transportation analyst at Lancaster engineering and street labs. I would like to start by giving you all a big thank you for supporting better block pdx in the past few years and allowing us to work with the city to push boundaries. The streets in Portland provide the largest amount of push space and leave a lot to demonstrate what can be done. Portland has the opportunity to become an incubator for innovation using temporary projects to show us what is possible without the need for long-term commitment the. These projects showcase ideas and opportunities and they have a way to jump -- they have a way to jump start the conversation about what a street can look like and starting the conversation is better blocks' role. We helped implement some of the ideas that have been communicated to us by neighbors and we don't necessarily have an agenda for a particular street design. We just welcome any encouragement and voices. Everything from design to

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implementation has been done by volunteers with a passion for creating more people friendly streets. We have currently two separate mile long stretches of reimagined space going on now that are providing our city with nearly two miles of protected bike lanes, at least 10 crosswalks with reduced lanes to allow easier access to northeast Broadway and nato parkway. We have many internet responses to go through full the insight. We have a bus only lane on the Burnside Bridge planned for later 2 summer. Our projects bring people into the conversation of planning and design that otherwise wouldn't be there. Students, residents, local business, the list goes on. Each. Our projects since 2013 have grown incrementally larger and lead to permanent improvements, found sustainable funding and morse importantly inspired business leaders to advocate for people oriented streets. Thanks to the relationship and support we have gained with the city, we are able to conduct, to collect data for the city and work with them to ensure these projects are helpful in moving us forward no matter what. With no cost or risk to the city we have helped develop livable streets projects to temporarily show everyone what is possible when we design our transportation system around people and I appreciate your support going forward so that we can keep starting conversations one project at a time. Now that all these projects are current pictures and things going on for the last couple years. Thank you.

**Hales:** Thank you. Good morning.

**Elain Friesen-Strang:** Good morning. Mayor Hales, members of the council, thank you for this opportunity to speak. My name is Elaine Friesen-Strang and I am a Portland resident and a volunteer for AARP Oregon. This past Monday, I had the opportunity to participate in a walk that celebrated the opening of Better Blocks PDX Better Broadway. This reimagining of a they-wane straight pulsing through a busy commercial districts leading into downtown Portland created temporary crosswalks in a neighborhood where getting from one side of the street to the other is daunting. I marveled at the temporary bus stop island and the open lane inviting safer passage for bikes, pedestrians, and business activity. As an AARP volunteer and active transportation advocate, I appreciate this city's willingness to promote creativity and innovative urban design. AARP has been a sponsor of Sunday parkways for four years celebrating active lifestyles, connecting neighborhoods, and promoting community pride by opening up streets to allow residents to bike, walk, and roll. We recognize that inviting people of all ages and abilities to own their rite of passage in the streets and the stake their claim in the vibrancy of their communities nurtures the health of our citizens and the future of the city. AARP applauds the city for its proclamation in making the summer of 2016 Portland in the streets.

**Hales:** Good morning.

**Hau Hagedorn:** Good morning. Hi. My name is Hau Hagedorn. I am the associate director for transportation research center at Portland state university. Our research and education activities support walking and bicycling as key pieces of the transportation system exploring the choice to walk or cycle and how to make these options safer for everybody. A key component of our education strategy is experiential learning. This is learning by doing and interacting with industry and agency partners to track and retain students. At PSU our institutional motto is "let knowledge serve the city." we partner each year with the city of Portland to incorporate transportation-related projects into several planning and engineering courses. PSU has workshops where planning students work directly with community clients to address problems. For example, students collected information that the city used to use for an active transportation plan for a diverse lower income neighborhood. For over a decade our undergraduate students in the urban planning systems classes work on projects for public sector clients as well. Opportunities such as Portland in the streets really opens up innovation possibilities for students to apply

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what they learn in the classroom to their living laboratory, which is the city of Portland. They know that Gwen didn't mention that but last year, Gwen is a recent Portland state university graduate. And last year, through her work with the better blocks project, she actually had a job opportunity in d.c. And she was ready to leave. But through her work on that project it opened up her eyes and the possibilities of what working in transportation Portland could be a career opportunity for her. So we are really happy that Gwen decided to stay and she is working to help improve the streets and make them much more livable for everybody here. I think I thank you for the opportunity to testify in front of you. And also for supporting livable streets in Portland.

**Hales:** Thank you all. Thanks very much.

\*\*\*\*\*: Thank you.

**Hales:** Anyone else like to speak about this proclamation before I read it? So again we want to thank you, commissioner novick, and this team of folks, staff from pbot and the community for highlighting this issue. This is really a concept that people have advocated for over the years, like Fred Kent, or like Lewis Mumford before him who said everyone will have means moving around the city but no reason whatsoever to go there. Or maybe a little more directly, forget the damned motor car. Build the cities for neighbors and lovers and friends. So this idea of streets as public spaces, not just plumbing for cars, is something that you and pbot and others in our community that we have heard from have really been pushing for. And it makes us a better place. That's why this initiative on your part is appropriate and why this declaration enshrines that. It says whereas summer festivals and events in the public right of way attract hundreds of thousands of people to Portland, and demonstrate the cultural creativity and economic vitality of our city, and whereas Portland has consistently been a leader in transportation innovation, especially in our approach to using streets as public spaces, to foster inclusive community connections, open streets for events, offer Portland's residents and visitors the opportunity to experience their streets and their city in new and exciting ways. Whereas the fast approaching summer weather is the perfect time for Portlanders of all ages and abilities to ride, roll, dance, and stroll through our neighborhoods, with all the activity in our streets during this season we remind all Portlanders to travel safely, look out for each other as they move through our beautiful city, if I could amend this on behalf of commissioner Saltzman, put down the cell phone and look around. Whereas Portland has a number of open streets programs for street festivals running events, block parties, farmers markets and Sunday parkways presented by Kaiser Permanente, and whereas community groups like better blocks pdx highlight how streets can be temporarily reconfigured to create a safer more welcoming environment while at the same time providing the city of Portland opportunities to try designs, gather data, and allow residents and visitors of Portland to experience streets differently, pbot is, working with better blocks pdx to gather data at no cost to the city on three alternative street designs in Portland this summer as we heard. Northeast Broadway, southeast -- southwest naito parkway and the Burnside bridge. And whereas Portland will be hosting the 2016 international open streets summit this august, now therefore I Charlie mayor of the city of Portland, Oregon, the city of roses, do here by proclaim the summer of 2016 to be Portland in the streets season in our city and encourage all residents to connect to our public spaces and celebrate our season. Thank you, commissioner, novick, thank you all for this good work and let's have a great summer out there. Thank you. [applause] all right let's move on to the remaining items on our regular agenda. I believe we want to start 490 but I to give a commissioner Fritz to come back in the room.

**Moore-Love:** 478, sir.

**Hales:** Yes, 478.

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**Item 478.**

**Hales:** Commissioner novick.

**Novick:** Colleagues, as you may have heard, Portland is in the running to win a \$40 million grant from the u.s. Department of transportation. Earlier this year Portland competed alongside 77 other cities to showcase how we could use technology to address problems and milt gate past inequities in our transportation system. Back in March we found out Portland was a finalist in this challenge and now we are neck and neck with six other cities to prove to them we are America's smartest city. The other cities are Pittsburgh, Austin, Denver, Kansas city, San Francisco and Columbus, Ohio. The grant application is due May 24 and people working tirelessly can tell you we are doing everything we can to highlight everything Portland is doing as part of this grant application. Like to turn it over to Leah Treat and Maurice Henderson from pbot to tell us more about this exciting grant application. I can't talk today apparently.

**Hales:** Good morning.

**Leah Treat, Director, Portland Bureau of Transportation:** Good morning. Thank you for the time today. This is really, really exciting for us. So as commissioner novick said we are in the running for a \$40 million prize from the u.s.dot to be the smartest city in the America when it comes to transportation on top of that Paul Allen and the vulcan institute has thrown in other \$10 million in the prize. There are other private companies that have come to the table that will be offering prizes to the winning city such as alphabet from google labs, infradesk from amazon. There's a host of other things that are on the table for the winning city. So we are really excited about this. And I think I believe Portland is going to win. We have some amazing things in our application that I don't think any other city is going to have. And I am really excited when we get to publicly unveil some of what I am dubbing the secret sauce in our application. Because I think we are going to be leaps ahead of some other cities in things we have come up with. But I am also really excited about this because we, this is an opportunity for us to address mobility issues in east Portland. It's an issue for us, presents answer opportunity for us to connect east Portlanders to jobs. Especially along the Columbia corridor and also giving us an opportunity to connect freight movement along the Columbia corridor into our application. There's a lot that's in this. High level picture is it's a ubiquitous mobility application. Anybody with a smartphone will be able to look at an application that can show them how they can get from point a to point b by mode, by time, by carbon footprint and understanding that not everybody has a smartphone, we also are looking at deploying kiosks so people can walk up to a kiosk either in the right of way near bus stations or other areas to do the same thing. There's a lot more to it. I am going to let Maurice talk a little bit more about it. But it is just incredible. The amount of work that is going into this is pretty insane but we have amazing team that's working day and night to get this done. And we have really incredible partners in the private sector who are helping us with this. And even though I know we are going to win, on the off chance we don't, we have identified some amazing things that we should be doing anyway. And I think we have established some partnerships in the private sector, the advocacy world, nonprofit world that we are going to continue to build on and keep working regardless of the outcome after June 8th and our presentation in d.c. So up going to let Maurice take us here and run you through a quick power point.

**Maurice Henderson, Portland Bureau of Transportation:** Thank you, council, thank you, mayor. As you know, Mr. Mayor, commissioners, thank you both for your leadership and support of our efforts. Certainly Leah's guidance has been invaluable in this process. It's been a heavy lift. But we are extremely excited about the prospects of the future. So I will run through this power point very quickly for you just to give you a high level overview.



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As Leah mentioned, the u.s. Dot presented an opportunity for the first time for cities to tell the government, the federal government how they would like to see their funds allocated and what a smart city would look like in their eyes. And so since December, we have been working feverishly on this process to try to win this \$40 million to show that we are the smartest city. As the mayor said, down in Austin, Texas, when we were announced as one of the seven finalist, one of the five finalists originally which became seven. Portland has been really the prototype for the nation. Has been a teacher for the nation. Our land use policies and urban design and what not has been something that people come from all over the country but as all over the world to come see. This is an opportunity again for Portland to show that thought leadership and that space and so we have brought a team of our private sector partners here in the area. Public sector partners from the state level, regional as well as academia. PSU has been a really strong partner as well as university of Oregon and others. So that collaboration that Leah was alluding to in terms of prioritizing some. Needs that we have been in some cases not able to address collectively, we all recognize that it's something we need to move forward on. So for those who aren't as familiar with this project, we have a quick video that explains it.

**[Video]**

**Henderson:** So that was the video that the u.s. Dot originally sent out to the cities and all the applicants. And so this screen shot that you see is an example of what we believe ubiquitous mobile for Portland or ubmobile pdx will look like. If you see in the left-hand corner there's this reference to the marketplace. And Leah was talking about the application, the software application that people will be able to see the different mode choices that they have. So let's say that you are living along the Powell division corridor or you work in the Columbia corridor. And whether you take it bus, whether you ride your bike or walk, all of these mobility options including autonomous, as commissioner Novick called it, robot cars, would be available for your choice. And you would be able to see not only the price, the timing, you would also see the health benefit for that particular choice as well as the impact on the climate. So there's a number of things that will be part of this marketplace that we would create.

**Fish:** Make sure I understand this. You are in your car with your cell phone on getting all this information while driving? Is that what we are encouraging?

**Henderson:** Well, it would actually be talking to you.

**Fish:** Thank you.

**Henderson:** It would actually talk to you in ways and a number of other private sector partners about making sure that there's not a distracted driving component to this. This is, safety has been a critical component of our offering. So all of these things would be interconnected. There would be this open data cloud that we would create that start-up companies here in Portland and elsewhere would be able to utilize that data to help us provide even more rich, robust applications for people to be able to use. As part of this, part of this money will also go to actually putting devices in the hands of people in those corridors who may not actually have those devices or we will be working with partners to provide data plans to make sure that people who may have a smartphone but not a data plan at the moment will be able to leverage this. As Leah mentioned one of the partners is sidewalk labs who will be providing about 100 kiosks in the corridors we will be using as well so people will have the access on the street, at home, with their cell phones, we will also be working with partners along those corridors that the two community colleges, the high schools in the area. Some of the work force development centers, et cetera. So this is a really all-encompassing project for us. As we have said many, many times this is a people project, not a technology project. It's really about how we make the greatest impact for folks here in our community.

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**Fritz:** What would be cool in the kiosks if there was a place to plug in and recharge phones? Is that part of it? Great having all of the applications -- one thing I have learned from one of the folks who is running for city council about wi-fi is if you use your phone on the bus it tends to drain the battery really fast.

**Henderson:** Yes, yes.

**Fritz:** That's another reason to maybe not use the phone on the bus but talk with your neighbor. I just wanted to bring that up. If you are waiting for a bus and could plug in and recharge that would be really great.

**Henderson:** Yeah. And tri-met has been a tremendous partner in this. A lot of this work, and a lot of the infrastructure in terms of the actual technology components that mobile will be offering to the winning city for anti-collision infrastructure, is something that will be installed on tri-met buses as well as some of our city fleet vehicles. That's another thing that we are really, really excited about. To your point, commissioner, we are trying to think through all of those contingents for folks to make sure that we are taking everything into account. Obviously, we will miss some things and we will learn through that process as a three-year grant cycle for the u.s. Dept. of Transportation, the \$10 million that Leah referenced from Vulcan is a two-year grant for the electrification and ev project. We feel we have a really good start and great momentum on this. I'm sorry.

**Fish:** I know in New York City we just partnered with google to come in and put in the wi-fi and there are chargers at each station. They did it without any taxpayer cost because google is leveraging the advertising space. Is that in our future, to be able to have that kind of wi-fi? It's not technically perfect but it impacts you. Some kind of wi-fi system in Portland so --

**Henderson:** Yeah, so as you know, commissioner, there are ongoing conversations with google fiber. And we have our own fiber network here so there will certainly be opportunities that we bring to the council to discuss in terms of how we leverage that space. And the dollars that are leveraged to make that available for people. Bless you. Here is just a high-level visual of the corridors that we are talking about and the kinds of components that would go in there. So as I mentioned, or as Leah mentioned, I should say, the Columbia corridor as well as the Powell division corridor and the north-south connections along southeast 122nd are the corridors we have identified for this project and as the commissioners and mayor know, next week, the city will be hosting secretary fox. He will be coming here to Portland to meet with us and as well as our equity and community partners. And folks who are excited about this project to talk about what's happening here in Portland. He's going and making a tour of all seven cities, which is tremendous reach for each of the communities to have the federal government coming in to talk about our visions for what our cities will look like.

**Fritz:** Unfortunately he is coming when the max is under repair.

**Henderson:** Yeah, yeah.

**Fritz:** We will tell him it's usually much better.

**Novick:** He's been here before.

**Henderson:** We have had that conversation. But we are really excited he is going to be able to go and visit one of the corridors. So the meeting is actually going to be held at the pcc campus out at southeast 82nd avenue. So we are really looking forward to that opportunity. I believe the commissioner, the mayor, I believe governor brown will also be able to attend for a few minutes to meet with the secretary. Leah, do you have something?

**Treat:** No.

**Henderson:** As you can see along the corridor will be implementing Commissioner Fritz, to your question, some of these electrification areas for the grid. We will also be, like I said, with sidewalk labs implementing the kiosks. So there will be wireless connections as

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well as wi-fi hot spots, commissioner Fish, to your question. And we will also be deploying air quality sensors well as sensors to track trip data and things of that nature. We will be getting a really robust set of data points to clearly help us with our decision-making in the future. This is probably the most important thing for you all to know. Obviously today hopefully you will vote to accept this \$100,000 because it's we are spending it at the moment by the team. But on Monday, we are going to be actually displaying some of the technology at omsi. We will have some of the electric vehicles, we are hoping to get a few, maybe an autonomous vehicle. We'll certainly be displaying our bike town, bike on Monday as well. We talked to one of our partners about some of their prototype projects we're not sure of all the things that are going to be there, but it's a really exciting thing for the community we reached out to some of the local school all of our mobile committees and community partners will be there. And on the 18<sup>th</sup> as I mentioned secretary fox will be here, mayor and commissioners will be hosting his visit for a couple of hours. A big date for me is may 24<sup>th</sup> our team has been working feverishly to get to out written application as Leah also mentioned on June 8th, myself, Leah, the team will be going Washington, d.c. To make our oral pitch for why we believe Portland is the smartest cit. And I believe there's a press conference the following day on the 9th. Sometime late June, early July, you should know. I'm looking forward to that. Any other questions?

**Hales:** Questions. Thank you both very much, appreciate the update. Anyone else want to speak on this item before we take action on accepting the grant?

**Moore:** No one else is signed up.

**Hales:** He wants to speak, come on up. Good morning.

**Charles Johnson:** For the record my name is Charles Johnson. And I hope that without even having any particular expenditures we can improve our network and planning with Mr. McFarland at trimet. I'm very happy with the public transit in Portland. But I think it's difficult for us to win the smartest city grant when our most popular trimet station, pioneer courthouse square, doesn't have any public displays of the max scheduling. I think that's so ridiculous. The city which used to have a big cool screen tv downstairs, the city should actually, if trimet won't do the right thing, consider that many poor and distressed people don't have a smartphone to stand around the pioneer courthouse square station with. It's kind of bizarre that the most popular trimet station probably in the entire area won't service the neediest customers with a display that tells you when the red line and blue line are coming, when they come back in two weeks. So you know, in addition to chasing this award which we deserve to win, we want to keep working on being the best. Thank you very much.

**Hales:** Thank you. Good morning.

**Lightning:** Good morning, my name is lightning, I represent lightning watchdog communications pdx. One of the concerns I have is more or less on the air pollution. I understand you're going to do some air pollution sensors. I'd like to see in the future there's no fossil fuel operated vehicles within central city downtown, those parameters to be looked at close and what that parameter would be. Again, I think we need to go to the autonomous vehicles, all electric. I think we need to have more closer discussions with lyft, general motors, google, apple. Get them in the middle of this and again, offer the exclusive rights to one of these companies that want to take a location in central city downtown and begin their pilot projects on the autonomous vehicles. We're talking 40 to 50 million here. Again, I commend Paul Allen, I really try to understand why you're putting up \$10 million myself. But then again, Mr. Novick tried to remove a memorial dedicated to one of the blazers. I think we need to look at this real close, Mr. Allen, and understand respect needs to be shown for memorials dedicated to a trail blazer. And look real close when you're talking about the memorial coliseum and understand there's a lot of people

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out there and a large amount of funds can be determined if they go in the direction of the city or not, just based upon certain moves that you may try to make. So again, I commend Mr. Allen for proposing to do \$10 million toward the city of Portland. If I was in your shoes, Mr. Allen, and someone messed around with the memorial dedicated to the blazers, I would ensure they would never get a penny from me ever again. Something to think about. And an issue again, I'd like to see Lyft step up on this. I'd like to see one of them, Uber, step back into the game and you and Garret Camp come back to the table and make an offer to the city of Portland, since you discounted the traditional cab companies, their value by at least 50%. Come back into this city, make an offer to do exclusive rights for autonomous vehicles. That number should be very high to have that right to do. I'm talking \$1 billion to begin with. Thank you.

\*\*\*\*\*: [indiscernible]

**Hales:** Good morning.

**Shedrick Wilkins:** As a futurist person who thinks in the future I think oil will go up. You're driving around with a car with some sort of computer saving gas is ridiculous. My concept of a smart city is you live near where you work and you walk. And also using Google for people to -- video phone technology instead of all meeting here, we could meet separately at a library, in a library conference room and still talk to one another and never leave 10 blocks from where we're at, you know. This is my system of the future. Next we'll -- I will do a talk on Intel and I like none of this stuff. I don't believe in people walking around saving energy using electronics. We should be using electronics to make solar cells and live separately. Enough said. That's my vision of the future and I see a world where oil is \$10 a gallon.

**Hales:** Thank you very much. Thank you. Anyone else? Okay, let's take action on this emergency ordinance so we can accept this money.

**Fish:** First I'm pleased to support this application and join the rooting for your success, Steve and Charlie. I wasn't here last week because I was visiting two interesting cities, one was Denver and one was Cordova in Spain. Denver is slightly ahead of us in transforming their union station and turned it into a multipurpose transportation hub and turned it into a non-transportation hub use and built a new transportation hub that's very easy to access adjacent to it. I had the pleasure of taking one of the brts to a neighboring community. It went on a dedicated lane, fast, efficient, timely. It was great technology telling me where to go. Almost felt European actually with the way it was organized. Something I learned there. And then in Cordova, it's really one of the model cities for us to look at for pedestrian friendly cities. They have fantastic bus and rail and Steve, when I came home, I had breakfast in Madrid on Sunday but I took the fast train Saturday night. And that's -- that's about 230 miles from Cordova to Madrid, it took just under an hour and a half. I'm sitting in this comfortable chair listening to opera in a car that barely moved going up over 200 miles per hour in a dedicated lane. They ran every 15 minutes. Just extraordinary. And of course the two train stations at either end are just fantastic. So I learned a lot on my trip. This is a wonderful opportunity for a city and Charlie has been spending so much time with Secretary Fox it would almost be ungracious not to award this, Charlie. Good luck to our team. Aye.

**Saltzman:** Pleased to accept this grant and good luck. Aye.

**Novick:** I want to thank Leah and Maurice and the whole team that's been working tirelessly on this proposal, not just pbots staff but folks from throughout the community are participating with us. We've got a great shot, we're able to demonstrate overwhelming community support. I'd like to thank Mayor Hales for his tireless efforts on this issue. Thank you very much and aye.

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**Fritz:** Thank you, commissioner novick and director treat for your work on this and the entire team. It's good that we're getting this \$100,000 to do the work. Makes me think when we give out neighborhood grants and other grants to the community we ought to be investing in and recognizing it takes a lot of work to put in a grant application and a lot of coaching and such. That's something i've asked my team to be thinking about moving forward. Also I very much appreciate all the thinking going into this. I encourage us to think of a range of low tech and high tech things. One of the things that makes our application stronger is commissioner novick and director treat's idea that sidewalks and smart walks are important and we need to invest in those. As we go towards the May 24th deadline I hope you'll be accepting suggestions from the community. Why don't we have plug-ins in the bus to recharge our phones? You'd have them in the car, we should think of what amenities do we have in a car that you don't get on a bus and how can we provide those. Thank you very much, it's an interesting process. There are six significant cities that we're competing with and I wish us all the best.

**Hales:** I appreciate this discussion, I think it has added value to the work and it is a lot of work, thank you for doing it. We should think big and small, little things like chargers at the kiosks or chargers on a bus or available of the bisque information about when the next train's coming that make the system work better. We should try to not embellish but incorporate that kind of big and small thinking. A personal anecdote to add, we should think about redundancy for when systems don't work. Coming back from a speech by the head of Toyota America about autonomous vehicles, the security system in this building had locked up and no one could get in, including the security guard. I was unable to obtain the keys to the city car I had planned to go ahead. Instead, I was able to go across the street and catch an orange line. The redundancy worked because the technology doesn't always. Oh, and my cell phone had died and I couldn't call my wife. Two out of three technologies, failed me, thank you, trimet, yours worked. The point of that story is having a system that's resilient enough to work for everybody means not everybody has a smartphone, not everybody understands the system, not everybody knows the schedule and you might need to charge your phone. There's never been a case where the secretary of transportation put this much time personally into anything that I can remember in any one project. With that hardworking secretaries of transportation but for them to do what's done on this, go to Europe and go to every city involved he is really invested in this. And then also for them as you said, to ask cities for what are the best ideas instead of saying here are the terms of grant and you must comply, that's something new under the sun. This secretary of transportation is great. If there's a democratic administration in Washington i'm going urge her to keep him rather than replace him if he's willing to stay on. Having a former mayor as housing secretary and transportation secretary has been very good. Sorry about the digression, aye. [gavel pounded]

**Hales:** Let's get back to the calendar. People have days left to get back to work. We are I believe item 490, right?

**Fritz:** I think we should go to 502 since some members have to leave.

**Hales:** That's 502, yes, which is second reading.

**Novick:** I have a question.

**Hales:** Could you read item 502, please.

**Item 502.**

**Fish:** Before the vote I have a question, I want to confirm that under this proposal there is a four-year sunset?

**Novick:** That's correct.

**Fish:** Thank you.

**Hales:** Roll call, please.

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**Fish:** Aye.

**Saltzman:** Well, I am going to support this. I do as I feel we should. We should have linked this to the passage and made it contingent on the passage of gas tax which I hope next week we will be celebrating the passage by Portland voters. Northwester, that motion failed and the fact that it's a temporary tax that will sunset more or less on the same timeline as the motor vehicles fuel tax, one is contingent more or less on the other going forward with Portland voters. Pleased to support this, aye.

**Novick:** Thank you, colleagues. The purpose of this tax is to ensure that the heaviest trucks pay their fair share of repairing Portland's streets. And I note that some members of the trucking industry, some truckers have said that they think this is not the right way to raise \$2.5 million but haven't come up with an alternative. This doesn't go into effect for four months. Folks come up with another alternative that seems fair that raises \$2.5 million i'm certainly willing to listen to it. The important thing is that the trucking industry pay its fair share, not the particular mechanism. This is the best we could come up with after studying for several months and involving several stakeholders. Aye.

**Fritz:** I commend commissioner novick for making sure this passed before the end of the voting on the gas tax next week in six days. I am supporting it with that proviso in mind, commissioner Fish. It reminds me of the vote the three of us took on the northwest parking plan in the dwindling days of the mayor Sam Adams administration when the entire hearing was, this is awful, don't do it. Last week we had a lot of concerns that there were other ways to do things, there were inequities, there were significant costs that were different from what the transportation folks had estimated. By passing a northwest parking plan at the end of 2012 we made sure everybody came back to the table and sure enough, they came back with a better plan very shortly. If we don't have it there's less incentive for people to come to the table. Indeed we've seen that you've worked very diligently to try to find something with more consensus and I commend you for that effort. I'm going support it knowing that it's imperfect and probably it does need some changes and confident that you will make that effort. Commissioner novick, thank you for your work and thank you, director treat, aye.

**Hales:** Thank you, commissioner novick for your leadership on this. I think there's a real simple message here, when it's important that the community understands. That is we all own the streets, we all should pay a reasonable share towards putting them into good repair. That's really what we're about here with both the gas tax proposal and with this companion measure to make sure that the trucking industry is paying its fair share. Now in taxation there's no such thing as perfect fairness. We try to make systems of taxation as fair as possible but they are never going to be perfectly fair. My 29-year-old daughter is getting married in New York this summer but i'm still paying school bond taxes in Portland. It's not perfectly fair but it's a good idea for all of us to support the common good of schools. It's a good idea to support the common good of good streets and roads, as well. This achieves a level of fairness that's appropriate between people that buy gasoline and people that buy diesel fuel and put it in trucks.

**Fritz:** Two of us have to leave at 11:30.

**Hales:** What else do we have left?

**Fritz:** Two emergency ordinances.

**Hales:** Let's do 492, please.

**Item 492.**

**Hales:** Good morning.

**Elizabeth Edwards, Office of Government Relations:** Good morning. Mayor hales, commissioners, Elizabeth Edwards, office of government relations thank you so much for this opportunity to speak today. I will keep my comments extremely brief. The purpose of

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this action is to authorize an intergovernmental agreement between the Portland development commission and the office of government relations, the office of government relations enters into interagency agreements with certain city bureaus. In order to recognize workloads that substantially exceed the service agreements tougher covered through our typical overhead model. There's a slightly more formal recognition through an intergovernmental agreement, so we've done this several times before. With the Portland development commission, some examples of the work that we've performed on their behalf at the state level include passing build on clean energy, financing mechanisms, investments in film and video, property tax revenues. At the federal level working with the transfer of the u.s. Postal service at northwest hoyt, ed5 program, trips to d.c. Thank you for your time, welcome any questions.

**Hales:** Anything to add?

**Justin Douglas:** Justin Douglas at the Portland development commission, just very pleased with the work done and we're happy to partner here.

**Hales:** Thank you both. Appreciate the brevity. Anyone else want to speak on this item? Come on up.

**Charles Johnson:** Good morning again, commissioners. Just briefly addressing all of you but especially Amanda and Steve up for reelection. Many citizens don't agree that the pdc and the general city policies always overlap. So I hope that all of you while you're in office will foster that discussion about if the pdc is a land bank for a few exclusive developers? Or does it really work for the general development and welfare of all the citizens. I think that's a contention among some of us. I think there needs to be more public discussion about community vision for how the pdc can do the best work in a city with 60,000 are rent distressed and 2,000 are living on the streets. Thank you.

**Hales:** Thank you. Let's take a vote.

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

**Hales:** 495.

**Item 495.**

**Hales:** Commissioner Saltzman

**Saltzman:** Thank you, mayor, Portland fire & rescue we're always looking for innovative ways to respond to community needs. I'm pleased to bring before you one such innovative response. That is an intergovernmental agreement with Multnomah County for a community health care assessment team or c.h. A. T., a pilot program which will pair one firefighter or paramedic with one licensed clinical social worker. The intent is to connect our high user 9-1-1 medical calls with the right health care at the right place and the right time. The city awarded and appropriated \$150,000 out of the innovation fund for Portland fire & rescue for the c.h. A. T. Mild program. Additionally there was a carryover which to go towards funding this. What we're extremely excited about the program, we think it truly is an innovation and provides an opportunity to really connect our high 9-1-1 utilizer group with the right care. Here to talk more about it is fire chief ken burns, and then firefighter lisa medlock who is the chat coordinator.

**Ken Burns, Portland Fire and Rescue:** First I would like to start with thanking the mayor and commissioners for setting aside those innovation funds. Funding is always a key element when we're trying to think out of the box and do something new. The community health care assessment program that we're implementing is one of those such new and improved ideas and essentially it's -- we go on a lot of 9-1-1 calls. Some of those callers are frequent callers. Some of them are not frequent but have maybe social needs or drug addiction where 9-1-1 at the end of the day is not the best service for them. So this community assessment team will do two, one will identify of highest utilizers by repeated calls to 9-1-1. That indicates to me they are not getting the right care at the right time.

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They need to be connected with a primary care physician, they need potential housing, other social services. So once those high utilizers are identified our team will follow up with them on a post 9-1-1 follow-up if you will to identify what other needs they may need to be more efficient, self-sufficient, help them in getting insurance if they are uninsured, help them with any other social services. It's a great opportunity for not only the citizens to get educated about some of the insurance that they were just provided by different measures and different legislative action to, let them be connected with their primary care provider, education is a huge component. That will be part of the role of the chat team is letting these citizens know who call 9-1-1 repeatedly or one who calls one time who doesn't understand their available resources. We will have the ability to send out a team and connect and coordinate. Our goal also is to work with the social workers, if the social worker has a lot of networking capacity, Portland fire has the infrastructure, the command and control, quite frankly the ability to say we're here to help you, we're able to break down barriers and get people to open up their ideas and vision for new education. So that partnership is really going to be very invaluable. Again, I want to thank you. Lisa is 21 years' persons with Portland fire & rescue. We have identifies three alternates that all have 20 years' experience or more. She might want to take a vacation or sick leave day, they will just be substituting.

**Fritz:** How is it you're able to free up somebody to do this? I'm really pleased that we're doing it. It started four years ago when I was in charge of 9-1-1, I know chief Janssen has done a lot of work on this. But we heard a lot about how firefighters stick together in fours so ow can we spare one to be in this new partnership?

**Burns:** I had 15 firefighters interested in this partnership. The innovation grant you folks put aside allowed for the funding. The funding for the firefighters position as well as the funding for the social worker's position is being paid for by innovation funding.

**Fritz:** So it's a new position?

**Burns:** Correct. It's a pilot assignment, I would say.

**Fritz:** How can you assign somebody, I know you've been tight staffing and I know you have the fourth person teams. How is it that there's an extra person able to do this job?

**Burns:** No, that's a very good question. We have four persons on every response unit. We also have what we call travelers. We have a, b and c shifts. We have travelers who fill in for six leave and vacations. This assignment literally took one of those positions that fills in when someone's on sick leave our vacation and that position is now assigned for the six months. Ultimately we would like to have sought permanent funding, and that would fund the firefighter's position to get back to reducing call shifts and such. This position didn't come directly off a fire engine but it came out of the traveling pool.

**Fritz:** Thank you.

**Hales:** Other questions? For the chief or lisa, thank you both very much.

**Saltzman:** When does it actually start?

**Burns:** Lisa is working out of the m.s. Office and she was assigned last Thursday to start paperwork and gathering data and basically build a program. A lot of it was there but working on reimburse I believes down the road. She will be partnering with the actual social worker at the end of the month. We need to do get this ordinance passed to get the other contract portion of the program signed.

**Saltzman:** Have there been County assigned a social worker already?

**Burns:** There have been two assigned that are designated but not yet assigned. As you know this has been a very time-consuming -- we've been working on it for a long time. They will be assigned shortly but we know who they are.

**Hales:** Thanks very much. Unless there's anything else you wanted to add.



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**Burns:** I brought lisa just to put a face to the program and she's excited, she's doing an outstanding job.

**Hales:** Thank you, thanks very much. Anyone want to speak on this item? Come on up.

**Charles Johnson:** You're saving the best item for last, well not last yet but thank you. I think I'll particularly address Dan Saltzman. This is the type of program, we mention Michelle mundt, she was a resident at northwest towers. I don't know if there's any research out there that talks about the suicide rate for people in public housing. This issue is about servicing, people have issues that make them in frequent contact with 9-1-1. There's a similar population of people who are distressed but afraid to call 9-1-1. I hope we can grow program and improve outcomes for people in our city.

**Shedrick Wilkins:** Sometimes I'm a little confused about what people are talking about, paramedics mixed with homeless people and 9-1-1 and a social worker. Sometimes I think it's assumed that homeless people are mentally ill and they need to be taken to a doctor. There was a situation with me in 2013, I caught a bad flu at Christmas and I was throwing up in downtown Portland. He and somebody didn't know that I was really incapacitated and dizzy. And you would think I was crazy and mentally ill. If you had dragged me off I would have insisted to go up to the v.a. Hospital, right? And the v.a. Said I had a very bad severe case of stomach flu. I have my personal rights to tell people to blow off, i'm just sick. I'm not a homeless, mentally ill person. A virus was going around Christmastime. And they took my blood and i'm a veteran, it didn't cost me a dime. But I would have used it against people that assumed I need a social worker. That's the way I looked. I'm making a point, watch out what you're doing here assuming that all people who look homeless or are throwing up or on the sidewalk could be sick.

**Hales:** Good point. Thank you both very much. Let's take a vote, please to approve this iga.

**Saltzman:** I'm very excited about this new partnership and I think it's going serve our residents well. I also wanted to acknowledge retired chief Janssens for her role in bringing that program to fruition where it is today. Aye.

**Fish:** Aye.

**Novick:** Commissioner Saltzman, thank you for this, I think it's a great idea, it's humane, progressive and fiscally responsible and it'll ensure that we use resources wisely and get people the right care. Thank you. Aye.

**Fritz:** Thank you, commissioner Saltzman, I also appreciate the work done by chief janssens and her successor. I want to note there's potential for funding in this, we need to keep very good data so the health care organizations can recognize once again this is the city of Portland providing a public service without reimbursement from the health care system. Thank you very much, aye.

**Hales:** Thank you, dan. This is another case of working smarter, trying to focus resources the right way. I appreciate it. Aye. [gavel pounded]

**Hales:** Couple more members need to leave. We'll dispose with the emergency ordinances so we can continue with the rest of the calendar. Going back to items we have not yet addressed the first of those is 493. Item 493.

**Hales:** Our treasurer is here, good morning, thank you for waiting.

**Jennifer Cooperman, City Treasurer:** Good morning, mayor and commissioners. I'm Jennifer Cooperman, city treasurer. I bring where the annual adoption of the city of Portland's investment policy. As you know the investment policy establishes the framework for the story investment its assets. The objectives are to preserve principal, ensure liquid tee, investment earnings net of an admin fee that ensure operating costs are distributed to city fund. This year there is one small change we are recommending which

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is to change the estimated average balance of investments to reflect actual experience. The current policy states that our average balance ranges from 900 million to 1.6 billion. We're recommending a change to change that to 1.3 billion to 1.7 billion. I'd be happy to answer any questions, otherwise that's the only change.

**Hales:** Just a few hundred million, nothing much.

**Cooperman:** We do want to be accurate.

**Hales:** Thank you. Questions for Ms. Cooperman. Thank you very much. Anyone want to speak on this item? If not, it's a resolution and the three of us, if we agree can approve it. Let's take a vote, please.

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

**Hales:** Okay. [gavel pounded] 494.

**Item 494.**

**Hales:** Good morning, Ms. Moody.

**Christine Moody, Procurement Services:** Recommending the contract issued to Landis and Landis construction. The engineers estimate was \$6 million. On March 24th, 2016 three bids were received and Landis and Landis was the low bidder at 5,333,325.20. It's 12.5% under the engineer's estimate. The bureau of environmental services has reviewed the bid items and accepts the proposed pricing as good. The mwesb participation on this project is at 45.6% of the total subcontract amount. Work is being performed in the areas of excavation, hauling and storm drain work. I will turn this back over to council if you have any questions.

**Hales:** 45% of the subcontracting work going to mwesb, that's great.

**Hales:** Thank you. Thank you very much. Anyone want to speak on this item? There is a motion accept the report?

**Saltzman:** So moved.

**Novick:** Second.

**Saltzman:** It is impressive, good work. Aye.

**Novick:** Aye.

**Hales:** Aye, thank you. [gavel pounded] okay, 496.

**496.**

**Saltzman:** Thank you, mayor. One of the key ways Portland fire & rescue is able to keep our citizen safe is through prevention division. We ensure our buildings follow safety code guidelines. There are many rules the fire bureau has to keep up to date on. This ordinance makes minor updates to the title 31 fire regulation code and adopts the 2016 Portland fire code as our own with slight amendments from the Oregon fire code. Fire marshal Nate carr was patiently waiting, I just told him he doesn't have to stick around. If you have questions i'll try and field him.

**Hales:** Questions for dan? Anyone else want to speak on this item? It's a nonemergency ordinance and it passes second reading.

**Hales:** 498.

**Item 498.**

**Saltzman:** Thank you, i'm pleased to bring before you this program application for the Jarrett street condominiums. This is an exciting project being built by a local developer, Lloyd development, which will make all 12 of the newly built condominiums affordable to moderate income home buyers earning no more than 100% of the median family income, less than \$60,000 a year for a two-person household.

**Dory Van Bockel:** Good morning. So yes, this is a different project than we've seen with the multiprogram for a while in that it is a home ownership project. It is exciting to see condominium development taking hold again in Portland in the midst of this economic boom. The eligible home buyers receiving the exemption in this case during the 10 years

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will have a benefit of about 1700 a year from the tax savings that helps make these much more affordable for hopefully first-time home buyers. And as is usual for the program these -- this has already been reviewed before our internal investment committee within the Portland housing bureau and also this has been heard at our housing commission meeting where public input is invited. I am happy to answer any questions.

**Hales:** Questions.

**Saltzman:** I might add this is exciting to have a home ownership opportunity. We always want to do these things in areas that have good opportunities. This is an area that is right along the max yellow line of an area where we greatly need more home ownership opportunities. The prices will be well below the cap of \$310,000 that we have for this program. An average of \$190,000 a unit.

**Hales:** Not a question but a comment: I don't completely understand the multifamily development business to say the least. But i've been hearing that condominiums are difficult to do now because of trailing liability. And we were seeing a lot of condominiums built prior to the real estate recession, and now we're not, we're seeing mostly apartments built. This is an exception in the sense that it is a condominium. It would be I think useful for us in both housing and bds and all of us to try to understand what is it we could do to help make condominiums an option, because I think we want to have as many different housing tools in the kit as possible. And so ownership is a good idea, condominium ownership is one option. So i'm happy to see this is a condominium in that sense and somebody's figured it out. But it sounds like there's an industry problem we may or may not be able to do anything about from the city's posture. We're not the regulator of legal action on trailing liability. But anyway, it's something I think we need to look into and see if we can make a difference on it.

**Saltzman:** That's a good point. I know liability has been an issue but i'm also reading some real estate forecasts that say condominiums are starting to make a comeback despite some of the trailing liabilities.

**Hales:** Hope so.

**Hales:** Anyone want to speak on this item? If not, it'll pass the second reading. We'll move on to 499. Thank you.

**Item 499.**

**Novick:** Lance Lindahl explain away.

**Lance Lindahl, Portland Bureau of Transportation:** Thank you, commissioner. The proposal is a request to vacate the location, proposed in order for the petitioner to better restrict trespassing onto their property. Redevelopment of those properties is not planned at this time. The proposed vacation area is not improved to city standards. It is closed to vehicle traffic due to the presence of a steep slope. Well, just unbuilt facilities and mature vegetation is located in the right of way. The westerly half lies outside of the city of the Portland city limits and is in the jurisdiction of Multnomah County. That's proposed for vacation through Multnomah County's vacation process. Pbot staff will ton work with the county to make sure both portions of the street are vacated in conjunction with one another. Thank you.

**Hales:** Anyone want to speak on this item? So that will then complete the hearing on this item. It'll come back for a second reading next week. [gavel pounded] I believe we are finished with the morning agenda. Do we need to read that in order to reschedule it?

**Item 503.**

**Moore-Love:** Yes. 503, amend regulation of lobbying entities and city officials to improve administration, clarify requirements and auditor duties.

**Hales:** [gavel pounded] we're recessed until 2:00. See you then. [gavel pounded]  
At 11:42 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.

**MAY 11, 2016 3:00 PM**

**Hales:** good afternoon. Welcome to the afternoon meeting of the council meeting. Would you please take roll? [Roll call]

**Hales:** welcome, everyone. Would you read the item on the agenda, please?

**Item 505.**

**Item 506.**

**Hales:** thank you. The decisions being made are for the purposes of an amended plan. The final vote is scheduled for June 15. We have an agenda developed for today to walk through amendment and make decisions. The votes today do not indicate a prejudice vote that we will cast. Voting to adopt amendments does not commit someone to vote for the amended plan the numbers printed in the bps report from March 18, if you are referring to further amendments, please reference the supplemental memo by date and item number or ask our staff to help you with that. Again, we will ask our clerk to read the descriptions, like we did before, so that we stay on track because there's a lot of amendments on a lot of subjects so both council members can stay clear on what we're considering and folks that are here or are following this process will follow that procedure. So, with that, I think it's -- i'm ready to turn it over to the team and we can start down the list.

**Eric Engstrom, Bureau of Planning and Sustainability:** Good afternoon. My name is Eric Engstrom with planning and sustainability. We are here to talk about amendments to the comp plan. This is the second of two sessions to do that. If we don't get through the agenda today, we'll talk about how to continue this. You should have, before you, a May 11 agenda, which lists the items we're going to consider and we'll use that to go through the items and of course, if you have questions, we anticipate questions, staff are here to help answer those. Some of you may be working from your own notes from staff and we did update the agenda today, very slightly, by adding the -- some arata items to the end. If you're working off your own notes, that's fine until the last page and i'll note where those corrections have been made. You should have a copy of the new version, just in case.

**Saltzman:** Can I do a time check. We're going until 6:00?

**Hales:** I think that's right. We're going to go to 6:00.

**Fish:** I actually have to leave at 6:00.

**Hales:** I do, too. So I think we'll go to 6:00.

**Fritz:** If it looks like we're not going to get done by 6:00, maybe we'll end at 5:30?

[Laughter]

**Engstrom:** So the first couple items are a few other bundles with multiple amendments and there's a new of those this time. We held a few as a courtesy to commission Fish. The bulk of today's agenda have been flagged. We're starting with the map items because that has a bigger effect on our findings and our final ordinance. Then we'll go into a few of the remaining policy items toward the end. And as I mentioned, we sent a few corrections to your staff this morning, which i'll highlight as we get to those. Any process questions before we get into this?

**Hales:** Clear.

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**Engstrom:** So, I think that starts us. We numbered starting from the one we left off on last one so it is related to the age-friendly city policy amendments list.

**Hales:** I move to adopt the list. [reading policy]

**Fish:** Second.

**Hales:** Karla would you please read that item.

**Moore-Love:** This includes Policy amendment 72, 91 and 94

**Novick:** Mayor, I'd like to make a motion to pull 94 for a separate consideration, to unbundle it.

**Hales:** Okay. Is there a second on that motion?

**Fish:** On those kinds of motions, I think as long as --

**Hales:** That's right. We don't need to second this, that's right. We'll act on 72 and 91 instead of 94. Any other further discussion on action on that amendment? [roll call]

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

**Hales:** I'll move to adopt the affordable housing amendment list -- let's go back and move with 94, first. 94's on what page?

**Joe Zehnder, Bureau of Planning and Sustainability:** Page 42.

\*\*\*\*\*: 41 --

**Hales:** I need my larger book. I think -- oh, it's on 42 in the packet.

**Zehnder:** Yeah, in the new packet.

**Hales:** In the new one?

**Zehnder:** Yeah.

\*\*\*\*\*: This was --

**Hales:** What's your concern about this?

**Novick:** This is one where bps recommended no change. Pbot noted there's one in 622 under the tsp under a separate cover. Another suggestion was it would be better off in chapter 8 and finally if we wanted to -- we do want to elevate this to a policy, staff suggested using the word, encourage, rather than provide.

**Fish:** Is that your amendment?

**Novick:** Actually, I opposed the proposal if council wants to pass it either way.

**Fritz:** Why do you oppose it?

**Novick:** We don't think it's necessary.

**Fritz:** So, I can support it with the change to encourage.

**Hales:** Okay. So, commissioner novick moves we change to encourage and seconded by Commissioner Fritz. What's the effect of that change?

**Fritz:** A new policy. I don't know if it goes into this place or somewhere else. The policy would stay pedestrian amenities that enhance garbage containers and right-of-way.

**Hales:** What's the difference in effect?

**Engstrom:** Provide may imply that you're going to build those things and encourage is a more gentler word.

**Fritz:** I actually prefer provide because there's a lot in this comprehensive plan. There's a lot of competing policies that we don't have the funding for so stating a more strong policy would be my preference. If others are concerned with that, I can go with encourage.

**Hales:** Okay.

**Fish:** I'm sorry. I wasn't at the last hearing. Has bps weighed in on whether they support this?

**Engstrom:** I think the comments here reflect pbot consideration were agnostic on this.

**Fish:** For the amendment, though. You support the amendment?

**Hales:** They want a change?

**Engstrom:** They're not opposed to the concept they just had a different idea.

**Hales:** Ready to take a vote on that amendment.

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

**Fish:** Now that it's amended from pbots point of view what's your position?

**Novick:** It's a necessary -- it isn't necessary but it should be in chapter 8 rather than chapter 9.

**Fritz:** I'm fine with that.

**Fish:** Is that a friendly amendment?

**Hales:** You can place it where you want.

**Engstrom:** Chapter 8 is -- this section is related to public rights of way, we can add this policy to that. So if we would get that direction, it would be fine.

**Fish:** Okay.

**Hales:** So, do you need a motion? Okay, commissioner novick to move it to 8 instead of 9. We'll take this vote to adopt this and place it in chapter 8. Roll call, please. [roll call]

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

**Hales:** Now I'll move on to 34 and move to adopt the affordable housing.

**Fish:** Second

**Hales:** Karla would you please read that item?

**Moore-Love:** This includes policy amendments 46, 47 and 71 see page 42 for details. This bundle does not include p45 middle housing, p48 mobile home parks, p49 housing continuum, and p15 and 70 community benefits which have been pulled for individual consideration.

**Hales:** any discussion? Any questions about these three policy statements? Okay. Let's take a vote, please, on those.

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

**Hales:** number 35, community involvement list. Is there a second?

**Saltzman:** Second.

**Hales:** Would you please read that item?

**Moore-Love:** This includes policy amendment 105 and 106, it also includes item 1 and 2 from the fritz memo dated April 13<sup>th</sup> about goal 2f and a new policy about the adequate funding about community involvement see page 43 for details. This bundle does not include p5 and p9 stake holder groups, p8 neighborhood associations and business associations, p11 open data which have been pulled for individual consideration.

**Hales:** Any questions or concerns about this language that we now have here? Okay. Ready to take a vote on this one?

**Fritz:** I just have one -- there was another one that I had asked for and i'm not sure if it's included in this package. From a previous memo for gp 2-11 on adequate funding and human resources. Is that part of this? Was it in the Arata list?

**Engstrom:** Yes, that's part of this. That's the one that she just referred to, the adequate funding is one of those.

**Fritz:** We're good. Thank you.

**Hales:** Okay. Roll call, please.

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

**Hales:** Okay, we're going to move to map amendments. The first one is 36, which is s8 Portland nursery property. So, this was requested by commissioner Saltzman. I'll move to adopt s8.

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**Saltzman:** Second

**Engstrom:** As you go through these map items, if you would like any photographs or maps, we have those on the PowerPoint.

**Hales:** I know it's nice to see the person speaking, but I think for purposes of this discussion, we oughta use the whole slide for the map because it's pretty hard to see otherwise.

**Engstrom:** This amendment concerns the back half of the Portland nursery site, which the amendment seeks to redesignate as mixed use. The back half will retain residential designations and nurseries to be conditional uses in residential zones.

**Hales:** To redevelop this property, it would most likely require a conditional use process?

**Engstrom:** Correct. The result of a no-vote is that staff would continue to work on the code issue with a process for conditional use for nursery expansion or changes in the residential zone.

**Saltzman:** That's a code to be developed?

**Engstrom:** To be developed and come back to you.

**Fritz:** The concern of the neighborhood is that a yes vote on this would allow potentially big-box development on this site should the nursery so the commission trying to strike a balance.

**Hales:** Yeah, I think there were a lot of cases like this where the current property owner is one thing and maybe some other property owner would be different and zoning doesn't discriminate. We can hope that people will be responsible. We ready to vote? Roll call, please.

**Fish:** No.

**Saltzman:** I will continue to support this. I want to hear about nurseries being a continued use. I believe it will remain Portland nursery for at least 20 years. This was a request the family has made to provide them certainty, as well as flexibility and I don't think, you know, big box retailers is really the fear I have at this point for the next 20 years, so I will vote yes.

**Novick:** I understand the concerns and we value them. I think staff has offered a practical compromise as a conditional use. This gives the business to do conditional use, well also giving neighbors some certainty, no.

**Fritz:** No

**Hales:** No.

**Hales:** Next map amendment is number 37.

**Engstrom:** We have bundled these together because they both are the golf courses related to the employment designation package. The m33 amendment would remove the sanctuary designate -- sorry the m34 would remove the industrial sanctuary from riverside golf course and 33 would broaden it. It was a swap. You may vote on these individually or separate. But, they were presented initially as a pair.

**Fish:** Just to be clear, if the council votes both -- you consolidated them. If we vote the package down, the pfc recommendation stands which is on riverside without moving anything to [indiscernible]

**Engstrom:** If you vote against vote, you would effectively be retaining the pfc recommendation.

**Fritz:** We're voting on these individual, though?

**Hales:** We can. We can take them individually --

**Fritz:** I have different votes on these.

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**Hales:** So, Commissioner Fritz moves amendment -- you want to do Broadmoor first? M33, which is the Broadmoor amendment. Okay, is everybody clear on that? We're going to be adding the sanctuary on a portion of this site, as requested by the property owner. All right? Everybody clear on that? Okay, let's take a vote, please.

**Fish:** I'm a strong no on this amendment. I want to explain my vote. When we started discussing the comp plan, river side golf course asked to not have it on their property and Broadmoor offered to take all or a portion of it. It might have sounded like a good idea. I think it quickly became apparent to me and others there are no easy solutions in this area and we started hearing testimony from a lot of the stakeholders and about the birds and turtles. The bureau of environmental services joined us, urging us not to approve this swap. I cannot support switching it to Broadmoor.

**Saltzman:** No

**Novick:** I second commissioner Fish's comments. No.

**Fritz:** Broadmoor is converting it under the recommendations. We don't agree to have more. No.

**Hales:** No. M33 fails. And now would you like to move amendment 34.

**Fritz:** So moved.

**Hales:** I'll second that.

**Hales:** This one removes the industrial designation from river side.

**Engstrom:** Correct. This would be an amendment to the planning commission recommendation and would remove the designation from river side. The effect of that, we explained a little bit last week, is related to the employment opportunities analysis and the balance of industrial land. The result of removing river side would leave us in a negative balance within the eoa for this particular geography. Tom, do you want to go over that? There's a table on the screen that I can put up that sort of walks you through the -- the outcome of the different amendments. So, you already -- you've already said no to m33, so you've -- you're left with the choice of either the first row or the last row in terms of where that leaves you with the balance. If you vote no on this, as well, you're essentially maintaining the recommendation which would leave 52 acres. If you vote yes on this, you would leave us with a three-acre deficit in this geography, which would join the -- time, remind me.

**Tom Armstrong, Bureau of planning and Sustainability:** 25 acres.

**Engstrom:** 25-acre deficit, so we would have two out of the three geographies with a negative number all be it small negatives.

**Fish:** I'm getting lost in the double-negatives here. Are you recommending, given the vote of m33, are you recommending a no on m34?

**Engstrom:** we are.

**Fritz:** If I might speak in support of m34. We heard a lot of testimony from the property owners that they have no intention of changing this into a industrial land in the foreseeable future. I think we need to be accountable in our designation and rather than pretending we're going to have industrial developments here in the next 20 years, go back to that consideration of the underlying questions which are, is there support for the moderate forecast for the industrial lands inventory with regard to harbor and airport land? The port and others said we could get there without west Hayden Island and we heard we could get there without river side. That is new information, without any industrial zoning on riverside, there is a deficit for this land in this particular location so i'm looking to the planning staff to look at what are -- these are not the only two properties in that geography that could be in - - industrially-zoned are there other options.

**Armstrong:** Tom Armstrong with bps, you know this question has come up we've looked at this issue and looked for property's to convert to industrial and employment uses in the



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last 6 years. We had the industrial lands watershed work group that came up with the proposal to designate riverside as industrial for future use. We have looked at a lot of different options. I think we turned over every rock. We discussed the possibility of pir going to industrial development. I don't think there's any other parcel out there that hasn't been looked at and sort of not proposed for other reasons. We looked at the st. Johns landfill we looked at some other properties out there as to what might be available to help satisfy our industrial land needs. I think what we came back with was a combination that allows us to take the medium cargo forecast in the harbor access land and count the existing capacity it still shows us a small deficit there we were going to meet that with the surplus in the rest of the harbor upland area and the Columbia corridor. But taking riverside—well not having either Broadmoor or riverside as a industrial designation take us below that threshold and makes it a little bit harder to work.

**Fish:** Can I ask a legal question cause commissioner Fritz is getting at a very important potential legal or policy question. In almost every instance where we're designating industrial land, we're leaning towards the market and future contingencies whether it is actually developed we cannot mandate that so in a sense there is a level of uncertainty about whatever. Maybe the shades of gray. But the fact that today the golf course is not interested, that could change tomorrow if someone made an offer no one could resist. Legally what is the standard that we have to apply here? Do we have to reasonably believe it will be developed or are we just designating land that could be developed?

**Armstrong:** The reasonable level is there based on evidence before you, but we make those reasonable assumptions about what will be developed for all types of land, for central city office buildings, parking lots, without any indication or preference from the property owner we do that all along our centers and corridors. We assume based on what we have seen from development trends what is likely to redevelop and what doesn't. That's what goes into our billable land inventory as to what that development capacity is going to be over the next 20 years.

**Fish:** So can the state reviewers who look at our plan in light of the current position of the golf course could they conclude that this is not a bonafide designation.

**Armstrong:** I would look to Kathryn Beaumont there, I would say they could conclude that but the first place they are going to look to is what your decision was when you looked at the evidence before you and gave deference to the local decision on what was a reasonable assumption for likelihood of redevelopment of that property over the next 20 years.

**Engstrom:** There's also a slightly higher bar if we were counting this as short term immediate land supply divided up to long term and short term, five versus 20 years. If we were starting this in our five-year supply there would be more of a test, but 20 years is a long time to judge what the property owner might do.

**Saltzman:** In essence, we have a brownfield conversion rate that could be adjusted up or down as the market shows us, but that could be the -- I don't know if this is politically correct, this could be a fudge factor, to adjust the brownfield conversion rate.

**Fish:** We'll strike that from the record.

**Zehnder:** We think we can stand behind them. Exactly how this is going to play out could be different. We just need sort of a safety buffer in our estimation of it.

**Hales:** Other questions?

**Fritz:** Could you put the map up again, please? Those two on riverside, this used to be two parcels there.

**Armstrong:** Yes, so when we looked at the riverside parcel we actually split the golf course into two pieces, one, to the west, there is a water slew to the west and a bunch of environmental zones, existing environmental over lay zones that cover the western portion

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of the property, and the psc recommendation was to leave that open space, that only the eastern portion of the riverside golf course that front on the northeast 33rd avenue, that that chunk of land -- have the industrial comp plan designation.

**Fritz:** There's naturally a lot line there?

**Zehnder:** Correct, it's a land use designation based on our assessment of e-zones and its appropriateness of open space.

**Armstrong:** It's not shown on this particular map but we had a portion by brood more that was available for redevelopment. The frontage on Columbia Boulevard.

**Fritz:** Could there potentially be three to five acres that was fronting on a road that could be designated industrial leaving the vast majority of the golf club in open space?

**Hales:** I'm not sure what that accomplishes other than math. Math matters, so in each case we have to weigh what we think makes good planning sense, what we have heard in testimony and what the property owner wants, all three count. Obviously, in Broadmoor's case the property owner made a request and we denied it. We're not going to do that. In this case the property owner requested the site be left in open space designation and that they don't intend to redevelop it. If we decide contrary-wise we're basically saying at some point in the future your property is eligible for industrial development. How much of it ends up getting industrially developed could be the result of e-zoning. Could also be the result of the kind of project proposal that the trust for public lands put together with colwood. That was a wonderful example of how it could work. We had a lot of resource land protected, got a park, a bunch of industrial property, we put in a post office, everybody wins or most do. So I don't know, I don't want to prejudge what portion of this ends up being developed as industrial if we needed it in the sanctuary.

**Fritz:** I'm looking at your handy dandy --

**Hales:** My google earth?

**Fritz:** Google whatever it is the top piece looks to me like it's not developed as golf course, that it could perhaps be a lovely three-acre industrial parcel that would be developable.

**Hales:** Parcel boundary. Talking about this? That's outside of the parcel boundary. [Laughter]

**Hales:** Been there, done that.

**Engstrom:** Also remind you that at the moment we're not proposing to rezone the site. This is a comp plan designation so that there could be a second look at this upon the rezone request if it were appealed to --

**Fish:** Mayor I move the question

**Hales:** Let's take a vote. Roll call, please.

**Fish:** No.

**Saltzman:** I'm going to support this amendment. I do believe we should lift the industrial sanctuary designation. It's been requested by the riverside golf course which has been here 400 years. They have no intention of going away. If nothing else, the person who cuts my hair is a member of the riverside golf course and you don't want me to show up here on Monday with a bad haircut. Yes.

**Fritz:** That's full disclosure.

**Novick:** It's a really tough choice but between seeing Dan Saltzman with a bad haircut and having adequate industrial land inventory I regretfully vote no.

**Fritz:** I think this is the right -- we should be honest and figure out how we're going do things. If that means changing our economic forecast then that's what we should do. I vote yes.

**Hales:** I respect the property owner's interest and concern I do think we need to maintain adequate industrial land inventory so i'm going to vote no. So that amendment fails.

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**Hales:** All right, let's move on to s9. 122nd avenue. I will move the map amendment s9. Is there a second?

**Saltzman:** Second.

**Hales:** Okay.

**Fish:** Let's discuss this for a second. I wasn't here last time. Benefit of commissioner Saltzman's view.

**Saltzman:** I strongly believe this site is appropriate for mixed use employment and residential and not just employment, which is the proposed psc designation. I don't regard this as abutting the Columbia corridor even though it's described that way. We're all familiar with the site, across from park rose high school in essence. Seems like a great place for mixed use employment and residential and in fact there's a company that wants to come in and do exactly that. I think the plans they have shown us are very attractive. I think this is just spot on right for park rose.

**Fish:** Who is the current owner of this dirt?

**Engstrom:** Not sure I know that.

**Fish:** Have they weighed in on this

**Engstrom:** They are supporting the amendment. Commissioner Saltzman's position.

**Saltzman:** Yes.

**Fish:** I know bps has determined it's well suited for employment land and job creation in east Portland is a priority, but do you have a principle objection to commissioner Saltzman's amendment?

**Engstrom:** I think our concerns are a couple. One is that the industrial land equation. The second was this is right next to Sandy Boulevard and is close to the airport way district essentially. Our concern is that if it is available for housing, the market will probably produce housing there rather than making it available for more employment. We looked at concern about the lack of jobs in east Portland and prioritized that over the need for housing at this particular location. We are making the determination saying because of its direct proximity to the high school may make sense to do the mixed use residential.

**Fritz:** We did vote on that last time to make Rossi farms and the post office site mixed use so there's a lot that is next to park rose high school. This property being further down on 122nd, it seems to me we heard from the neighborhood association that they are concerned about not only jobs and well-paying jobs in the neighborhood but also the mix of income levels for the two schools in the neighborhood that are struggling with the numbers, apartments and low income families, which are welcomed in the neighborhood, they just want to make sure there's a balance of jobs, single family homes and mixed use.

**Hales:** I think there's a chance here with everything that can happen in the park rose area with the Rossi property and the school district property, and this property and the post office site across -- there's a chance to create a better neighborhood center, which everyone hopes for and has in mind here. Certainly the plans for the Rossi property are the key to that but not the only part of that. So I think to change this parcel from employment to mixed use really dilutes the opportunity to create that strong center here. I think more large apartment complexes along sandy doesn't necessarily get us the community design we want. I understand every property owner wants flexibility and we give deference to that but this is a gigantic site that developed wrong will erode that vision and developed right in terms of employment could really give a lot of people that are going to now live here a place to work. I don't support this.

**Fish:** I thank my colleagues for the discussion. I'm prepared to vote.

**Hales:** Everyone else? Let's take a vote, please.

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**Fish:** I appreciate commissioner Saltzman's concerns and I think they are well stated but i'm going to stick with bps and the mayor's view of how the sites interact. I respectfully vote no.

**Saltzman:** Well, I vote yes.

**Novick:** I also am going to stick with the staff recommendation on this. No.

**Fritz:** No.

**Hales:** No. Amendment fails.

**Hales:** Let's move on to number 38, right? M47.

**Engstrom:** This is one they started talking about last time and got close but you wanted to hold it over to think about it.

**Hales:** We have multiple possible motions at the bottom of the page. I'm trying to work my way back through that as well. The issue here was there was an original request regarding a portion of this site being zoned multi-family along northwest Wilson, right?

**Engstrom:** The black box balance.

**Hales:** There we go. The question is what about -- that's one question. The other question is what about the balance of the site, right?

**Engstrom:** Right. The first motion is if you want just the Wilson -- lost my cursor again. Just the black box to be r2, motion b was a variation which would make it r-1, which was the original property owner's request. Motion c, the whole picture where you do both and not only go with r1 on the Wilson side but you go with ex for the balance in the red box. A no vote would be essential will I retaining the planning commission recommendation, which would leave mixed employment in the red box and the black box.

**Fish:** Can I make a suggestion?

**Hales:** Sure.

**Fish:** I'm prepared to second motion c.

**Fritz:** Could you explain again what c is?

**Fish:** Commission novick?

**Novick:** I move version c, modified map amendment 47, as noted that would designate 2135 northwest 39th avenue

**Fish:** I'll second that for discussion and see what you have to say.

**Novick:** I was struck by how dramatically under-utilized this areas is. To quote Gertrude stein, there's no there, there. It's not produced many jobs. This creates an opportunity for more flexible uses to served surrounding residential neighborhood. The potential developer has worked closely with northwest district association which supports the changes to the amendments. We heard from individual neighbors in support. I do understand the concerns the mayor raised last time about allowing residential uses in the buffer but have been impressed by the potential developer's willingness to address concerns by ensuring future residents are aware of near industrial uses before they decide to live there.

**Fritz:** Could you put the map back up, please?

**Hales:** As I understand motion c, it's two changes. We're going to Multnomah -- 1,000 instead of 2,000 on the black parcel, going to ex on the red parcel. Right?

**Engstrom:** Correct. R1 is the designation to the south across the street.

**Hales:** I guess i'm interested in this idea but i'm not sure if it isn't going too far, steve. My theory about this from the beginning when the property owner first started presenting this idea, we got townhouse style development on one side of the street. If you zone that black box area as r2, you get similar development. You get a similar scale of development. Facing the neighborhood on Wilson. Then the question is, okay, maybe that's a good

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idea. What do you do with the rest of the parcel? That's the second half of your amendment. Going to ex, give us a quick recap of the difference of the kind of development we could get in ex, there, versus -- what was the other designation?

**Armstrong:** Eg. Going forward, the difference between the ex and eg would basically be the ability to put residential in there.

**Hales:** The other commercial industrial stuff is allowed in both cases.

**Armstrong:** Yes. Eg you can do quite a bit of office development as well as a little bit of retail, 20,000 square feet of retail to 60,000 with you can get that mix of intensive employment usage, you just can't get the residential with the eg mixed employment designation.

**Fritz:** As we discussed last time the concern is with industrial sanctuary being across the road on Nicolai, how do we -- is it wise to allow fairly intense residential development right across the street from the industrial sanctuary and while, yes, you might tell people there's going to be challenges, I think the people who moved into the pearl knew there would be train noises but still that's something they would like to change. I would like to split these into two different amendments. I can support the r1 on the black box. I don't support ex on the red box.

**Fish:** I would move motion c--

**Hales:** Let's test motion c as a package then unbundle it if we have to. I'm interested in unbundling it. Anyone else want to speak? Let's take a vote on motion c as offered, then see if that passes or doesn't pass. R1 on the Wilson parcel and ex on the remainder.

**Fish:** I'm going to support this motion and i'm also intrigued by the opportunity to do some live-work and maker space in proximity on this site. Aye.

**Saltzman:** Aye.

**Novick:** I think it's really important to note that this has been a place where nothing has happened for decades and the fact that we have an opportunity to have some live-work and maker space, it's something I don't think we should let slip. I area has been under-utilized unless we make this change. Aye.

**Fritz:** The reason not much has happened is not many people don't want to be next to the industrial area. No.

**Hales:** No. I'm afraid what we won't get is maker space but it's a question mark and we'll see. It will be an experiment. I vote no but the motion passes. Motion c has passed. Both those changes are made. R1 on the Wilson parcel, ex on the rest.

**Hales:** Okay, let's move on to 39.

**Fritz:** Just a question. Does the change from eg to ex make any difference in our industrial land inventory, employment?

**Engstrom:** Yes, but in this case the impact is just an acre or two. Because of your previous votes you still have a surplus. Neck and neck.

**Fritz:** As we're going through all these amendments if you could call out what this does to the industrial employment lands that would be helpful.

**Engstrom:** That was the last one that has an effect. You're done with that. We're shifting to mixed use consideration.

**Hales:** Over all with respect to employment land we're okay. We're more marginal on industrial land per se. Employment land of one kind or another we're generously supplied.

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**Engstrom:** Yes. Given the votes you've made where you stand is you still have a minor deficit in the properties with direct access to the river but enough of a surplus in the others that you're on reasonable ground.

**Hales:** Okay. Now we're --

**Moore-Love:** Mayor, I think these are the wrong numbers.

**Engstrom:** I think the reason is because there was a numbering error in the original one we passed out. The versions we passed out today corrected that.

**Hales:** I'll go with the new version. Sorry.

**Engstrom:** Add one to the numbers on your old version.

**Hales:** I'll use the new version.

**Saltzman:** What happened to 39 in the old version?

**Hales:** You just voted on it.

**Saltzman:** 39 in my version is buckland. [speaking simultaneously]

**Hales:** Old versions.

**Engstrom:** The earlier one had no numbers so we had skipped a number.

**Hales:** Let's get to the same program here, revised 51116. That's the packet that --

**Engstrom:** N15 and f20.

**Hales:** I'll refer to those as we go along.

**Engstrom:** We paired these because they both involve questions of mixed use and small section of southeast between Belmont and Morrison. We thought we should consider them as a group.

**Fish:** Could you bring me up to date on whatever conversations people have had on this?

**Engstrom:** Sure. 822 southeast 15th is a property that is -- i'll skip ahead to that one.

This property here. It is a corner property with three historic Victorian homes on it. It's currently zoned r1, and the property owner has requested mixed use. The motivation for the request is to take advantage of the potential historic transfer development rights code provisions in the proposed mixed use code. The neighborhood has opposed this request and I think it's partly just an issue of trust as to while they may trust the particular property owner involved no one knows whether the property might change hands and there's a fear if it did change hands the homes would be torn down and mixed use would be built there.

**Hales:** So this is something i'm going to want you to flag not just today but as we're going forward. We're going to deal with east Moreland. I don't think we're dealing with uecker heights today. There are places in this plan where there's existing historic building stock. The question in each case is are we either creating or maintaining a zoning incentive -- there are financial incentives, a zoning incentive to tear down the building that's there and build something else. I want to know that in each case because I don't think we should create or maintain a zoning incentive. Again, there are places within that universe of properties like king's hill houses or Euclid heights or east Moreland where people could create maybe in some cases will create an historic district. That's a good idea. That will provide protection as well. But that's not what we're talking about today. That's a separate process. The question I want to focus on in this process is are we creating a zoning incentive for tearing down historic buildings. Now, if the transfer of development rights was mandatory, okay, we'll give you that zoning designation, but you must preserve those old Victorians, I would have a different attitude. In each case we should listen to what a property owner says their plans are and their assurances about what they will do or not do. Of course I won't build big box on my five acres once you give me the zoning for it.

[laughter] we should listen to what the property owner's plans and assurances are but I want to err on the side of preservation and not on reliance on the property owner's assurances that of course I wouldn't tear those buildings down. Of course I wouldn't build that big box retail. So I want to step through these amendments in buckman and the

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others like them and make sure that i'm hearing clearly. I have had some conversations with the staff but I think we need to have more with the whole council. What are we doing with respect to creating removing or leaving unchanged a zoning incentive to tear down old structures that are not necessarily protected by historic designations.

**Fritz:** I share that concern, mayor. Potentially Elliott, near buckman. Couple months ago we had a discussion, the mayor and I with planning staff, about what if we just have a plan district where we don't change any of the zoning in a designated area and take a more careful approach on this, whatever happened to that? In particular how do we maintain a mosaic of different zoning designations and not feel like we have to zone an entire block or neighborhood, this, that or the other.

**Engstrom:** That question is coming up in a couple slides with a subsequent amendment that relates to the residential push with buckman.

**Zehnder:** We found a different approach but in an area that's more mosaic than this case. In this case it's more akin to what the mayor is talking about in terms of it increased development potential and no necessary guarantees what the outcome will be.

**Engstrom:** We're going to talk about that in a few minutes. We had broken out this one as a slightly separate issue.

**Hales:** This is r1 now. The request from the property owner was to make it mixed use urban center.

**Fritz:** That's a really intense designation.

**Hales:** I'll make the motion. I don't plan to vote for it but i'll get it into play.

**Fish:** Before we do that, again, i'm playing catchup on this one. Important set of policy questions. Does anyone feel strongly -- we have two motions we could make. Does anyone feel strongly you're going to vote no on which motion?

**Hales:** Vote no on n15 and I might vote no on the other one as well.

**Fish:** Does anyone feel strongly the other way?

**Novick:** Yes on n15, no on s20.

**Fish:** Could you explain why?

**Novick:** I introduced this amendment because a property owner requested to extend mixed use designation to the property which includes four homes on a single tax lot. The four homes are listed on an historic register so they can't be torn down unless they fall into disrepair. The property owner wants to allow transfer of floor area ratio elsewhere in the city. Reinvest in the houses making much needed repairs although there are not guarantees of press other vacation I think the property owner's idea is a good one we should support. Given that the buildings are protected structures it's difficult to demolish them.

**Hales:** I had forgotten that.

**Fritz:** Yeah and there's another way to accomplish that we could have a new rule that says if you have a property with this kind of historic features, even if it's not historic, or is in this case, we could change the rules on when you can transfer the far.

**Engstrom:** You could ask us to look through the multi-dwelling zone update whether the transfer that's available to the proposed mix used zone should be available there too.

**Hales:** Hi forgotten these were already designated landmarks. I'll make the motion. I might change how i'm going to vote on it now. The motion is to adopt this amendment in this case which would designate the site as mixed use urban center and set up a scenario that commission novick just described. Are there further discussion or questions before we vote?

**Fritz:** Just the one.

**Hales:** Vote, please.

**Fish:** Good discussion. Aye. **Saltzman:** Aye. **Novick:** Aye.

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**Fritz:** Putting an urban center designation on a property that's essentially a neighborhood doesn't make any sense to me. No.

**Hales:** Yeah, it's a close call. Again, the protection that i'm focused on has been assured by the historic designation but the pattern still wouldn't make any sense so i'll vote no but it does pass.

**Fritz:** Property can take off the historic designation surely. That's one of the problems throughout the plan. All the property owner has to do -- reconsider?

**Zehnder:** It's as strong as we get, that protection. You can remove it from the register.

**Hales:** Reconsider. Yeah.

**Saltzman:** Motion to reconsider.

**Fritz:** I don't think I can second because I didn't prevail. Maybe somebody else --

**Fish:** I'll second for purposes of discussion.

**Hales:** Vote, please.

**Fish:** Aye. **Saltzman:** Aye **Novick:** -- no. **Fritz:** Aye.

**Hales:** Aye so we're going to reconsider. I am more -- I had forgotten that as well. That's right. We have that problem with our historic designation process which is the property owner can with no community involvement or city regulatory power take the designation off, right? So again we're relying on a property owner's assurance of course i'm not going to tear down these historic buildings. [speaking simultaneously] we can get a very high density designation and hope the assertions are true. Help us out here.

**Brandon Spencer-Hartle, Bureau of Planning and Sustainability:** I'm not familiar with the specific properties in question. If they are on the national register of historic places, which I believe they are, maybe Eric has knowledge of that, if they are and a property owner is seeking demolition, they have two options to take. One is to seek removal of that designation which does require a state review for properties on the national register. That is a higher level designation than our local designation. So there's a process for delisting, but if the national register property owner is not successful in delisting they would come before this body with a type 4 demolition review. You may remember in 2015 you considered one of the type 4 demolition reviews for the building in northwest Portland. What Commissioner Fritz is talking about are some of our local historic resources that do allow an owner to remove that designation with a simple request to the bureau of development services.

**Hales:** Which is this?

**Zehnder:** We believe it's national.

**Hales:** It's national.

**Spencer-Hartle:** Right now in the code the process for which they would gain approval for a type 4 demolition would be to demonstrate to this council that the owner is suffering economic hardship and would need to demolish the resources, or the proposed replacement project better meets the goals of the comprehensive plan.

**Fish:** They would have to make that case after they had transferred the far and reaped the benefit of that?

**Hales:** Yes. Let's talk about that. We have are we protecting the buildings question. That's one question. I think I have more clarity about that now. Then does this pattern make any sense question, and then there's a third question which is what's the economic use of this property if we do nothing and leave it as r1, right? I assume they are owned or rented by people living in them.

**Engstrom:** They are rental homes now.

**Hales:** This is not a bad rental market and that's not a bad location for a rental property. It's not like the owner can't reap profits from renting the property.



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**Engstrom:** That's the mixed use designation that's given to pretty much all of the mixed use designations within about 20 or 30 blocks of the central city.

**Hales:** I'm sorry, I'm not seeing that at all on this map. It looks to me like it's --

**Saltzman:** N15.

**Hales:** Okay. I'm sorry. On two sides it would be mixed use urban center.

**Fritz:** Essentially it says these buildings are not going to get knocked down and do we want to get a -- give a bonus to the owner.

**Engstrom:** You could use them as commercial buildings like you see on some commercial streets with historic homes turned into boutiques or something.

**Hales:** What was the psc recommendation?

**Engstrom:** They said no to this and left it r1.

**Fish:** If the property owner is not intending to demolish and to use commissioner Fritz's word we give them a bonus, the opportunity to transfer far into monetize whatever the proceeds, why do we care about that? One way or another.

**Hales:** What's the public interest in that?

**Fish:** I understand there's an additional cost of maintaining an historic structure. These are Victorian, we want them maintained to a certain standard. What's the counter argument?

**Engstrom:** Assuming there's no risk to demolition there's no counter argument. The concern of the neighborhood was there would still be a risk of demolition. I think the fact that it is on the national register is mitigating factor.

**Fritz:** We should be making a policy about what audiences are we going to give to national historic register properties rather than this happens to be in this particular location so let's change the zoning and give this particular property owner a transfer bonus.

**Fish:** Fair enough, but this has been a long, complex process. Anyone has the right to come forward with a claim. We may or may not get to that point. Now that we're pretty confident that there's not some loophole where it can be demolished and the person also gets the benefit of the transfer seems to be a closer call and I haven't heard a compelling argument why it's against the public interest to do this.

**Fritz:** To give the owner a bonus. What's the public interest?

**Fish:** I say it's closer to a wash. These are historic structures. There's a need to maintain them. They are on the national registry. The person has accepted a certain limitation on their ability to develop the site. They have the cost of maintaining historic properties. If this creates some economic benefit that's used to maintain these or other properties, why would we care?

**Fritz:** Why wouldn't we do that city-wide rather than just on this property?

**Fish:** That's not what's before us. We don't have the city-wide making that request. This is one historic site which is context wall. I am trying to find out why I should vote against it.

**Fritz:** Yes it is.

**Fish:** That's not what's before us

**Engstrom:** If you want to implement commissioner Fritz's amendment, vote no then direct us to come up with a city-wide code change so that there's not this choice --

**Fritz:** I guess my public purpose Commissioner Fish, in advocating for that approach is the savvy folks who have been engaged in this process came in with a request. The other properties in a similar situation with the historic designation didn't know this was the time to ask for that. To me it would be much more equitable if it's a city-wide policy rather than, yeah, you got your request in so we're going to grant this.

**Fish:** If we did something by way of city-wide policy, we direct you to do that, I know you love that, if we direct you to do that, do we have the power in whatever we craft to say we

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will consider giving you this benefit but you have to give us higher level of assurance that you're not going to remove the designation or demolish?

**Engstrom:** We do ask for a covenant with those kinds of transfers.

**Fish:** We have an additional insurance policy in effect.

**Fritz:** We could talk about we're going to give you this economic benefit, what are we going to get for that? We talked about height bonuses going for affordable housing. If we don't give this away now but make it a package we could look at the whole public benefit of giving a bonus issue.

**Fish:** What happens if a year from now a new council has not been able to agree on that approach? Does this applicant have an opportunity to come back and be reheard?

**Engstrom:** The comp plan isn't static, so there's nothing preventing an applicant for individually asking for an amendment outside the big overhaul process we're doing.

**Zehnder:** They would just be assuming the cost of that change because unless it's part of an area plan it's up --

**Fish:** Do you feel strongly one way or the other on this.

**Zehnder:** The idea of the transfer that could be available here really only happens if we stay the course of where we are with our mixed use zoning code to implement the central city -- implement these types of centers. In the new code we're looking at allowing historic transfers, correct? That's a distinction. So it gets a little speculative because of that. Because now we're needing to resort of design or rethink exactly what that bonus system is going to be like because we're counting on being in an inclusionary housing system as well. Some of the assumptions we carried into this discussion about what the bonuses and transfers would be like in the mixed use centers are uncertain. It's not that they won't happen but they could, so we could make this change. It could turn out that the transfer permission to transfer development potential from a property like this doesn't make it into the code for a variety of good reasons. Not against historic but for other reasons, you've made a change to a new designation for a purpose that couldn't be delivered. One thing to be grounded in is if you want to change to that designation it's the right designation no matter what happens with these properties --

**Hales:** The buildings.

**Zehnder:** Yes, the buildings. That's your foundation piece.

**Fish:** Where do you come out on that?

**Zehnder:** It's proximate. If I was just looking at the pattern, not the buildings, since the buildings have protection under the national status, I thought they were Oregon status, proximity-wise it's in a center kind of location, correct?

**Engstrom:** It's in a strip contiguous with other commercial zoning.

**Zehnder:** We have made this kind of addition in lots of parts of the city because it's all contiguous, they just didn't have these particular houses and their value on them. Those assets. Protected through our national register. They may or may not really qualify for a transfer depending how that law turns out. The change doesn't necessarily put them -- it increases potentially the amount that could be developed on the site, that could create an incentive for someone to come in and go through the process of demolishing, highest level protection they have against that demolition.

**Hales:** I don't want to spend too much more time on this because I think we may -- [speaking simultaneously] it's really important. I respect these folks very much at the planning bureau, but I think there's a little bit of a philosophical division and the commissioner charge. I have a really strong bias, the Hippocratic Oath. Don't screw it up. Don't lose the old buildings. They look at the map and the land use as planners because that's what we want them to do, right? So I am less capable of looking at a site like this and separating the site from the buildings that are on it than they are. So I gravitate

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towards trying to give it as much protection as possible until the rest of the regulatory framework is in place. In that case i'm going to vote to maintain the r1 here, not make the change.

**Fish:** I move the question.

**Hales:** Let's take a vote. We're voting again on n15.

**Fish:** This has been a good discussion. I'm going to put in for college credit. I listened carefully to the debate and it has changed my mind. I vote no.

**Saltzman:** I'm going to vote yes. Aye.

**Novick:** I still think that we should do this. I think that there's always a risk that the property will fall into disrepair and the owner will ask to have them delisted and use the bonus money to invest in the further properties. Aye.

**Fritz:** I appreciate the willingness to reconsider. I think this was one of the most important discussions that we're going to have as part of this whole process, how do we reach multiple goals. I want to be able to do that on multiple properties city-wide and I don't want to give things away before we have figured out what do we get for it. So I vote no.

**Hales:** I appreciate the discussion as well. Help reclarify. I'm going to proceed on some of these that are closer calls because of the historic designation because we have system-wide work to do. We need more historic districts. We need to give people the ability to transfer density and otherwise obtain benefits to give them stronger incentives to keep the great old buildings they have but that needs to be systemic rather than episodic so I vote no.

**Hales:** S20.

**Engstrom:** S20 is the slide show, a collection of properties a block up the hill, couple blocks up the hill. This is flipping the facts of the last one on their head. These are properties that the planning commission had changed to mixed use because they are predominantly built with commercial development on them. They had been zoned accommodation of r2 and r2.5 and the planning commission changed that to mixed use. The buildings in question are in the slides here. Century lake building, another century link building. Couple other properties at 16th. Commercial properties on a major transit route. Staff didn't think it was appropriate to have such a low density residential zone on these commercial properties and planning commission agreed. So the staff recommendation was to not support this amendment.

**Fritz:** What designation of mixed use is recommended by the planning commission?

**Engstrom:** Urban center consistent with all the other commercial designations on this street.

**Fritz:** It's the concern of the neighborhood that that would be too intense?

**Engstrom:** well there's a second tier of the discussion which is what is the zoning. The urban center allows choice of small, medium and large zone. You can make that choice at the zoning level. In this case this is still zoned neighborhood -- it would be the middle zone of density within -- on the zoning map.

**Hales:** Carter designation rather than --

**Engstrom:** The way the urban center designation works it allows the full range of density. The current zoning is cs in this vicinity. With a little bit of as you go down the hill, it gets denser. Right now the zoning map proposes cm2 in this area.

**Fritz:** Is there a way to make sure we get cm2, rather than anything more intense?

**Engstrom:** You can direct us -- that's what we have already done on the proposed map. You can certainly communicate that to the planning commission. You'll see the map in the fall when you adopt the maps, you can do that then. I want to make clear the urban center

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allows one to ask for an up zone. There's no absolute guarantee that no one in the future would never be able to get cm3 here.

**Hales:** That's not a zone change in conformance with the comp plan.

**Engstrom:** It is, yes. Urban center allows full range of density.

**Hales:** That's simply a ministerial action.

**Engstrom:** Still it's a review, type 3 review.

**Fritz:** What's the lower designation that would allow the current kinds of cs zoning not allow the very high intensity?

**Engstrom:** The zoning is the cm2 --

**Fritz:** On the comp plan.

**Hales:** That's it, right?

**Engstrom:** I'm sorry -- cm2 is the zoning designation that is medium scale.

**Fritz:** You said this is urban center?

**Engstrom:** Yes.

**Fritz:** Is there another designation that would only allow the one and two, rather than allowing the three later?

**Engstrom:** The neighborhood center designation but I want to say that the entire comp plan policy is structured to not support putting that designation so close to the central city. The urban design framework and the corridor strategy says we put urban center close to the central city and in the town centers.

**Fish:** So you recommend a no vote on motion b?

**Engstrom:** Yes

**Fish:** The buckman organization is supporting motion b?

**Engstrom:** Yes. Well,.

**Deborah Stein, Bureau of Planning and Sustainability:** Residents from the neighborhood yes.

**Hales:** There's some discomfort going to the full central city intensity here seems like it may be going too far. Going to r2.5 on a main street like Belmont makes no sense, so I think what commissioner Fritz and I are grabbing for is how do you peg this at a reasonable level of density for refer development because these buildings are likely to redevelop if we give, say, the opportunity to build a three or four story mixed use building on the site of a 1950's office building, you know, what we're not seeking is a 10-story apartment building.

**Engstrom:** Mixed use designation doesn't get you ten stories. It gets you to six, six or seven with bonuses at the moment.

**Fritz:** That would be too much for this neighborhood.

**Hales:** There's a fabric on Belmont that's good. It can get better with redevelopment if there are buildings not particularly worthy of preservation that aren't particularly dense, some of the -- parking lots which some of this is, we want to see mixed use three and four story development in a place like this.

**Engstrom:** I guess I want to just back up a little bit that again that the zoning is what's going to control the scale of the building, not the comp plan designation.

**Fritz:** If we have a comp plan designation of urban center --

**Hales:** Zone change in conformance with the comp plan -- [audio not understandable]

**Engstrom:** It would likely come to you on appeal.

**Hales:** This is not necessarily the environment we want.

**Fritz:** Help us out here if we don't want intensive development.

**Engstrom:** I want to back up to the structure of the comp plan. If you're saying urban center is not appropriate in this location, about half of the urban center designations in the

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city are in similar context, so you're making a pretty broad statement about the applicability of the comp plan designation if that's where you're going.

**Fritz:** I think what we're saying is it shouldn't just be a certain radius around a point. It should be look at each neighborhood. Very proximal to the city center, it's also the buckman neighborhood, so it's not appropriate for central city type development.

**Marty Stockton:** I'm Marty Stockton, city planner in the southeast district liaison. April 28 there was a vote to extend the mixed use urban center designation all the way to 49th on Belmont and all the way to 51st on division.

**Hales:** Vote by whom?

**Stockton:** The city council.

**Hales:** We did that? [laughter]

**Fritz:** That's along a corridor.

**Stockton:** This is Belmont. This is a corridor. Yes.

**Hales:** So --

**Fritz:** Neighborhood has a different feel from 49th and Belmont.

**Stockton:** From 12th avenue to 49th on Belmont right now the proposal is mixed use urban center. With the recent change from 42nd to 49th that was voted on April 28 by city council. One thing I would like to just jump in here is that Scott's recommendation is to acknowledge the nonconforming uses that are on Belmont. The conversation about intensity is really best saved for the zoning map. If there is a sense on intensity and scale then we can have that conversation on the zoning map.

**Hales:** I think we should. That's why again there's got to be a path here that isn't -- frankly I remember that about the corridors. I remember it. Sure, we want to designate those corridors and centers for mixed use redevelopment. But I don't think we want to leave it to the property owners to determine the level of intensity. I think we want to map that. That's what I thought the three flavors of mixed use were going to get us.

**Engstrom:** At the zoning map -- scale they do get you there. The other thing missing from this conversation is that it's not entirely the property owner's whim. There are purpose statements to each of these zones. So you can't necessarily just plop down the cm3, the most intense, in all contexts. The purpose statement says it's supposed to be in areas that are generally not abutting single family, generally near multi-family areas near the central city or in town centers. So there is some code and policy that governs where those zoning designations go should someone apply for a zoning change.

**Fritz:** If the code change complies with the comp plan its going to be pretty minimum.

**Engstrom:** That's what we're proposing, there's an urban design element to where the zones go. That's additional criteria.

**Fritz:** When is the zoning map and those changes coming to council?

**Zehnder:** They are going to the planning and sustainability commission right now.

**Fritz:** Are we guaranteed they will be done before the end the year?

**Zehnder:** They are supposed to be done by december. Yes.

**Hales:** Okay.

**Engstrom:** We've reserved space on your calendar for that.

**Zehnder:** Last night we had a four-hour hearing on it. This was a big part of the debate. It was going in the opposite direction because we have made a move to put lower commercial zoning on some parts of the centers and there was this community push and property owner push against that. It's going to be a debate all wait to the end.

**Stockton:** One other thing the way we have structured the mixed use urban center designation is that that is the designation that would be proposed with the design over lay. Other areas mixed use neighborhood and mixed use dispersed would not have the design over lay. That is something we have heard from the southeast community that it's

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important to them. Mixed use urban center would get expansion of the design over lay. The other designation would not.

**Hales:** I think i'm ready to vote. Am going to not support the amendment to downzone this to r2.5, but I want to return to the zoning map questions with an even greater level of rigor. Again, we're not going to make everybody happy here but there's a level of intensity and level of design that can make redevelopment of these parcels work. There's also a sense of how much scale is appropriate and how much is too much. Clearly r2.5 isn't the right place to peg this.

**Novick:** I move the motion.

**Hales:** Voting aye means to change to r2.5 and r1.

**Fish:** No. **Saltzman:** Aye. **Novick:** No.

**Fritz:** Another good discussion. No.

**Hales:** No. That fails.

**Hales:** All right, let's move on.

**Engstrom:** Now we're moving next door to the residential portion of buckman. This comes back to the mosaic question that commissioner Fritz raised earlier. This is a section of buckman just to the north of what we were talking about between stark and Morrison. It's currently zoned r5 and designated r5 on the current comp plan. The planning commission had recommended changing that to r2.5. This is just a closer look at that area. Some houses in there. The rationale for the change was that most of the houses in this area are duplexes or triplexes or higher. And so this was an issue of nonconforming density. There's about 140 dwellings in this area subject to this amendment. 36 are single family homes. Only six are on lots dividable in r2.5 zone, so essentially built to r2.5 density or higher. Extension is 25 to the acre, slightly above the r2. Of the 60 lots in the area of 33 are less than 2500 square feet. In this map it illustrates to orient you, the blue buildings are multi-family buildings of four or more units. The orange buildings are duplexes. The yellow lots are lots smaller than the r5 standard. The green are essentially single family houses on 5,000 square foot lots, the only lots that meet the r5 standards in this area. That's why staff's recommendation was to change this to recognize the existing density. We have four motions. We're on page 8. This is probably going slower than we hoped.

**Fish:** Mayor, can I ask, is there a strong support among two colleagues for any of the motions?

**Fritz:** Ones requested by commissioner Saltzman and me. Yes, I think so.

**Fish:** Which motion has a strong -- has at least two members of council feeling strongly about? On this one. We have four motions that we could bring. We'll vote them all down. Is there an a, b, c, d--

**Fritz:** I'm sorry.

**Fish:** are there two colleagues who feel strongly about any of these?

**Hales:** I feel strongly about this, yes.

**Fish:** I want to see if we can identify one that has support.

**Engstrom:** The one that several of you have asked staff to explore was the larger mosaic question about is this unique or is there a larger area that has this problem. The map i'm putting on the screen is a map of the wider sort of buckman area where there's a bit of a similar pattern of duplexes and multi-family mixed into some of the r5 areas. The request which I think is represented by motion d, essentially, was to hold off on zoning changes here but direct us to explore either a plan district or over lay zone as we come forward with the next steps that would apply in the wider area of the chair's similar characteristics but zoned r5 and where you would -- in that tailored code you would do two things. You would

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essentially for lots that are 5,000 square feet maintain that requirement. So that would protect the remaining single family large lot homes that are there, older historic homes. Also allow infill up to the r1 level as long as you're not demolishing an older building or if you have a vacant site. That was sort of I guess the new flavor of zoning packaged for what we would do is look at a wider area and come back with some kinds of code solution at the plan district or overlay level. The map on the screen shows you the geography in the buckman Sunnyside area. There's a similar situation going on in Sullivan's gulch, Irvington, parts of Elliott. There's a little bit of it slightly milder form in near the Clinton station area. So we would look at all those and come back not with something that matched those boundaries but something that was sensible looking at those areas.

**Fritz:** Would we hold off changing zoning in all three areas?

**Engstrom:** The zoning wasn't proposed to change in those areas. Motion d would hold off on changing the zoning, leave r5 in place now but would direct us to come back with exploration of this different flavor of zoning for what we call the inner ring problem with middle housing and the mosaic of uses.

**Fritz:** Thank you. I strongly support d.

**Hales:** I'll second motion d.

**Fish:** Discussion?

**Hales:** Let's vote.

**Novick:** Actually, after due deliberation i'm going to oppose my own motion. [Laughter]

**Hales:** We'll see if the rest of us can't help you out. Let's take a vote.

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

**Novick:** So what I was doing with motion d was wait a minute. Hang on a second.

**Hales:** I understand. Ready, Steve?

**Novick:** I'm a no.

**Novick:** The argument is we would be creating a density bonus that works primarily for conversions which wouldn't make much sense here.

**Fritz:** My understanding is that we're not changing any of the zoning.

**Hales:** Yeah. Other way around.

**Fritz:** Is that correct?

**Engstrom:** The motion depends on you acting later on the second part. Effectively you're holding off on the comp plan change from this area and asking us to come back to you with zoning later that tries a different approach.

**Novick:** The details of what that zoning does would be subject to another vote later.

**Novick:** Right. Directing you to explore new zoning concepts.

**Zehnder:** New zoning concepts that allowed this mosaic that support the buildings that are not single family houses, that don't create undue incentive to convert single family houses. In exploring this at your encouragement we came up with this approach to see if it could apply to large parts of the inner ring. That's why we're enthusiastic about that approach.

**Engstrom:** The current comment we have heard is the pro is that it helps deal with the issue that raised the objection in buckman. With have heard some from some folks who don't think this goes far enough. They would like it up zoned. Sooner. So that's the tradeoff.

**Hales:** Steve, you ready?

**Novick:** I voted.

**Hales:** Commissioner Fritz.

**Fritz:** Brilliant. Yes.

**Hales:** Again, appreciate -- I know this is complicated and a little bit frustrating, but there's a body of work here where actually I think there's a great deal of agreement. One is we

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are in this comp plan trying out some new planning tools like these mixed use designations to replace old tools like the store front commercial zone. We're trying to figure that out as we go along. Secondly I think I hope you're hearing, I think i'm hearing very strong agreement on council about preserving the pattern in places like buckman that happened before zoning and that zoning alone won't protect. We're going to need additional new tools like the process that you're embarking on here but we have a strong bias towards preservation of existing structures. That does not preclude turning some of those structures into multi-family units that started out as single family houses thus the density discussion. I think there's a way this all comes together but i'm going to keep practicing the Hippocratic Oath and try not to screw it up. Aye. Motion d is adopted.

**Engstrom:** You're not quite out of buckman yet. [laughter]

**Fritz:** Where is this one in relation to the bubble we just drew.

**Engstrom:** Adjacent. This is abutting the northeast corner of what you just discussed. This is a slightly different situation. These are multi-family projects, one of which is owned by home forward, and the distinction here, this is also wrapped up in whether this should be r5. The planning commission recommended r1. Home forward property is currently developed at a lower density than r1, and the current r5 designation prevents redevelopment of that site for additional affordable housing units. So --

**Hales:** Home forward requested the change?

**Engstrom:** Supports the change. Because it would allow more flexibility for future improvements on the site and potentially additional units.

**Hales:** Support the plan as proposed -- [speaking simultaneously]

**Engstrom:** Correct.

**Hales:** Takes it back to r5.

**Engstrom:** Correct.

**Hales:** For just this site.

**Fritz:** Currently developed with multi-family?

**Engstrom:** It is multi-family.

**Stockton:** It's a 10-unit multi-family development. 10,000 square foot site. It's r1.

**Hales:** Developed as r1. Okay. Anyone have questions about this? Isth is a little easier. Roll call, please.

**Fish:** No. **Saltzman:** Aye. **Novick:** No.

**Fritz:** I think this may have been an error on my part. No.

**Hales:** No.

**Hales:** All right. N42. So there's -- why don't you tell us -- i'll move adopt map m42 as refined by the mayor's April 28 memo. Is there a second for that?

**Engstrom:** Recall that --

**Hales:** Explain what we're trying to do here now as opposed to what we were considering doing before.

**Engstrom:** You recall the additional -- original memo came out of testimony during the hearings that property owners requested you consider additional mixed use on this section of Fremont between Vancouver and Mississippi. So on the left side of the screen the original amendment proposal. You also generated quite a bit of debate in the neighborhood and some division from different folks. Some property owner opposition from some of the affected property owners. Revision to that expressed in the mayor's memo is to scale it back to a smaller number of properties that the property on the left is owned by an affordable housing provider. The other properties on the right side are the essentially the properties -- other vacant sites associated with the original request. So it's



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a scaled back version of the initial proposal in recognition that there was quite a bit of opposition to the original proposal.

**Fritz:** The ones on the right are vacant?

**Engstrom:** The one on the left side of the right currently has an affordable housing project on it. The ones on right side of right picture are vacant. On the left side would allow if the owner, which is an affordable housing provider, wanted to build a larger project there they could. The one on the right where there's a community garden but privately owned by the person who requested the amendment.

**Fritz:** All that property on the left is currently r1.

**Engstrom:** In both cases the properties are either r2 or r2.5.

**Fritz:** I think there's potentially a case to be made for the one on the left since it's already greater than r2.5.

**Engstrom:** The ones on the left are r2. Not sure why it says 2.5. I think they are both r2.

**Fritz:** Changing the designation. We hear a lot of testimony that there's already a lot of congestion and mixed use in the corridors and there wasn't support for the changes in the neighborhood.

**Engstrom:** You heard testimony from folks in the neighborhood expressing concern. You heard testimony in favor from northwest business association.

**Hales:** This is an attempt to narrow the question and focus the change on just those properties.

**Engstrom:** One of the things about the street classification is that it's currently in local service street which may need to be revisited when the tsp street classifications come to council. May make sense to look at that given these designations.

**Fritz:** If we left it at r2, that wouldn't necessarily change.

**Engstrom:** Correct.

**Fritz:** Mayor, I appreciate your willingness to propose something that's more surgical. I think it still should stay r2 given the intensity of uses elsewhere specifically on Williams and Vancouver.

**Hales:** I'm -- I think there will be traffic regardless. We can say that about the future of Portland. There will be traffic. What kind of pattern and place do we want to create is the more important question. Is this a place where a small amount of redevelopment makes sense? Close call.

**Fritz:** Would it be mixed use or purely residential. That's the concern I have is changing it to mixed use.

**Fish:** I move the motion.

**Hales:** Vote, please. Again, this is on a map amendment that would extend the mixed use designation to that smaller set of parcels, right? From r1. Okay? Roll call.

**Fish:** No. **Saltzman:** Aye. **Novick:** Aye. **Fritz:** No.

**Hales:** Aye. Okay. That's done.

**Hales:** All right, let's keep going. M45 and m71. We'll take them together.

**Engstrom:** So this is involving the 60th avenue station area and some refinements through the mayor's subsequent memos. It also includes also on a subsequent -- sorry, i'm moving through because I lost the screen with the picture of Euclid heights.

**Hales:** This isn't Euclid heights. This is 60th.

**Engstrom:** We had included Euclid. For the sake of not confusing people let's pull Euclid out to address next.

**Hales:** That's 71? Which is which?

**Engstrom:** One of the items in your subsequent memo.

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**Hales:** You'll have to help me. Which amendment is which?

**Engstrom:** They are both involving the 60th avenue station. Euclid was mentioned here in a memo so let's pull that for now.

**Hales:** Let's pull that out. Consider the 60th properties. That's what's before us. That's m45?

**Engstrom:** Yes. This came originally from the neighborhood. They requested a reconfigure ration of the zoning north of the 60th avenue max station.

**Hales:** Let me get this in play. I move to adopt map amendment m45 --

**Fish:** Second.

**Fish:** This appears to have broad community support. I move the motion.

**Novick:** I think we just got a letter from the anti-displacement coalition saying they have a no vote because it decreases density. I would like to hear staff respond to that argument.

**Engstrom:** This doesn't change the density so much as reconfigure it. It adds mixed use zoning along the spine of 60th. It reduces the intensity in the neighborhood from rh to r1, but the number of units is comparable because of the mixed use addition.

**Hales:** This was something that the neighborhood worked a lot on to try to come up with a pattern that made more sense. I think it does.

**Engstrom:** The minor change was involving just showing where the break between the lower intensity to the right hand side, that lighter purple color, and the neighborhood mixed use here.

**Stein:** Neighborhood mixed use. Originally that was dispersed. Once we added the other mixed use it all becomes mixed use.

**Engstrom:** That's not what the map is showing.

**Stein:** I know. That's a map error. It's supposed to be.

**Engstrom:** To clarify the whole --

**Stein:** All the pink and purple should all be mixed use neighborhood. Originally, the portion -- the lighter shade, that was a stand-alone mixed use originally. We showed that as dispersed mixed use. Once we added additional area of mixed use it no longer makes sense for that one tail to be dispersed so we say the whole should be neighborhood mixed use. That's what we worked out.

**Fish:** I think we're on the verge of complicating something -- I call the motion.

**Hales:** Let's take a vote.

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

**Fritz:** I much appreciate the engagement of the city park neighborhood and map amendments. Aye.

**Hales:** Aye.

**Engstrom:** Now Euclid. I need to find that in my packet. I think it's at the end -- so Euclid heights question which doesn't have an amendment number because it was raised in the mayor's memo, this is a small subdivision post war subdivision that is currently zoned and designated r2.5. It has a unique curvilinear pattern in there with relatively intact older homes. It probably was originally designated 2.5 because it's not too far from the Hollywood max stop, but it's up the street a little ways past 47th, and so the amendment request is to take that from r2.5 to r5, I believe based on argument of preserving neighborhood character.

**Hales:** This is a classic case. Do we want to create a zoning incentive to tear down the old houses and build higher density? It's an intact area of well-kept historic homes adjacent to more of the same east and the north. That's why I was very sympathetic to this. I think it needs to be preserved. Laurelhurst is right across the walkway from the light-rail stop and its r5, so I support this. I would move the Euclid heights unnumbered amendment.

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**Fritz:** Second.

**Hales:** Further discussion? Let's take a vote, please.

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

**Novick:** I think i'll going with the anti-displacement coalition and vote no.

**Fritz:** No. **Hales:** Aye.

**Hales:** Onward. Heals we're familiar with this I move to adopt map amendment redesignating it r7 rather than r5. Is there a second? Okay. No second.

**Hales:** All right, we got to move on. Move to adopt map amendment 35.

**Saltzman:** Second.

**Hales:** Walk us through this one.

**Engstrom:** This is an amendment that involves creating assigning mixed use as sherrod, primarily which is currently part of the step-down on either side of the mixed use. This came from the promo family, which is the property owner. There's been some discussion in the sellwood neighborhood -- I believe the neighborhood has weighed in against it but I want to look for confirmation.

**Fish:** I believe the term is vehement.

**Hales:** Roll call.

**Fish:** No. **Saltzman:** Yes.

**Novick:** I think that this is a good up opportunity to let more people live near the new orange line. Since I somewhat feel a ting of regret into that neighborhood that I wasn't able to stay there in order to use the orange line, more people should have the opportunity that i'm missing. Yes.

**Fritz:** Looking at the map to see the pattern on this. No.

**Hales:** I think that to expand this would over reach. No.

**Hales:** Ok, S12, I move to adopt map amendment S12. Is there a second

**Saltzman:** Second

**Hales:** Ok this is 17<sup>th</sup> and Insley. This is the situation where originally there was going to be a stop, but now there isn't. So the effect of the amendment is too up zone right?

**Engstrom:** The planning commission's recommendation was to remove rh from those properties. The amendment which was from commissioner Saltzman and novick, I believe, would restore the rh to those.

**Hales:** All right. Yes vote puts rh there and no vote restores the planning commission's recommendation.

**Hales:** Which is r1, right?

**Engstrom:** I am going to look to staff.

**Stein:** Yeah, I think that would all go to r1, I am pretty sure. And there was a neighborhood process we did for this area prior to proposing the original plan that went to the sustainability commission,

**Fritz:** So the neighborhood group opposes this amendment.

**Engstrom:** Yes. We also heard testimony opposing this from the neighborhood.

**Fritz:** I don't know if any of you have ever tried to get to this area by bus rather than light rail. It's not an easy to do.

**Hales:** Slow ride on the number 19. I know it well.

**Fritz:** That's even further from where you live.

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**Hales:** It's actually closer in.

**Fritz:** Interesting.

**Saltzman:** What's our ability to put a light rail station in there in the 20-year horizon? There's no physical possibility to putting a station.

**Engstrom:** It's not physically impossible. They built the light rail so there's room to do that in the future. There's just no current plan.

**Stein:** Right. When we were doing the smaller area planning process with the neighborhood we did consult with tri-met and they said it would be, they didn't want to be absolute in their language to say no but it sounded very unlikely, given the configuration of the line when elevated and a number of other reasons.

**Saltzman:** Unlikely over 20 years?

**Engstrom:** It's not in the tsp project list that you have considered.

**Stein:** Certainly in the 20-year period it will be extremely unlikely. Be quite extensive because of the way they configured the line to retrofit a station would be quite difficult.

**Saltzman:** Ok.

**Novick:** Just to clarify r1 was the staff recommendation. We vote no that's what we are keeping?

**Hales:** Correct. Ready to vote in roll call please.

**Fish:** No. **Saltzman:** No. **Novick:** No. **Fritz:** No. **Hales:** No. [gavel pounded]

**Hales:** all right. F83. Southwest barber. I move to adopt map amendment f83 which would change 2815 s.w. Barbur to mixed use neighborhood.

**Fritz:** Second.

**Hales:** Give us some a little more background on this one, please.

**Engstrom:** This is the under armor site, the former y next to duniway park. It's currently developed with a building that I believe is approximately 30 to 35 feet tall. It's a three-story building. The psc recommendation was urban center. The zoning designation here right now I believe on the zoning map is still under discussion. But the staff proposal was a neighborhood designation. The urban center is what the comp plan was given which was consistent with what's across the street and to the north. To the south you can see some of the other properties on first which have the same color on the map are also in the neighborhood category because first was a neighborhood corridor the orange color is r2.5 in this case.

**Hales:** This is the site adjacent to Duniway Park. And so the issue is what's the intensity that's possible in redevelopment.

**Fritz:** Yeah. I think the core question is, is this more like the central city designation to the north or is it more like the residential neighborhood designation to the south? My recommendation is it's more like the south in part because of the impact on the park having a six or seven-story building which would be double the current height it's being developed at. And the current intent over the 20-year period is to perhaps add another story which can be put under the cn 2 designation.

**Novick:** I have a question for staff. How does mixed use specific corridor and mixed use urban center in terms of heights?

**Engstrom:** Similar. The corridor is given to streets that are the big boulevards in the city. One of which is barber and sandy or 82nd is another. Because they are wider streets the height, the zone, the full spectrum of larger mixed use zones are allowed on those streets. So you could conceptually have a cm 3 zone here if it was given the urban center designation or the civic center corridor designation.

**Hales:** Back to the question about height. What's the difference?

**Engstrom:** The urban center would allow the cm3 which would give you a 55-foot height or 65 with bonuses. The neighborhood would give you more like 45.

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**Hales:** In my eye this site could go 55, 60 feet. That would not be unreasonable given the scale of what's to the north of it. To the south, it changes. It also just because of its peculiar location doesn't shade the park its north and east of the park. Where a tall building on the south side of a park has a much more serious effect on light in the park. This won't.

**Fish:** I look at this in context and the history of site but I move the motion.

**Hales:** Everybody ready to move? Let's take a vote, please.

**Fish:** Aye. **Saltzman:** No.

**Novick:** I think when you look at the definition of mixed use urban center it says this designation is intended for areas close to the center where urban services are available, very frequent bus service, streetcar service. This site is well served by buss and will be served by high capacity line. Cross my fingers. No.

**Fritz:** Aye.

**Hales:** No that fails.

**Hales:** Next. Hayden Island.

**Engstrom:** I believe you brought this back because you wanted to see the whole package of things related to Hayden island which includes --

**Hales:** Change the language on the bridge.

**Engstrom:** The item below it is the change in the language to the project description on the bridge. Since that meeting we had brought to our attention testimony that was brought in at the last minute from water in the Bridgeton neighborhood expressing concern of folks there about the dispersed designation which is their located on the map to the right and below. And so we have had a request for them to be included in the neighborhood center designation as well there. To get mixed use neighborhood essentially. That's a late breaking sort of request that came in and the testimony that arrived in your final hearing that we are just sifting through.

**Fish:** Mayor, could we take a three-minute break? We are losing staff at 5:00.

**Hales:** We are going to go to 6:00 if that's ok with everybody. A three-minute break for mercy's sake and then come back.

**At 5:03 p.m. staff recessed**

**At 5:08 p.m. Staff reconvened**

**Hales:** We think we have a plan of action here which is we are going to work for about 30 more minutes and then stop for the day. And take the rest of this into 2:00 p.m. Tomorrow so some of you, my apologies, are here waiting for things that are down the list and obviously we are not going to get all the way down the list by 6:00 today. So why don't we pick where we are going to stop so we can let people go. Looking at this cannon court I don't know court thing is going to involve some discussion. Rossi farm I don't think will be that hard. We want to go through number 54? Metro properties? Stop there? That work? Ok. All right. We are at Hayden Island. And explain to us, both the original proposal and the Bridgeton piece.

**Engstrom:** So this actually there are three pieces of this on the table that you might want to take individually to keep it simple.

**Hales:** I think that's a great idea.

**Engstrom:** The first item was to confirming reiterating the neighborhood center designation on Hayden Island itself. And that is the second item then is to rewrite the project description for the potential Hayden island bridge to emphasize the transit

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orientation of it. And then the third item is to consider the request from Bridgeton to get similar designation. But so maybe one of those at a time.

**Hales:** Let's take them in order. I move to adopt m70 which would change a portion of Hayden island from mixed use dispersed to mixed use neighborhood.

**Fritz:** Second.

**Saltzman:** Commissioner Fritz, what's your position on this?

**Fritz:** Yes.

**Saltzman:** I move the motion.

**Hales:** Anyone else have a question before we do? Let's take a vote, please.

**Fish:** Aye. **Saltzman:** Aye. **Novick:** Aye. **Fritz:** Aye. **Hales:** Aye. [gavel pounded]

Hales: ok. Next motion I move to adopt the refined hayden island bridge project description.

**Fritz:** Second.

**Hales:** Any discussion? Let's take a vote.

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

**Hales:** Good catch, Commissioner Fritz. Aye. [gavel pounded]

**Hales:** all right.

**Engstrom:** The third element.

**Hales:** Is the Bridgeton question.

**Engstrom:** Which is an area along the southern shore of the Columbia slough or not the Columbia slough. The Oregon slough. It's developed, it's kind of a unique area along the Columbia River in that it's developed with mixed use and residential development. Fairly intensely. It's a combination of townhouses and more intensive buildings closer to the freeway. It's currently zoned cm which is kind of a unique zone in the current designation. Buff it does allow higher buildings. The concern is that the dispersed designation we have given it would reduce the allowed height there effectively to 35, which given the character of some of the larger buildings that have been developed there to date, the neighborhood, folks there don't think that makes sense. So the request was to apply the mixed use neighborhood designation in this segment here. And these are some pictures of the character of what's built there already. So as you can see, a lot of them are four stories already.

**Hales:** I think this, your thoughts. This is a late breaking development that came in with testimony. I think it makes sense. But what's your feeling?

**Fish:** I want to compliment Eric after a long day with the way he's keeping all these designations straight. But I am going to preview if he ever says ch2m hill I will call for him to be suspended and I will personally take him to a medical intervention.

**Engstrom:** Thank you. Staff supports this. I think the character of what's been built there is, it's all modern, new development. And what's been built there is consistent with the neighborhood designation. It is close to the expo max station. It's unfortunately across a freeway but that's something that over time can be improved in terms of the pedestrian and bike connections. So I think in the long-term that makes sense.

**Hales:** Ok. I move to make the change as depicted in Eric's slide 69.

**Fish:** Second.

**Fritz:** I do just want to follow up with another process question. It wasn't on the amendments list so the only testimony we have had from it was in the process that was asked.

**Engstrom:** It came from testimony, essentially.

**Fritz:** Yes. Is there any concern there should be more consideration or --

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**Hales:** I hear you and we don't always make this personal but when someone who has been involved in neighborhood planning bring us an amendment like this it makes a lot of sense I am less nervous about it than if it was a self-interested property owner.

**Fritz:** We are making this decision, we will have a final vote in a while. So if it turns out that the neighborhood, others vehemently disagree with this there is the option at the end to do some final tweaking.

**Engstrom:** Yeah. If when we are doing the final vote there were a few fine-tunes within limits, as long as you don't upset the findings in some fundamental way.

**Fritz:** Right.

**Fish:** Emphasis on "within limits."

**Fritz:** 20 different amendments --

**Engstrom:** It would essentially the amendment gets it more comparable to the current zoning. -- changing something beyond what's already there.

**Hales:** Ok. Let's take a vote, please.

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

**Fritz:** The Bridgeton neighborhood plan was first thing I did on the planning commission in 1996. I want to acknowledge Eleanor Riker who worked the entire neighborhood with us with which is not all that far and gave us a really good briefing. I agree with this. Aye.

**Hales:** Aye. [gavel pounded] ok.

**Hales:** All right. Let's move on to n-14. Move that to adopt map amendment n14 which would include 6141 s.w. Canyon court.

**Saltzman:** I will second it for discussion.

**Hales:** Ok.

**Saltzman:** This one is a little complicated.

**Fish:** Could either commissioner's novick or Saltzman just bring me up to date on any additional wrinkles on this motion?

**Novick:** I would take a shot and explain where I am on this with accepting a suggestion from commissioner Saltzman's office. I would support this with a significant caveat. I am concerned about having property zoned r20 that doesn't have additional constraints like environmental overlays or steep slopes. This is located near sidewalks and transit service. It's like four blocks from a Starbucks I happened to see. It occurred to me mayor we should have a rule --

**Fish:** This is down from east sylvan?

**Hales:** Next to the freeway.

**Novick:** It's a relatively flat site near a new apartment complex. I don't know that maintaining r20 zone makes, I mean as designation makes sense. But there have been considerable community concerns about this amendment and what commissioner Saltzman suggested, I believe, was that a way to kind of split the baby is to vote yes, but give direction to psc company keep the zoning r20 which would mean the property would need to apply, the owner would have to apply for a zone change to be reviewed by council so the neighbors into have additional process.

**Fish:** That would be a type 3 lance use hearing?

**Hales:** Zone change. Right.

**Fish:** So -- and the neighbors would have an opportunity to weigh in, and the council would decide the question in a quasi-judicial proceedings?

**Hales:** Well, it, it would come to council. Right?

**Fish:** Deborah, is that a kind of a hybrid that we have done elsewhere?

**Stein:** Looking to Kathryn to make sure what we just said is correct.

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**Hales:** It would be a zone change and conformance. Not necessarily --

**Stein:** It comes to council on appeal.

**Fish:** On appeal.

**Stein:** Comprehensive plan map change would come to you.

**Hales:** I appreciate the attempt to find a middle ground here. But we can still do that. I think this is one where we can cut cleanly. I think r20 is a country road zone. You know, which applies to places along skyline. And this ain't that place. So I don't think this one is that hard.

**Fish:** Mayor, let's take the motion as drafted and see if we have the votes. If not --

**Hales:** All right. I moving the amendment cleanly.

**Fish:** Second.

**Fritz:** Could I just ask to please put the zoning map for that area up? My concern is this is one lot. If this is good for this lot, are there others it should apply to, too?

**Engstrom:** The property across the street is a water bureau tank. So that's probably not that relevant there. But the properties up the street is more of a country road kind of thing.

**Fritz:** What are they?

**Engstrom:** R-20. But most of the other properties right on the freeway there, this is the only property right on the freeway aside from the water tank that is r20.

**Fish:** That is an active water tank?

**Engstrom:** Yes.

**Novick:** Some of the other properties are an environmental overlay?

**Engstrom:** There are environmental overlays in this neighborhood. We didn't bring that map. But there are photos here to give --

**Hales:** Looks likes from the photo I would be surprised.

**Engstrom:** Yeah. I doubt this is an environmental overlay. It does have a couple trees on it.

**Fritz:** I could support the compromise. I do think this should be additional process to make sure the transportation system is capable of supporting it on this.

**Fish:** Let's test whether a clean or need to come back with a amendment.

**Fritz:** The frontage is on the side street, not on the main street.

**Hales:** I think we should take a vote and see where we are.

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

**Novick:** I am torn on this. Because I do want to change the designation. But I do want to give the neighbors an opportunity to make their case down the road. So extremely hesitant no.

**Fritz:** No.

**Hales:** Aye. Ok. That's approved. [gavel pounded] all right.

**Hales:** Let's go on to f-72. Which is the Rossi farm property. I move to adopt map amendment number f-72 concerning Rossi farm and vicinity as further refined by my memo of April 11 there and April 28th.

**Fish:** I am going to second this. And also just note that this is the penultimate meeting at which Joe Rossi will be present. He has already claimed the mantle of the best attendance rate of any participant in the comp plan. I want to acknowledge that.

**Engstrom:** Just a staff note about the details here. The property here that says memo addition, that's the one that would be to mixed use. But then the more recent amendment memo also references the r-7 property to the left which is part of the school district property. Part of their site is vacant but zoned r7 and so the expansion, the change there was designed to give more flexibility for that site boundry in the future should, it's a little bit



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parallel to what we did to the north to reconfigure the zoning so that the vacant sites there were configure with us, would still have multifamily.

**Hales:** Gives the school district some options to participate in a redevelopment scheme. That integrates the school better with the new neighborhoods.

**Engstrom:** Right.

**Fritz:** I would like to, I support the mixed use corridor. I was at the argay neighborhood association. They were talking about the schools that there are two elementary schools in the catchment districts as well as the middle and high school and the importance of maintaining the balance between single family homes and apartments. We already designated the east side of 122nd to be r3 and mixed use. It seems to me that this would, leaving this new addition labeling at r7 would provide the balance for the whole development. That the neighborhood wants. And provide new, a range of options within the entire Rossi farm development.

**Hales:** Yeah, I hear you but I don't agree. This is a real opportunity site in the plan. And there's no guarantee that it will be done right but we certainly heard some assurances about the general plan for it. There is an opportunity here to create a real neighborhood center. It wouldn't have to all be rental housing, of course. It could be ownership in different configurations and single-family houses and there are a lot of single-family houses in the surrounding parts of argay terrace and Parkrose. So I think as proposed works well.

**Fish:** I move the motion.

**Hales:** Let's take a vote and see where we are.

**Fish:** This is nothing to do with my vote but I want to just once again state that as someone who occasionally goes to Rossi farm to buy fresh vegetables it's a point of great pride that beefsteak tomatoes signatures are the signature dish of ringside east. I hope they are able to buy those beef steak tomatoes at Rossi farm. Aye.

**Saltzman:** Aye.

**Novick:** Thanks to the mayor for his leadership, worked to get this thing right. Aye.

**Fritz:** I proposed the original amendment and I am disappointed I can't support it. I don't support the new addition. No.

**Hales:** This is a great opportunity and look forward to helping -- hoping it will get realized. Obviously urban center and other considerations will still have an effect on our regulatory approach but it's a real opportunity site. Aye. [gavel pounded]

**Hales:** ok. Let's move on to Caruthers. I move to adopt the southeast Caruthers amendment noted in the commissioner Fish memo dated april 20th which would change properties between southeast 35th to 37th avenue as r2.5.

**Fish:** Second.

**Hales:** Refresh us on this, please.

**Engstrom:** The current designation and the --

**Hales:** sorry. Can you take the slide back to full screen?

**Engstrom:** Sorry.

**Hales:** Thank you.

**Engstrom:** The current designation and the planning commission recommendation was mixed use on these lots. They are currently in residential use. It's not directly on division. It's the back side.

**Hales:** Oh, right. Ok. This is the back half of this parcel.

**Engstrom:** The planning commission's view here was that it's rare to have an opportunity for full block deep development. And they supported getting more of those opportunities.

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This is kind of at a node of development. The residents of that street oppose the current mixed use and did advocate for its removal at the planning commission on successfully so this amendment kind. Reflects a request that the planning commission didn't make. So the difference really is adopting the amendment would allow this to be more of a r2.5 attached house or duplex scale. The voting down the amendment would leave open the possibility of full-block mixed use or multifamily buildings reaching all wait back to Caruthers here.

**Fritz:** Are you sure it's not the other way around?

**Engstrom:** The amendment is to take away the mixed use, and put r2.5, which is a lower density. So the amendment precludes full blocks mixed use development here but would allow more of a townhouse scale facing Caruthers.

**Hales:** So further, further west, it's still would be full block. Right?

**Engstrom:** There is an existing, well, further east is Chavez. Further west there's some existing commercial. There's an existing mixed use building that goes all the way to Caruthers there, which is why we didn't change that. And then there's a parking lot and a mixed use development. So yeah, further west, there would be a little node there of deeper. There's this one site here on Caruthers and 37th is an existing warehouse kind of building that isn't residential use.

**Hales:** But the pattern in the areas you have surrounded by the boxes and are subject to the amendment is mostly existing single-family houses. Correct?

**Engstrom:** Correct.

**Fish:** This was an area that was obviously hot. It was a hot bed of controversy when we did the changes on division and displaced the traffic. We are now creeping into the neighborhood with the sort of development that comes on top of the parking displacement. And i'm not going to the mat on this but it seems to me to be a reasonable motion.

**Hales:** I agree.

**Fritz:** What's the Richmond neighborhood association say about the amendment?

**Engstrom:** I think they were, I am not sure if they have weighed in formally as a group. They may have been a little split. I know Doug Klotz advocated against the amendment. Other folks from Richmond including the neighbors here have advocated in favor of the amendment.

**Fish:** To me it's a balancing question. But we have made a significant policy commitment around division, but we have also, we have also said that we want to protect the integrity of some of the residential areas. I could go either way on this one.

**Hales:** I understand. I think I support the amendment. Are we ready to vote?

**Fritz:** I am still confused because what you just said doesn't match my understanding of what the amendment is.

**Hales:** The amendment --

**Fritz:** I want it to be residential?

**Fish:** R2.5.

**Hales:** So that instead of mixed use urban center so there's less of an incentive to take the single family houses out.

**Fish:** I want to do what I can to protect the r2.5 residential character.

**Fritz:** Thank you. I appreciate the explanation.

**Hales:** We ready to vote? Let's take a vote, please.

**Fish:** Aye. **Saltzman:** No. **Novick:** No. **Fritz:** Aye. **Hales:** Aye. It's approved. [gavel pounded]

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**Hales:** see what else we can get done here. Let's try to do these last two here. 53 and 54. So I am move to adopt the revised description project for 40116 this is the seventh and ninth bike way.

**Engstrom:** And pbot staff I believe are here if you have questions for them.

**Hales:** Is there a second?

**Saltzman:** Second.

**Hales:** And so what has changed here is that some revised language got produced. Right?

**Engstrom:** Correct. I think they would, pbot might be better equipped.

**Hales:** Could you come describe that language. Which I like.

**Peter Hurley, Portland Bureau of Transportation:** Good afternoon, council members. Peter Hurley, Portland bureau of transportation. So on project 40116, staff had originally proposed a specific alignment for the neighborhood greenway that would line from wiewler to Sumner on northeast 7th. And then from Sumner north to Holman on northeast 9th. And what we are proposing based on the public comments we have received has been fairly extensive public comment and discussion within the neighborhood about the pros and cons of 7th and 9th. We feel like that process is playing out well and would like to let a specific alignment be determined during the design process. So we are proposing in the amendment that would designate the corridor as neighborhood greenway, and during the design process, determine what are the appropriate design treatments on 7th, 9th and any particular traffic diversion designs that are appropriate. So the amendment would allow for a broader, less specific designation for 7th and 9th as the neighborhood greenway corridor.

**Novick:** In other words, we don't have to choose 7 o-or 9th right now.

**Hales:** I think that's a good solution and it's a complicated project. I appreciate that. Any further discussion before we vote on the amendment?

**Fritz:** There will be a full public process to decide which to do if and when there's any funding for it.

**Novick:** I think we will let everybody on 8th decide. [Laughter]

**Fish:** Before we vote on this, Steve, I am deeply divided on this. I have some things later we will be taking's. Can you give me some are you assurance?

**Hales:** Let's take a vote, please.

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

**Novick:** Thanks to staff for coming up with this solution and thanks to Chris smith for this. Aye.

**Fritz:** I agree it's an elegant solution. Aye.

**Hales:** Aye. Appreciate the solution and I think there's some real interesting tradeoffs in how you make this work on one street or the other. Both are possible. We will see which way works out. Aye. Thank you. Thanks, peter. Ok.

**Hales:** Let's take our last item of the day, which is number 54 or metro properties. So I move to adopt maps on metro property as described in item 4 of my april 28th memo.

**Fish:** Mayor, this is listed as 55.

**Hales:** Sorry. I was going back to my old one.

**Fritz:** Second.

**Fish:** Second.

**Hales:** Ok. So these are the metro parcels. Everybody clear on this?

**Fish:** Have we had any opposition to this, staff?

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**Engstrom:** No. But recognizing again that this came in as testimony during your final hearings so there wouldn't have been, there wouldn't have been an opportunity for opposition to come in after that if no one had seen the request.

**Hales:** I am a little mystified as to why metro wants those designations. Have they given you any clarity about that?

**Engstrom:** I believe it reflects their sort of fiduciary feeling over the properties and the fact that they don't have master plans for these sites yet. And so they want to retain flexibility. There are, you know, scenarios where they would sell off a portion if they did a master plan and there was some kind of --

**Hales:** That's not very persuasive to me actually. Again, sellwood Riverfront Park? Really? So I think if metro wanted to sell these properties for purposes other than open space, they should come to the council with a comp plan amendment rather than us changing the zoning to a residential zone now. I just --

**Fish:** If this is the last one we are going to take up, why don't we suspend this, give them a chance to submit something.

**Hales:** Yeah. Can we do that?

**Saltzman:** As a further --

**Fish:** As a courtesy.

**Hales:** One government to another.

**Engstrom:** If we take it up tomorrow that might be not much time for them to react.

**Fish:** I have a feeling they will be on our desk at 9:00. [Laughter] a rather robust professional staff.

**Hales:** Fine idea.

**Engstrom:** One staff note I would make of those properties the one with the least troublesome issues is the marine drive parcels where I believe they were purchased for a trail. And so there may be rationale in not owning the whole site.

**Hales:** Let them make that case. Last time I checked you can build a trail in open space.

**Fritz:** Do we have to get a property owner's permission to make something open space?

**Engstrom:** No. And I would -- you already did adopt an amendment in sellwood where you zoned some metro property open space over their objection.

**Fritz:** Oh.

**Engstrom:** So you can.

**Hales:** We will continue this item until tomorrow and that's where we will take up then and we are recessed until tomorrow at 2:00 p.m.

**Fritz:** Good job. Thank you.

**Hales:** Thank you.

At 5:34 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.

**MAY 12, 2016      2:00 PM**

**Hales:** Good afternoon and welcome to the continued City Council hearing on the comp plan amendments for May 12th. Could you please call the roll?

**Novick:** Here. **Fritz:** Here. **Hales:** Here.

**Hales:** We are back to where we left off, and that is -- help us out there, team -- number?

**Eric Engstrom, Bureau of Planning and Sustainability:** It would be Item 505.

**Hales:** Which is the Metro properties --

**Engstrom:** Before we start that, there's a couple --

**Moore-Love:** Mayor, Eric, I need to read the titles first.

**Item 505.**

**Item 506.**

**Fish:** Karla, would you please record me as present? Thank you.

**Engstrom:** OK, so before we start, there were three clarifications that we wanted to get from you on votes you had yesterday just to make sure we got it correct. I wanted to go through those first, and then I believe we also held over the Metro item to start with. We did have a gentleman from Metro here to respond to questions you might have.

**Hales:** Good.

**Fish:** As we suspected.

**Engstrom:** The items we wanted to clarify first are related to S21, and that's on page nine of the updated list of motions in the agenda. That was the Buckman motion D that you passed. We wanted to verify with you that when you passed motion D -- the wording isn't very clear, but you intended us to hold off on the zoning for the R5 area west of the Lone Fir Cemetery but motion D incorporated the substance of motion C which also holds off on the zoning in the square east of Lone Fir between Stark and Belmont and 30th and the cemetery. We wanted to verify that that was your intent.

**Fritz:** I thought we were holding off on the entire circle. Is that not correct?

**Engstrom:** Those were the only two changes related to that issue in that circle. The other changes in that circle were things unrelated to this issue, like nonconforming commercial uses and things like that.

**Fritz:** I would encourage you to be broader rather than narrower. Certainly my intent in looking at the area outlined in yellow -- that you were going to look at all that area?

**Engstrom:** With regard to residential density. That doesn't mean there aren't other comp plan map changes happening in that area that had nothing to do with the residential density.

**Fritz:** OK.

**Hales:** Does everybody share that understanding? No one has a problem with that? OK.

**Engstrom:** OK, so that was the first one that we wanted to make sure we understood. The second one was related to S12, which is the 17th and Insley parcel which is number 47 on page 14. When you asked the question what does this revert to -- the amendment failed and you asked the question, "What does this revert to?" We said R1, and we wanted to clarify that in fact it's a combination of R1 and R2.5. The amendment was --

**Hales:** Back half of those slots was R2.5.

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**Engstrom:** There's some blocks in that square that had been RH that would revert to R2.5, and for the record we wanted to make sure you understood that and have you nod there.

**Hales:** I'm comfortable with that. Everybody else comfortable with that? Having not approved the amendment it goes back to the old pattern?

**Engstrom:** We incorrectly stated what the old pattern was and we wanted to correct that.

**Fritz:** How -- did you wake up in the middle of the night realizing that? [laughter]

\*\*\*\*\*: I did.

**Engstrom:** I got like three emails first thing in the morning.

**Fritz:** Glad to know that people are watching.

**Engstrom:** The final thing is we inadvertently skipped over a small piece of the 60th Avenue question in our discussion there and we wanted to circle back and get you to vote on this remaining piece we had skipped over. This was M71.

**Fritz:** What number?

**Hales:** What page?

**Engstrom:** It was part of the 60th Avenue station area, so it was -- it'll take me a minute --

**Fritz:** Number 44.

**Hales:** Number 44? OK.

**Engstrom:** Yes. And we had you vote on 45 but we never got around to 71 and we moved on. So, 71 was just the other side of the freeway where the area in outline on the screen here is currently -- Deborah, correct me -- is currently RH and the amendment was to take that to R1. And you did not vote on that, so we would like you to --

**Hales:** No, we didn't vote on that -- I'm sure we didn't vote on that. We may have looked at it. R1 -- and it's obviously surrounded by a lot of R1, right?

**Engstrom:** Correct. The --

**Hales:** One little piece of central employment -- what is that?

**Engstrom:** That one little piece is a mixed use dispersed property that has some offices in it, I believe.

**Hales:** It's an office building.

**Engstrom:** Yeah. It's kind of a triangular shaped building that's fairly visible on the freeway.

**Fritz:** This is --

**Hales:** Oh, right.

**Fritz:** This amendment is supported by the Rose City Park Neighborhood Association, correct?

**Engstrom:** This one I believe is actually in North Tabor, but -- and the rationale here partly is the lot pattern. RH is not that ideal with 5000 square foot lots. R1 may be a more easily configurable zone with that kind of lot pattern.

**Hales:** Anyone have any questions about this? I'll move the map changes shown in M71.

**Fritz:** Second.

**Hales:** Further discussion? Roll call.

**Roll.**

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

**Hales:** Thanks. Had to wake up in the middle of the night to think about that, but appreciate the clean-up.

**Engstrom:** Now we move on to where we left off in the list --

**Hales:** Number 55. So, we want to bring up some folks from Metro because we did have questions about this. Thanks for coming over on fairly short notice while we're working our way through these amendments, but we did have questions for you about this.

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**Engstrom:** To put a little bit of context on this, we've had some correspondence back and forth with Metro concerning the designation of the number of their properties. We've resolved some confusion about a number of properties prior to this, but your decision has come down to a couple that you had some follow-up questions on.

Primarily, they're sites where the existing zoning is not open space, and the Planning Commission had recommended open space where Metro is requesting that you not move forward with open space at this time. And so that's the topic. And there's -- the sites that you had questions about I believe were the Mitchell Creek natural area, Sellwood river park, and there was a Marine Drive parcel and a Fanno Creek parcel. So maybe just go through these one at a time. Maybe first, Metro can --

**Hales:** Yes, welcome. Good afternoon.

**Gary Shepherd:** Thank you. Thank you Mayor Hales and Commissioners. Gary Shepherd from the Metro attorney's office. I have with me Dan Moeller, director of our land management team -- best way to put it. He's the boss of many.

So, this has been a very interesting process for us in the sense that we started with about 100 properties that were going to be zoned open space from their current commercial, residential, industrial sort of mixed uses that we have. In coordination with staff, we've narrowed it down to about 21 properties that we still have concerns over, which is a pretty good effort. We're in the unique position of probably being the largest landowner of property that you're looking to rezone from basically a use zone to a relatively passive use zone. So, it certainly affects our asset holdings. And so we appreciate the opportunity of sort of slowing this down a bit and sort of examining these one by one.

In general, though, our concerns that remain have to do with maintaining flexibility as an owner to utilize our properties for the best purposes, the best results we can. And whether this may be working in conjunction with adjacent property owners to do adjustments, to help them develop property where we can benefit from that through an exchange, or whether it's preserving these assets and the value of those assets so we can use them in the future -- for what we don't know -- but use them in the future for our land management and operation purposes.

And a few of these that I know have you specific questions on are really good examples of this sort of -- of this concept that we want to preserve, that flexibility as an owner that we'd like to preserve. And so, you want to start with one, Eric?

**Engstrom:** Yeah, the Sellwood riverfront park I believe was the first.

**Shepherd:** This one is a pretty good example. I know that this is adjacent to one of your City parks in Sellwood there, it's also an adjacent to the oaks bottom amusement park -- Oaks Park.

Oaks Park is zoned I believe R10 and currently is not proposed to be changed. I don't envision that being an amusement park forever, I envision that property probably being developed sometime in the next 50 years. Our property is uniquely situated south of that. Our property certainly has natural constraints for development, but also has about a third of it that's above the FEMA floodplain map. So we have a third of that property that is actually developable property at its current zone.

We'd like to preserve that in its current form in the hopes that it may provide us some flexibility to work with the future development of the Oaks facility, whether that is conveying our developable rights for acquiring significant portions of their frontage along the river. We view that as an asset that we don't want to reduce its potential. Certainly, if it's zoned open space, it takes that out of the equation. It reduces our ability to react to a situation and to create benefits for the city of Portland and the region as a whole.

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**Hales:** So, OK, I hear the argument, but I'm -- I'll try to say this gently. I think there are a lot of people in the community who would be concerned to hear it. So, how is this property -- how did this property come to be owned by Metro?

**Shepherd:** I would assume that this was probably -- well, there's only two ways. Either in '96 or 2006 --

**Dan Moeller:** -- bond measures.

**Shepherd:** Yeah. Dan, you know better.

**Hales:** These were open space bond measures.

**Fritz:** For purchase of natural areas. How could you possibly develop them?

**Shepherd:** They're for purpose of natural areas. This property certainly has natural areas. We're not talking about developing natural areas. We're talking about preserving property as best we can for the benefit of the region and for the habitat it represents, but also recognizing that it's a real estate asset and property in the region are assets -- are real estate, are assets.

**Hales:** We understand all that, but -- this is going to sound a little patronizing, and I don't mean it to be, but you're talking to four previous or current Parks Commissioners and two people who passed a Parks bond measure and somebody who was involved in -- at least one of us was involved in the green spaces measure. And I don't know how much public involvement you personally have been involved in, but I can safely predict that you would have a storm of public opposition like nothing you have ever seen if you ever propose to build anything on this parcel --

**Shepherd:** What if --

**Hales:** So I'm not sure what you're availing yourself of by getting residential zoning on it. It's a forget-about-it scenario. It's not gonna happen.

**Shepherd:** What about the ability to preserve -- that parcel was able to preserve --

**Hales:** You're being so rational and people are not rational about --

**Shepherd:** Well, that's the way you think --

**Fritz:** I was involved in the '95 green spaces measure -- getting it passed -- and in fact a property near me was the first one ever purchased with the green spaces money. There are developable areas of it. I would be chaining myself to a tree or other such things if that was to happen.

**Shepherd:** Mm-hmm, this --

**Fritz:** Is the thought you would sell it -- you would sell the development rights and then they'd be able to put more stuff on an adjacent property?

**Shepherd:** We would require more natural area on an adjacent property.

**Fritz:** No. Is there a conservation easement on this property?

**Shepherd:** Not that I understand.

**Hales:** It's zoned -- it's probably E-zoned, right?

**Engstrom:** Yeah, or greenway. It's a little bit analogous to the historic discussion you had yesterday about the 15th and Belmont site where the property owner wasn't proposing to take the houses down but they were asking for a higher density in order to retain that real estate value which may help them expand that historic resource. If that's a loose analogy.

**Hales:** Yeah, 'cause again, you're talking about resource land here. I mean, in both the mind of the public and in its current physical condition.

**Shepherd:** Just out of respect, though, wouldn't that be a decision that our council would make from its operation standpoint? Wouldn't they entrusted with that decision --

**Hales:** We're all implementing agencies of what the public did here, right? So, the public purchased this land, put it into your hands, and then we have a zoning responsibility. It would almost be -- for us to zone it for development, which is how this would be --

**Shepherd:** We're not asking for that.



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**Hales:** Anything other than open space can be -- could be described and construed as zoning it for development.

**Shepherd:** Well --

**Hales:** If we were to do that, I think the Council could rightly be accused of subverting what the voters did when they gave you the land in the first place.

**Shepherd:** I don't think it's the province of this Council. You are proposing to change the zone of the property from its current to an open space zone, and in that is taking a Metro asset and dictating its use in a manner that our council has not chosen yet. And that's all we're asking, is to respect our process, to respect the process that we go to. And we produce quality products. We're not a -- our land development division -- which is a property ownership element of Metro, not a regulatory element -- we produce good products and --

**Fish:** Mayor, can I jump in for a sec?

**Hales:** Sure.

**Fish:** And I'm going to say this very respectfully. We spent an inordinate amount of time yesterday talking about things that were fairly modest in scope. We have a ton of substantive stuff ahead. And I feel I have no virtual useful information to make this decision.

**Hales:** OK, what do you need?

**Fish:** What I need is a memo from Metro explaining, answering questions that we will assume. I need a chance to have a conversation. But we're going to spend an hour here picking this apart --

**Hales:** Well, I don't think so.

**Fish:** I don't know one way or another. I don't have enough information.

**Shepherd:** I appreciate that.

**Fish:** We have a whole bunch of other things --

**Hales:** Do you want to set this aside?

**Fish:** Yes -- well-vetted.

**Hales:** What other information do you need?

**Fish:** Well, you've been asking questions which I think are very probative, but I would need something in writing that explains why on each of these parcels they are asking for the relief, why they believe it's in the public interest, why it's not inconsistent with whatever the acquisition strategy, and just some road map for us to look at. But I think we could spend a lot of time debating this and we have stuff that's queued up for decision.

**Fritz:** The other thing that I'd be interested in to know is which of these properties is managed by a City entity -- like, does Portland Parks manage this particular Metro area? Does either BES or Clean Water Services manage the Fanno Creek property? I'm also really intrigued by the Marine Drive parcels. Can we zone them industrial?

**Hales:** No, they're on the beach.

**Fritz:** Thought it was worth asking.

**Fish:** I'm personally open to being persuaded on this, but I just think we're on comp plan overload.

**Shepherd:** Another example -- if you can pull up Mitchell Creek natural area, because that's a question you had. This property here is part of our larger holding, Mitchell Creek, which spans two jurisdictions both City of Portland and Clackamas County. The entirety of the Clackamas County holdings are zoned for residential use. We purchased those from potential land development situations and have preserved them.

This Mitchell Creek area down on the bottom part that we are requesting not be rezoned from its current residential zoning to an open space is immediately adjacent to City of Portland property. So, you've chosen to not rezone your own property that's

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situated exactly like our property is, which fronts along an improved drive and represents an asset that you've made the decision in your team to preserve, and we'd like the same ability to preserve that asset.

Now, we're not saying we're going to develop this property, and it certainly has areas that would be off limits from development, but the frontage on that road there is valuable. And it's not valuable as habitat, it's not valuable as a natural preserve, it's valuable for its development potential in the city of Portland. This may happen 10 years, 20 years, 30, 40 years from the line, but we'd like this again flexibility to adjust boundaries and create developable parcels that benefit our natural areas in a greater fashion, whether it's through an exchange to get more land up on the butte where it's more of a natural area asset or whether it's for creating funding for our program. So, this is just another example.

**Saltzman:** Are you obligated to spend any proceeds would you get from selling such a property to go back into your open space program?

**Shepherd:** That would be a very good question. I don't have that answer for you.

**Hales:** Let's add that to the list of questions. Other questions that you'd like them to respond to in a memorandum?

**Fish:** I'd like a one-page explanation of the reason we should consider these changes, with whatever the succinct statement of the history and relevant information.

**Hales:** I'll give you time to --

**Shepherd:** Sure, I understand that. But in this particular instance, Mitchell Creek, someone made a decision from your staff to not rezone your own property and that was done for --

**Hales:** Which property --

**Fritz:** Which bureau owns it?

**Shepherd:** City of Portland is listed as the owner.

**Engstrom:** The one in the middle?

**Shepherd:** Yeah, the one in the middle.

**Fritz:** That's a question for staff -- our staff.

**Hales:** Let's find out who owns that.

**Shepherd:** That's the same sort of concept.

**Fritz:** I have a question. Is this a policy you've been directed by the Metro Council to testify before us today?

**Shepherd:** I've been asked by everyone in charge to be here today. This matter has been before Metro Council as far as the decision of coming here today. We were asked this morning a 9 o'clock to show up, we spoke with my director, our chief operating officer, and that's why we're here today.

**Hales:** Yeah, no, we appreciate you coming on short notice --

**Fritz:** I agree, but to the Mayor's point --

**Hales:** It's a policy matter.

**Fritz:** As a policy matter, now the community members need to weigh in before the Metro Council saying they would like it to be open space. As I said, I would be shocked and horrified. I believe the Metro property near my home is being rezoned to open space. But that was the clear reason we passed the bond measure and that we purchased these properties is they would be remain in open space.

**Shepherd:** In closing, the ones that we have vetted through here and have determined are clearly correctly going to be zoned to open space are properties that have habitat value, wetlands value, have been master planned for open space -- parks uses are intended to be master planned for open space parks uses in the future.

Some properties are acquired as assets, some properties are acquired to stop development that otherwise would happen. Some properties are acquired as beneficial

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holdings to Metro. A lot of the properties along the Springwater Corridor were acquired just for trail purposes, they weren't acquired for open space or parks purposes. They're zoned commercial and could support commercial or high density development, which is also an objective of this city and our region.

So, that's all we're asking. Some of these properties were purchased for specific purposes. And just to assume -- which is happened to date -- that they all should be open space is a big assumption and it would affect our agency and, from our opinion, in a negative manner just to assume it across the board.

**Hales:** OK, we appreciate you coming on short notice and articulating that. As Commissioner Fish asked, it would be helpful if you got us a brief description of each of these -- the rationale for each of these. And then again, we can continue this item and give you more time than we've had so far.

**Shepherd:** May I ask when you'd like that by?

**Hales:** Oh, let's see. What's our schedule for the next set of amendments?

**Engstrom:** Mayor, I would I suggest you talk with the City Attorney about the schedule. Today was your last session, so anything that goes beyond today affects the schedule. So, let's have a conversation about what's legal in terms of --

**Hales:** Alright. What can we do, Kathryn? Because we don't want to rush Metro, but we also want more detail --

**Kathryn Beaumont, Chief Deputy City Attorney:** In discussing with Joe, it seems like it might be possible for you to continue this amendment to the date you're supposed to take a vote on the findings. The only tricky part is if adopting or not adopting one or more of these amendments would require some changes to the findings, that's going to make it a little bit complicated for staff.

**Engstrom:** A semi translation of that is if we table this one item and take it back up on June 9th, it would be incumbent upon staff to identify whether we think any of our findings hinge on that decision and flag that.

**Beaumont:** Correct.

**Fish:** Could we continue this to a time certain next Wednesday and take it up as the first matter in the afternoon before our afternoon session, since presumably there will be something in writing that staff will review and either approve or not, and it comes to us for a 10-minute hearing.

**Hales:** I like that suggestion.

**Moore-Love:** The Mayor is gone Wednesday afternoon at 2:00.

**Hales:** I am? Oh, that's right. Secretary of transportation is here.

**Fish:** Well, Charlie, do you feel comfortable -- what about -- for the whole afternoon?

**Moore-Love:** The Mayor is gone the whole afternoon --

**Fish:** Steve, are you gone too?

**Moore-Love:** From 3:00 to 6:00, yes.

**Fish:** Is there a Thursday Council?

**Moore-Love:** It's going 2:00 to 4:30.

**Hales:** That's the utility rate hearing. That's not going to be too bad.

**Fish:** Let's do that at 2:00 next Thursday. And could you review -- Mayor, could they be directed to put their memo into staff so we also a staff recommendation that comes to Council?

**Hales:** Please.

**Engstrom:** Just to clarify -- because the word hearing was mentioned -- technically the hearing has ended and this is the work session. So, you're asking them questions, it's not a hearing.

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**Hales:** Yes. Alright. Thank you. We appreciate that. It gives a few days to get back to us in writing. Appreciate that. Other questions before they go? Because we did grab them over here fast. Thank you very much. OK, let's move on to -- that item is continued until Thursday at 2:00 p.m. -- next Thursday at 2:00 p.m.

Number 56. Mount Hood Community College site right next to Maywood Park. I move to adopt the amendment described in item six of my April 28th memorandum, which would change property of the southeast corner of NE 102nd and Prescott to mixed use dispersed.

**Saltzman:** Second.

**Hales:** Does everybody remember this one?

**Engstrom:** We started talking about this.

**Hales:** I think everybody is clear about. There's a PCC campus across the street, and this is the parcel --

**Saltzman:** Not Portland.

**Hales:** Sorry, Mount Hood Community College campus across the street.

**Fish:** I move the motion.

**Hales:** Anyone else have a question? Let's take a vote.

**Roll.**

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

**Hales:** Number 57, a wedge of ODOT property. I move to adopt the amendment described in item seven of my April 28th memo --

**Fish:** Second.

**Hales:** -- which would change the wedge of ODOT property on N Fargo to mixed employment.

**Fish:** I move the motion.

**Fritz:** There was a concern expressed by the neighborhood association about potential for a community garden or other community use there. And so I support this with the proviso that a future property owner would need to consult with the neighborhood and look at if there are beneficial uses. It's currently residential zoned and it's not going to be residential development.

**Engstrom:** It is an ODOT-owned property so we do have the ability to talk to ODOT in an ongoing way.

**Fritz:** If we could just make a note of that.

**Hales:** We'll make a note that we want to explore beneficial uses of the property in addition to its purpose for transportation or communication -- things like murals, dog parks, community gardens, other potential public uses.

**Fritz:** Thank you.

**Hales:** Any other questions before we vote? Roll call, please.

**Roll.**

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

**Engstrom:** And before you move into the policy items, I think it may be -- just for continuity sake -- helpful if you shift and do the errata list related to map items before we jump into policy.

**Hales:** What number is that?

**Engstrom:** Number 73 on page 41, it should be, if you're using the updated agenda.

**Hales:** I'll move the list of clean-up items listed under number 73.

**Fish:** Second.

**Hales:** Discussion?

**Engstrom:** Just to briefly list them, there's -- 2605 NE 7th is a situation where we had proposed some downzoning but in the meantime a development has been proposed to

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fully utilize the existing, so we're going to change that. B30 is an amendment that late-breaking testimony identified an adjacent property that would logically be part of it. Terwilliger Plaza had a slight error in that one of the parcels is actually not in their ownership and was not a willing participant in the amendment and so that's a suggested minor change there. There was an error in the -- we already talked about with S22, adding one property on Cora Street. Mr. Klotz had identified in late-breaking testimony on your amendment M55 which took the urban center designation further up Division that were there were a couple parcels split there, and he's asking that you square those off to include the whole parcels. And they're actually already currently under development, so it's kind of consistent with what's being built there already. You already addressed the bridge -

**Hales:** We did M70.

**Engstrom:** You did M70 yesterday. And there were a few refinements of NE Fremont. Notably, the building was developed with mixed use but for some reason it had a mixed employment designation, so we were suggesting that you change that back to mixed use.

**Hales:** By all means. OK. And it doesn't matter that we're doing M70 twice.

**Engstrom:** You can just cross that out if you want.

**Hales:** Further discussion? Roll call, please.

**Moore-Love:** Is there a second?

**Hales:** Yes.

**Fish:** Second.

**Roll.**

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

**Hales:** Back to the policy items. So, can we do this all together? I move to adopt policy amendments P15 and P70.

**Fish:** Second. I note they have five sponsors, Mayor, so I move the motion.

**Hales:** I think as long as everybody is happy with the language, I think we're there.

**Fritz:** And just for the public, this is about community benefits and the Council's desire to describe the values that we want to achieve rather than specifically stating what that might look like now or in the future.

**Hales:** Alright. Let's take a vote, please.

**Roll.**

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

**Fritz:** Eric, can you put them up on the screen for folks? Thank you.

**Hales:** Middle housing. I move to adopt policy amendment P45 as further refined in my April 28th memorandum.

**Saltzman:** Second.

**Novick:** I'd like to offer a further refinement to your further refinement, Mayor. You changed the language to switch the words "where appropriate" to the beginning. I would like to add -- so now your version is, "where appropriate, apply zoning that would allow this within a quarter mile designated centers and within the inner ring around the central city." I would like to add after designated centers, "corridors with frequent service transit, high-capacity transit stations and within the inner ring around central city."

**Hales:** OK. Commissioner Saltzman seconds those further amendments. You're saying the words "where appropriate" would go at the beginning and all that would be added in down below?

**Novick:** Right. So the full sentence would be, "where appropriate, apply zoning to allow this within a quarter mile of designated centers, corridors with frequent service transit, high-capacity transit stations and within the inner ring around central city."

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**Fritz:** We heard a lot of testimony that folks were not comfortable with what this even meant. I myself I'm not comfortable with the term "middle housing." And we assured folks that there would be a further process to decide where this goes, what it means and such. So, I'm not sure why we're even specifying. "Where appropriate" means where appropriate, and I prefer to just delete the last sentence saying specifically -- and even more so, now that we're specifying more and more things -- why don't we look at where is it appropriate and direct the bureau to come back with us with a package and have full neighborhood engagement of is it a quarter mile, half mile, is it dispersed, is it here, there, or everywhere?

**Novick:** And I strongly disagree. I would like us to explore the appropriateness of this policy within those contexts, so I think it's important to indicate where we're going to be looking for appropriateness.

**Fritz:** We haven't necessarily had the public discussion on that since it wasn't raised earlier.

**Hales:** Well, let me stir a couple more things into the mixture. One, the Planning and Sustainability Commission, who is here, has started discussing this subject extensively already. And also, it's going to get in effect meshed with what we're doing in the residential infill project and the mixed use zoning project. So it seems to me that implementation consists of getting all that right, including applying it to the zoning map. So, I'm actually comfortable with Commissioner Novick's language because those are all -- those other screens are going to determine how this actually works out in practice.

**Fritz:** Then if you have -- supposing you have a big old house that's not particularly close to transit, would that mean it would not be eligible for internal conversion? If it doesn't fit within --

**Hales:** It could be if the residential infill project says here's how you do that.

**Fritz:** What policy would direct that to happen? This is the policy that directs us to look at the zoning codes for these innovative types of --

**Hales:** Historic preservation policies might.

**Engstrom:** The policies on balance would be looked at. Having guidance in the policy about where helps you know sort of where to start looking, as I think Commissioner Novick was saying. It doesn't entirely preclude you from adopting it elsewhere if there's other policy basis for doing that.

**Hales:** What -- so give us your reaction to Commissioner Novick's suggestion and his proposed amendment to the amendment.

**Joe Zehnder, Bureau of Planning and Sustainability:** The original drafting of the language included the geographic designation to be able to make sure that people were aware of this applying to specific places, to raise awareness of this actually could result in a change on the ground, a change in the map. But the exact boundaries of that were always going to be open to further analysis and full-blown legislative process.

Since drafting this, we've been embroiled in the residential infill project and learned a lot about this debate about where this kind of middle housing should be considered throughout the city and the more inclusive boundary -- the boundary that is in the current proposal and in the amendment both relate back to the Comprehensive Plan. So, you're staying consistent with sort of the message of focusing on centers and corridors, but also this policy need to increase the options in single family neighborhoods but in a way that's consistent with the overall strategy of the plan by going with either what's in here or what Commissioner Novick is recommending. Both of those work for that purpose.

I guess consistency with the kind -- where we think we want more density would be greater if we were more inclusive, because high-capacity -- the frequent transit corridors are also places, just like the centers, where we would want to try to do this. And what we're

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trying to do here is explore it. And without a geography, we were worried that the public might not clue in to it as much, and even that question that Commissioner Fritz just raised would not have been so sharply focused -- that, you know, if you're in the area or you're not in the area, can you get middle housing on a particular property? This helps I think elevate it and gets us plenty of policy basis to consider it across the whole city, but specifically recognizes that this is a tool you want to adopt in conformance with the comp plan.

**Hales:** OK. So are we ready to vote on Commissioner Novick's amendment?

**Fritz:** Could you read it again, please, Commissioner Novick? The whole thing?

**Novick:** Yes. The whole -- just the last sentence?

**Fritz:** The whole thing.

**Hales:** It starts out: enable and encourage development in middle housing. This includes multiunit or clustered residential buildings that provide relatively smaller, less expensive units, more units, and a scale transition between the core of the mixed use center and surrounding single family areas. Then the sentence--

**Novick:** Where appropriate, apply zoning that would allow this within a quarter mile of designated centers, corridors with frequent service transit, high-capacity transit stations, and within the inner ring around the central city.

**Hales:** OK. Let's take a vote on that motion, please.

**Moore-Love:** Who seconded that?

**Hales:** Dan did, I think. Yeah.

**Novick:** Actually, Mayor, I'd like to pose one question to staff. I know that there's some folks in East Portland who are concerned about increasing density of any kind where there's not sufficient infrastructure to support it, and I just want to state my understanding that including the phrase "as appropriate," means, among other things, we'll have an opportunity to discuss whether or not Council believes middle housing is appropriate in parts of East Portland that right now have severe infrastructure constraints.

**Zehnder:** Correct. Consistent with the Comprehensive Plan, we looked at that as a constraint and affected our development densities out there. We would do the same for this study.

**Hales:** Alright. Roll call, please.

**Roll.**

**Fish:** Aye.

**Saltzman:** Aye.

**Novick:** I really appreciate my colleagues' support on this. As you know, I've been very interested in the concept of middle housing. I want to make sure that the city offers more diverse housing options than one-bedroom apartments and million-dollar single family homes, given that right now we're looking at a Vancouver trajectory where all the single family homes will be a million dollars. I think that middle scale housing like duplexes, triplexes, flats, townhouses, and courtyard apartments have the potential to work for lots of Portlanders as they worked for many Portlanders in the past when this kind of housing was more widely allowed. Thank you very much, and thanks to staff very much for working with us on this issue and to the community members who weighed in. Aye.

**Fritz:** Aye.

**Hales:** Aye. Done right, this will be helpful.

**Fish:** Mayor, so that's the amendment to it, so --

**Hales:** Yes, now, we're going to vote on the amended P45. Roll call, please. We've adopted the amendment, now on the policy overall.

**Roll.**

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**Fish:** I want to make a brief statement because this has turned out to be surprisingly contentious and we've heard passionate voices on both sides.

Housing advocates have weighed in and see it as a tool for creating different affordable housing options. Many neighborhoods fear that it means demolishing houses and replacing them with row houses and changing the character of their neighborhoods. The truth is, we're in a housing crisis and we need more places for people to live and for those places to remain affordable. Without conscious design and forethought, we're at risk of creating deeper geographic divisions than we already have.

Younger people, people of color, blue-collar workers, older adults, families with children, and people of modest means should not be essentially barred in or out of any neighborhood. Middle housing is an opportunity to maintain and increase all kinds of diversity in our neighborhoods, to create affordable homes in neighborhoods where people want to live, and where older adults want to age in place. I think this is a solid tool to help us create the kind of Portland of tomorrow that we all want to see and I'm pleased to vote aye.

**Saltzman:** Aye.

**Novick:** I thoroughly agree with Commissioner Fish that I see this as a way to help address the knotty issue of housing affordability. And I thought I had more thing to say but I forgot what it was. Aye.

**Fritz:** Aye.

**Hales:** Aye. OK. Mobile home parks. I move to adopt policy amendment P48 and direct staff to explore unique zoning designations to better protect mobile home parks from conversion to other land uses.

**Fish:** Second.

**Fritz:** Second.

**Hales:** OK. So the language is pretty --

**Fish:** I move the motion.

**Hales:** Ready to move on this, everybody? Roll call, please.

**Roll.**

**Fish:** Commissioner Fritz, thank you for bringing this forward. And the truth is that throughout our community and in places like Hayden Island, mobile home parks are some of the last affordable housing in our community, and there are tremendous opportunities for us to not only preserve this unique housing stock but also to help the existing tenants gain some kind of ownership in the mobile home park and to bring some of our other values to play like green building so that we replace aging, quasi-uninhabitable structures with long-term green and sustainable structures.

The truth is, however, that we will not be successful without the City and the County prioritizing this issue, and in this current market we are losing crucial resources on a daily basis. So, I think there's a sense of urgency. I would so go far as to say that I think the City and the County together should come up with a policy that prioritizes the preservation of this unique resource and if necessary, seek the assistance of the state if there are any legal impediments, if there are currently any holes in our toolkit that can be addressed through changes in state law. I strongly support this particular policy and I thank my friend for bringing it forward.

**Saltzman:** Well, this is exactly the type of discussion we're involved in right now -- the Housing Bureau with the Oak Leaf mobile home village on NE Killingsworth and 45th. And precisely because the legislature is now allowing us to impose a construction excise tax, these are the types of investments we hope to be able to preserve and to rehabilitate to make them good, solid, affordable housing. So, appreciate your language, Commissioner Fritz. Aye.



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**Novick:** Thank you, Commissioner Fritz. Aye.

**Fritz:** Thank you, colleagues. In noticing that the Hayden Island manufactured home park supported this, I realized there's an error in the language. We said it's "mobile home parks" and the preferred term is "manufactured home parks" because as we all know, most of these homes are not very mobile. So, I wonder at the last moment -- can we change it to manufactured home parks?

**Engstrom:** We were trying to be consistent with the zoning code definitions in this case, which is still says mobile home parks, but you could change it. We would just force some zoning code changes, I believe.

**Hales:** Maybe when we do the zoning code, we can change the word everywhere.

**Zehnder:** For us to implement this is to bring forward eventually changes and additions to the zoning code so we could correct that particular wording of the time, but the message of the policy is clear, I think, the way it's framed.

**Engstrom:** In the zoning code, those terms are both defined, so we would have to support that out.

**Fish:** But I want to be very clear, there's a difference between a mobile home and a manufactured home in the marketplace and so I want to make sure any definition captures both. Even in Hayden Island, there's a place for vehicles that are strictly mobile homes that are attached to rigs, have wheels, and there are manufactured homes that are for all intents and purposes permanent. And we need to make sure we're capturing both.

**Fritz:** Right. So, we'll leave it as it is for now but I just wanted to flag that because looking forward 20 years, maybe in 20 years we won't be talking about mobile homes, we'll be recognizing it was low-cost, affordable home ownership opportunities. So, thank you. With that in mind -- and again, thank you to the Hayden Island manufactured home park and others who have -- I may be the only candidate who has canvassed in that mobile home park or a manufactured home community several times, and very much appreciate the kinds of community that they can foster and especially the affordable home opportunities. And thank you, Commissioner Saltzman. I'm really interested in the Oak Leaf in particular. Hoping that some of the housing investment fund or others can be used as an exciting possibility there. Aye.

**Hales:** Aye. Inclusionary zoning. I move adding an additional sentence to policy 5.34 as described in my memo of April 11th.

**Saltzman:** Second.

**Hales:** But actually, aren't we subtracting a sentence?

**Fritz:** No, because there are additional regulatory barriers that we still need to remove.

**Hales:** Not all done, alright. Questions? Roll call.

**Roll.**

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

**Hales:** OK, housing continuum policy. I move to adopt policy amendment P49. Is there a second?

**Saltzman:** Second.

**Hales:** Questions?

**Fish:** One question to the Housing Commissioner. We put a lot of work into creating a plan for the city and a strategic plan for the bureau. Where do rest areas currently stand in terms of the housing continuum that the bureau has identified as part of its strategy?

**Saltzman:** They are not part of the continuum as currently identified by the Housing Bureau.

**Fritz:** How would you find a difference between -- what's the difference between transitional campground and rest area? How would you define a transitional campground?

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**Saltzman:** Well, I'm reluctant to sort of get in between the two of you if you want to have the discussion here, but rest areas are not something I want to see Housing Bureau dollars supporting.

**Fish:** Well, my concern goes beyond whether we support them or not. I don't think we have an existing policy that identifies them as part of the housing continuum, so I'm reluctant to put that into the comp plan without us having a public process and in a sense modifying our existing plan for what is the housing continuum.

**Hales:** This is including but not limited to --

**Fish:** Under that theory, Mayor, you could add a hundred things that aren't part of our plan. This is the Comprehensive Plan, we're embedding it into the law. If it isn't part of any plan that the community has adopted, I think it's potentially inappropriate for us to put it into the comp plan.

**Fritz:** What about transitional campgrounds, Commissioner Fish?

**Fish:** I'm not the Housing Commissioner, that's why I asked Dan whether rest areas are part of the strategy. I appreciate, Commissioner Fritz, that -- I mean, the other changes to this I support. Rest areas are currently not part of our official policy of how we address homelessness and to put it into the comp plan as an amendment I don't think is appropriate. I think it bypasses a whole process for developing a comprehensive plan for what is the housing continuum, where we're gonna put our resources, and I don't think we should decide that question through an amendment to the comp plan especially when there's been no public process.

**Fritz:** So you're objecting to the inclusion of transitional campgrounds as well?

**Fish:** Is that your original language?

**Fritz:** That was -- all I added was adding rest areas. I didn't add the transitional campgrounds. I just wanted to reframe it because it sounds like it's --

**Fish:** I think -- and I'm not -- again, I'm a little rusty, but I think transitional campground may cover Dignity Village. Staff?

**Engstrom:** Different stages of Dignity Village is development potentially --

**Fish:** We've tried to be as flexible as possible because we saw it as a one-off experiment.

**Engstrom:** This policy was developed in conjunction with sort of the housing strategy. And remember also it covers sort of the land use side of things, which means that it's not only what the City is spending money on but how does land use allow and acknowledge this continuum. So, there may be things that are not the focus of the City's money but are still part of the larger continuum in the land use sense, and so that's a --

**Fish:** I think -- and again, we haven't had a broad discussion about this -- I'm assuming that transitional campgrounds may include something like Dignity Village. I think the addition of rent assistance is positive because in fact short-term rent assistance is a cornerstone of our policy. It may or may not apply here, but it is part of our existing policy. Rest areas are not. I welcome the discussion. I think we should have a discussion about whether that is an appropriate part of the housing continuum and what weight we put on it and how we invest in it. I don't think that should be decided through an amendment to the comp plan.

**Hales:** So what's the effect of this having policy in the plan?

**Engstrom:** From a land use side, it is a policy that may be relevant to where we allow shelters and campgrounds within zoning ordinances, which is something that we're currently looking at. It may affect what kind of housing we allow in different zones.

**Hales:** So, I understand your concern, Commissioner Fish, about what the City's program is, but what the zoning allows in say a church parking lot might be something we address in the comp plan and the zoning map.

**Fish:** That's already allowed. We took care of that under Mayor Adams.

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**Hales:** So, we don't want the comp plan language to support that?

**Fish:** No, we allow car camping in church parking lots, but that was a very -- that was a --

**Hales:** Was that a change to the zoning code?

**Zehnder:** It was adopted by resolution.

**Hales:** Right, it's not in the zoning code.

**Fish:** Right, because it was deliberately tailored to a very limited circumstance.

**Hales:** So if we're going to adopt a zoning code and zoning map, where things are allowed is exactly what a zoning code and zoning map does. It says, this is where you can build a motel, this is where you can build an apartment building, this is where you can have a rest area. The policy question of what the City is prioritizing and doing in its housing support continuum is important but not the same question as what's allowed where. I'm interested - - I'm supporting this amendment because I think we want to have the staff try to figure out what should be allowed where.

**Fish:** No, I appreciate that and it is another example of doing housing policy outside of the traditional mechanisms by which we make policy. You are backdooring this by doing it through the Comprehensive Plan without a discussion as to whether this should be part of the housing continuum. It is not currently part of that policy. And I understand you may want to do and in an emergency, we may want to cut every corner, conceivably --

**Hales:** That's not what we're talking about --

**Fish:** It is not currently part of the housing continuum.

**Hales:** I don't think that's what we're talking about here. OK. Have we aired this one? Let's take a vote.

**Roll.**

**Fish:** No.

**Saltzman:** Aye.

**Novick:** I'll defer to the Housing Commissioner on this one. Aye.

**Fritz:** Aye.

**Hales:** Aye. OK, done. Open data. I was wondering why Chris Smith was here. These are packaged together.

**Engstrom:** One is policy in chapter two, which is the broader community involvement policy. The second is a policy in chapter eight, which is about the public facilities relationship to data. And 85 is part of that chapter eight as well, which deals with how we treat broadband in a public facilities right-of-way sense.

**Hales:** I'll move motion A so we can discuss and take a vote on that. I move to adopt policy amendments P11, P68, P85.

**Fritz:** Second.

**Hales:** As I understand it, the effect of this adoption is to strengthen the language back to what the PSC had in mind -- no, I've got it backwards?

**Zehnder:** You've got it backwards.

**Hales:** Alright, thank you. That's why I asked that question. So, if we adopt this amendment, we take the City Attorney's advice and have a plan that refers less to open data? Do I have it right?

**Fritz:** Yes, it is based on the City Attorney's advice and it sets the broad policy rather than getting down to the all of the specifics. So it's in keeping with the rest of the Comprehensive Plan that we set the framework and we leave it to other mechanisms to see exactly what does that mean.

**Hales:** Alright. And I also appreciate the City Attorney's advice but I don't always take it.

**Fish:** No offense.

**Hales:** So having made the motion, I don't plan to vote for it. Alright. Are we ready to vote now that I got it straight in my mind which one is which? Thank you for that.

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**Fritz:** Do you not support the staff recommendations either?

**Hales:** I support the motion B, I think.

**Fritz:** Let's take a vote on A and then try again on B.

**Fish:** You've now lost me. Can someone please walk me through that again?

**Fritz:** This is for all three of them, Commissioner, including -- this is for all three of the policy changes, the two recommended by staff and the one that I worked with the City Attorney on to make it a more broad policy on open data.

**Fish:** Right. So, which one are we voting on first?

**Fritz:** All three of them together to see if there's support for all three.

**Zehnder:** And if we can take a moment, we can clarify. We've got some stacked -- different results from these motions.

**Hales:** Alright, wanna explain?

**Engstrom:** We have sort of three things that could come out of this discussion. The first variation is responding to the City Attorney's concern about the language, and as Commissioner Fritz noted, being more general in the language and more concise. The second variation is to sort of remove them altogether from the comp plan and --

**Fish:** But motion A -- just to be clear -- keeps them as revised by the City Attorney?

**Engstrom:** Right, and motion B removes them altogether just as topics that you don't think should be in there.

**Fish:** Now I got it.

**Engstrom:** Failure of either would revert to the Planning and Sustainability Commission --

**Hales:** Ah, there we go.

**Engstrom:** -- as more -- I guess I could characterize it as a stronger statement that open data and broadband are related to land use.

**Hales:** There's an option C, but it doesn't require passing a motion.

**Engstrom:** Option C is just failure of both motions, essentially.

**Hales:** Thank you.

**Fish:** We're doing motion A first?

**Hales:** Motion A first. Ready to vote on that?

**Roll.**

**Fish:** Aye. **Saltzman:** No. **Novick:** Aye. **Fritz:** Aye. **Hales:** No.

**Hales:** OK, it passes. Alright.

**Fritz:** All three.

**Hales:** Alright, so we're done with that.

**Zehnder:** We're done with that.

**Hales:** OK. Drive-thrus. I move to adopt policy amendment P32 as further amended. Second for that?

**Fritz:** Second.

**Fish:** A couple of questions for staff, if I could. I'm playing a little catch-up on this one. This issue has generated also a lot of heat in our process, but I understand the concerns raised originally. This amendment would appear to make it even more restrictive, not less restrictive, and my understanding was we were having a conversation with some of the folks in the community about some middle ground. So, what's the practical effect of the amendment?

**Engstrom:** Well, to start off, it's a high-level policy so the details in this case are really down in the zoning code about where exactly we allow drive-thrus and where we don't. So, most of this debate is going to happen through the mixed use zoning update that's still at the Planning and Sustainability Commission. But of course, what you say in the policy gives a broad direction so that's why the fight is essentially happening at two levels right now.

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It might be helpful if Joe passes out the map we brought. The current zoning code prohibits drive-thrus in many locations and limits them in a number of locations. The policy may essentially sort of -- the policy is loosely analogous to what the current zoning code already does.

The proposed -- there's two maps. The first map, number one, is an estimate based on the current zoning where drive-thrus are either allowed, limited, or prohibited. And the red is prohibited, the green is allowed, and the orange is limited. The gray, which is the central city and the Gateway plan district, are also in the prohibited category currently in the zoning code. What that means is you can't build new drive-thrus on properties that don't already have them, but there are grandfathering rights for properties that already have drive-thrus --

**Hales:** Very important, given the PR campaign that was mounted against this proposal which made it appear that we would be closing existing drive-thrus. That is not the case, period.

**Engstrom:** Right. So, the second map shows what's coming out of the mixed use project at the zoning code level right now, and that's a snapshot of what the draft code says right now. It's not necessarily the end result, because that's still at the Planning Commission, but what it shows is that it changes the geographies of those because of the way the rezoning occurred. And once again, there's three categories. You can see on that second map that there's more territory in the "prohibit but liberalize the rebuild allowances." And what that means is we've expanded the territory where they're prohibited in that zoning update, but we've loosened the allowances for rebuilding within that territory if you already have one. So, under the old scheme you sometimes had to literally keep the existing drive-thru and kind of build around it and the new scheme is if you have rights to one on the site you can retain those rights and completely tear it down and reconfigure while still maintaining that right. That gives better options for modernizing the site without losing the right.

**Saltzman:** That's coming through the mixed use?

**Engstrom:** That's still draft at the mixed use. This isn't truth yet, this is just where we are at the process.

**Fritz:** Given that the comp plan is supposed to drive the zoning code, what does the comp plan language need to say in order to honor what's coming through that process?

**Engstrom:** Right. So the -- I think the language of the Mayor's amendment is roughly consistent with where we currently are with the mixed use code. If your interest is us loosening those rules further, then you'd want to amend the language in one direction. If you want to strength in the other direction you'd want to amend it in a different direction.

**Hales:** This is a compromise on the issue, but it's also acknowledging where the PSC is believing they should head in the mixed use zone project.

**Fish:** Eric, why -- I'm looking at the two maps and it's a little hard to compare them. I'm not criticizing you -- thank you for blowing them up so I can read them -- but it's hard to compare them. But it does look like the further east you go, there are fewer allowed drive-thrus. What's the -- why is that?

**Engstrom:** The remapping is driven by the centers and corridors approach in the comp plan where we're trying to apply a more urban zoning designation within the newly-designated centers. And so what that's doing is some of those properties at those core center intersections -- an example is 122nd and Division where we have a vision for a new center there -- that those zones are being changed to something more akin to an urban mixed use zone instead of being general commercial, which is more of an auto-oriented zone. And so that zoning shift is what's creating those changes in East Portland by

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designating centers that we expect to be more urban over time. The secondary effect is the drive-thru map changes.

**Zehnder:** And it is difficult to read the color differences, but both the orange and the yellow and the green -- all three of those in some level allow drive-thrus, even under the new mixed zone on this proposed zone map. The only places where it's prohibited are red, and those tend to be these either emerging or existing centers.

**Hales:** Yes, I think this map is very helpful. Another thing that could be helpful is, Camille, could you open those two shades there?

**Fish:** Joe, let's take an example of the Fred Meyer.

**Hales:** Before we get there, here's one no one looks at -- [laughter] -- the entire block face of that building over there --

**Saltzman:** What's behind curtain number two? [laughter]

**Hales:** It's a really ugly drive through. So, one of the inspirations for making it absolutely clear that we shouldn't have drive-thrus in the central city is no one -- none of us even remembers that that block face is there because we never go there. The entire block face of that building is a drive-thru, and in fact, that building's only relationship with the street is a drive-thru and that's why that building was one of the inspirations for our design review code. So, that's part of my inspiration here. These don't belong in central city. But I think they've gotten to a much more sophisticated place with what they're doing in a mixed use zone.

**Fish:** Mayor, Commissioner Novick chose his office precisely so he could have a view of that building.

**Hales:** Right. [laughs]

**Fish:** Can we go to Fred Meyer for a second? So, in my neighborhood, the Fred Meyer has created a quasi-drive-thru facility in the parking lot where you can order ahead groceries, come through a lane, and the groceries are delivered to your car. How is that impacted by what's before us?

**Engstrom:** We're currently discussing some of those. There's also -- each grocery store is doing it a little differently. Some of them have you park in a spot and push a little button, others actually have a drive aisle. That's a new innovation that our current code doesn't respond well to. Currently, I believe BDS does not consider that a drive-thru and we're trying to figure out what the right code solution that is. The preliminary inclination is if it doesn't have a drive aisle and doesn't have a window, then maybe it isn't a drive-thru. Because we don't necessarily want to discourage the pickup kind of approach --

**Fish:** In a sense what they've done is they've taken some existing parking offline and created priority parking for people that are temporarily parked to get groceries.

**Engstrom:** It's just short-term parking with a pre-order, essentially --

**Fish:** In my experience, the typical person in line is a harried parent with children or an older adult.

**Hales:** Yeah, it makes perfect sense.

**Fish:** It is not our intent therefore to change that, is that correct?

**Engstrom:** Those details are going to work out in the mixed use -- the details of the code, but it's not our broad intent.

**Zehnder:** And when you think about the case we've been making about the drive-thrus, that is a facility sort of embedded in a big parking lot. So, all the curb cuts and entrances and in out are not changing, it's just circulation within the parking lot. But your classic drive-thru is two curb cuts and unexpected traffic in a pedestrian zone, and that's clearly -- Fred Meyer's parking lot, as much as we would like them to be well-designed, is not a pedestrian zone.

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**Saltzman:** What about a Dutch Brothers that will locate -- or you know, another enterprise like that that would locate in an existing park lot? Would that be allowed?

**Engstrom:** The Dutch Brothers typically would be considered a drive-thru in the sense that they arrange a drive-up and there's a window.

**Saltzman:** Right, but if they're using existing underutilized parking lot that already has the curb cuts?

**Zehnder:** It may be a matter of volume, Commissioner. But a significant portion of drive-thru coffee operation sales are taken place by the vehicles driving through. And at Fred Meyer's or a bigger grocery store that could have curb side delivery, it's a parking lot where you're providing this extra sort of amenity of getting groceries to your car. Does that make sense? Like, you have to interact --

**Saltzman:** Yeah, but I think of many Dutch Brothers. They're in the middle of a big parking lot, too -- and not just Dutch Brothers but those little micro espresso bars. They're located in existing parking lots, typically.

**Engstrom:** My guess is that some percentage of those are using legal grandfathering rights and some probably were just built without benefiting a permit.

**Saltzman:** So what's the intent under this amendment? Those will not be allowed in the central city?

**Zehnder:** No, those are clearly drive-thrus -- those are clearly drive-thrus, yeah. So they would not be allowed in the central city which is consistent -- it's more aggressive but consistent with our policy for a long time in the central city.

**Fish:** Another -- one other sort of hypothetical just so I get it. So, take the Burgerville that's in the Convention Center district. And it's one of the few drive-thrus that I go to because of my kids. So, if we have this new policy in place, then what do they have to do in the future?

**Engstrom:** They would continue to be a nonconforming development but they would have -- depending on how we write the details of the central city code, they would have grandfathering rights. They recently I think redeveloped that building so it's relatively modern, and I think they went through design review and all of that. So, if that happened again, they would continue to have rights to hold that drive-thru but if it lapsed for a period of years, then they would have to go away.

**Fish:** So the technical question -- and I think I know the answer, I just wanna make sure. So, if -- I don't want to get too much in the weeds, but my understanding on some of those fast food restaurants is by contract, they're required to update their facilities on some basis. So let's say every 10 years, you have to update it and it has to have a new look. Does that trigger a conditional use -- does that trigger something that then puts at risk the drive-thru?

**Engstrom:** In the central city, there's the added layer of design review which complicates that question, but in general, the two flavors that we talked about are -- that's part of the discussion. The traditional grandfathering complicates that because you have to keep the drive-thru in the same place and oftentimes, you see people kind of building around and modifying their site. With the expanded, more liberal grandfathering in the orange part of the map, we would be saying as long as you have one, you can rearrange the site and upgrade without that problem.

**Fish:** Mayor, I know you care deeply about this issue. The question I'm getting at is I wanna make sure if someone is grandfathered and they're playing by the rules, they're not discouraged from updating their facility which we would otherwise hope they would do.

**Hales:** Right. I had that same conversation with some of the property owners involved.

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**Fish:** And the Burgerville people are the good guys, generally, in my view, generally. And so are you comfortable with your approach that we're not unduly burdening their ability to both --

**Hales:** I am. We're trying to move generally away from drive-thrus and not create new ones, but actually I think this rebuild allowance is actually in some instances giving people a little clearer path to continuing their lease and upgrading their building than we have today. So, it's not liberalizing the drive-thru policy overall, the overall direction is it's going to be harder to have drive-thrus everywhere.

**Zehnder:** You can have the drive-thru every time you upgrade the facility. Overall, the fast food restaurant has to come more in compliance, but it's just a steady progress forward. It never gets to the point where you couldn't have it.

**Engstrom:** That's a clarifying point. You can't make it more out of compliance. So, if you had one drive lane now, you can't add a second.

**Fish:** So this is a technical area but I want to make sure if I support this that, again, let's use Burgerville it's better to use a concrete example and they do have a drive-thru next to the Convention Center. If they're grandfathered and they otherwise comply with everything else, if at some point they choose to update their facility to modernize it and make it more attractive to the public, it doesn't put at risk their drive-thru?

**Engstrom:** No, not directly. Indirectly, they have to navigate design review and come up with a design that will pass muster, but it doesn't make their facility go away.

**Zehnder:** Right. It stays a nonconforming use that they have the right to have --

**Fish:** So the only -- the real criticism you could hear from an operator in that circumstance is it just creates a different level of cost and uncertainty?

**Zehnder:** Typically, what we hear is that it adds to uncertainty -- brain damage is often how it's described -- and sometimes, it can make it difficult to finance upgrades. But for a franchisee like that, that's probably self-financed anyway.

**Fish:** And one last question. In the revision that's before us, the language "and reduce conflicts between automobiles and pedestrians and bicyclists" is redacted. And the purpose of that?

**Hales:** I think we summed it up with the pedestrian-oriented environment, right?

**Engstrom:** Yeah. There's other policies that deal with that so we figured that maybe we were --

**Fish:** It was redundant?

**Engstrom:** It was redundant with other policies in the plan.

**Saltzman:** Did we ever get any feedback on this from the Portland Commission on Disabilities?

**Engstrom:** We're in the process of doing that. The built environment subcommittee of the Disability Commission met a few days ago and we brought this item to them and they grappled with it. They didn't come to a conclusion. I think some of them were a little split on it, too.

**Saltzman:** Yeah, yeah.

**Engstrom:** They are meeting this Friday again to further discuss it. We communicated to them that your discussion of this policy was, of course, happening right now and they may not have enough time to fully weigh in at that level, but we were encouraging their feedback in the code development that's through the mixed use project where this is really going to -- the details are going to play out.

**Saltzman:** So a subcommittee on the built environment kind of had different opinions, I guess is what you're saying?

**Engstrom:** They weren't ready to commit to an opinion yet --

**Saltzman:** Not ready to make a recommendation --



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**Engstrom:** I mean, there were opinions within the members of the committee.

**Saltzman:** Right, that's what I meant. Not as a committee, OK.

**Hales:** I think this is a -- I would go farther. I think this is a step in the right direction. We had PBOT staff here quoting Fred Kent yesterday that if you design for the automobile, you get a city designed for the automobile and if you design for the pedestrian, you get a city designed for the pedestrian. I agree. And we will get there someday. This gets there a little more in some places and stays -- continues our policy about the central city.

I think if you look at this map, I think the big changes are places like 82nd and Foster and Sandy -- the very streets that we want to make less suburban and more urban. So, I think this goes in the right direction. It's still possible on some parcels but I think where the Planning and Sustainability Commission is going is a good balance, and this language tries to support that rather than going as far as I would go left to my own devices.

**Fritz:** And this language deletes the "and corridors," correct?

**Engstrom:** Correct. I think the concern was that maybe the "and corridors" just covered the entire city so that from the retail task force and the industry perspective, that was the more aggressive phrase.

**Fritz:** So we had testimony about the eastside -- Central Eastside that's in the central city - right? Like, the Lloyd District is central city?

**Engstrom:** The Lloyd and the Burgerville example cited by Commissioner Fish is part of the central city.

**Fritz:** Right. So there is the question do we consider -- certainly downtown we don't have any, we don't want any. Prohibit is good. We want it go away.

**Hales:** Someday.

**Fritz:** As somebody who used to have three children under four, I found drive-thru facilities quite handy in the days when I was having to get fast food to get from A to B In short order. So, I wouldn't -- I think there is a point that we can't always be pedestrian-oriented. And I'm actually interested in the very auto-centered -- it used to be a car wash has now been changed to Black Rock cafe in the west Portland town center. I see more use from the walkup window than I do from people driving through it.

**Hales:** That's what happens over time, yeah.

**Fritz:** So, I like the language that says "to support a pedestrian-oriented environment," that means when we're getting these new facilities, there will be a walkup window.

**Hales:** Exactly.

**Fritz:** But the other thing, too, to bear in mind is that if you don't have a drive-thru, you may have to have more parking. If it is a facility where you're not dining out in style -- for instance, at Burger King -- that you're just picking up your food, if you can't have a drive-thru, then you're going to have to park and that's going to require more space.

**Hales:** The other effect of this -- and maybe we're spending too much time on this because we might be ready to vote for this. The other effect of this is intensity of development.

And you mentioned the Burgerville, and that Burgerville should be allowed to continue. Obviously, we're not trying to make them close their drive-thru and if their lease comes up in 10 years, they ought to renovate the building and keep it. But you look how underutilized that piece of land is versus the parcel next door with a six-story apartment building on it, and you realize -- as I think is true -- that we can't afford to have one-story development with a drive-thru in the central city very many places.

**Fish:** Well, I'll make a bet that in 10 or 20 years, Burgerville is going to be a property development company, not a fast food company.

**Hales:** Exactly.

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**Fish:** And the genius is they acquire very attractive lots in places of likes. Most of what we're doing is going to make their property more valuable and the pressures on development are going to --

**Hales:** Yep. In some cases --

**Fish:** Mayor, I move the motion.

**Hales:** Let's take a vote.

**Roll.**

**Fish:** I appreciate this discussion because I was frankly torn on this one, but based on what I've heard from staff about our intention -- particularly the grandfathering and the conversation with the Mayor -- I'm more comfortable with this approach. My only -- I didn't mean to insult anyone about the maps, it's just with my eyesight, those two maps are indistinguishable. So, I just --

**Zehnder:** No, we've had that conversation.

**Fish:** And it's helpful. I could at least tell there was less green as I went east. That was helpful to me to get a trend line at least. Aye.

**Zehnder:** If we had a smaller city.

**Fish:** I appreciate it.

**Saltzman:** Aye.

**Novick:** I've gone back and forth on this. Intuitively, I'm all for restricting drive-thrus. My only concern is we haven't heard -- the Portland Commission on Disabilities does not have an answer for us yet, and it seems like the academic research on the value or negative value of drive-thrus for seniors and people with disabilities is rather limited or nonexistent. So, I was inclined -- I came here this morning actually planning to vote no saying that I think we can address the issues and the specific zone changes and we don't need to adopt a policy. In the meantime, we can have more communication with seniors and people with disabilities and see if there's more academic research.

But I am reassured by the conversation and it seems to me that if we prohibit drive-thru facilities in the central city and limit them in centers and corridors, we can have a conversation with folks -- seniors and folks with mobility disabilities about how much limiting is appropriate. So in light of that, I will -- after changing my mind twice in the course of the past 20 minutes -- [laughter] -- vote aye.

**Hales:** It's always allowed.

**Fritz:** I appreciate this discussion, too. I remember back to the St. Johns/Lombard Plan when Commissioner Hales was pushing this for and I was on the Planning Commission exactly at the stage that we consumed more than our lifetime supply of McDonald's, I think, in our family to make sure that we could get to meetings. And indeed, the sky hasn't fallen in St. Johns and I think it has helped create a more pedestrian-oriented environment there, so I support it. Aye.

**Hales:** Walking around downtown Oslo past the Burger King and the McDonald's with no drive-thrus in the entire city, I knew that this was at least a step in the right direction towards being the best European city in America. Aye.

**Novick:** Mayor, I have to ask -- what do they call a quarter pounder with cheese in Oslo?

**Hales:** I have no idea, but I can't pronounce it. [laughter]

**Fritz:** We'll take a number six, please.

**Hales:** That's right. OK, P23. I move to adopt policy amendment P23.

**Fish:** Second.

**Hales:** Eastern neighborhood site development. So this is the land aggregation requirement.

**Fritz:** Could you discuss this a little bit and why we're requiring rather than encouraging here?

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**Hales:** My thought behind this was that if we don't require it and it's hard to do, it probably won't happen. That's my layperson expression, I'll let our planners do a better job.

**Fritz:** Let me just ask you for clarification -- are we -- if the land is in different ownerships, we're going to say no until you can't develop until your neighbor wants to sell, or are we talking about lots that are in the same ownership?

**Hales:** We're talking about lots that may be in different ownerships but whether or not you get to do a subdivision until it makes sense.

**Engstrom:** Yeah, the code details would have to be worked out about whether there were exceptions for isolated sites, but the concept is if you don't have enough properties lined up that are going at once, you would have to wait.

**Fritz:** So we would specify what is a large enough site?

**Zehnder:** Right. All of that has to be specified.

**Fritz:** So you would get -- you have to be able to develop something, you'd have a single family home on that lot?

**Engstrom:** Yeah, you'd always get the single family home option because that's not a -- but to increase density in a single family zone, you have to go through a land division. There may be also a possibility of having it out through the plan development option. But you would get the rights to build -- for example, if it was a vacant site, you could always build a house or rebuild your house.

**Zehnder:** The issues we're looking at in the multifamily code update project that we're just now starting in East Portland are these kinds of issues where access to them and their location on the site could absolutely be more integrated into the street/sidewalk network. But the rules that we have now don't lend themselves to being able to accomplish that. Part of it is that we let the sites move forward even with multifamily development in these very small parcels. A street master plan pushes you towards getting the bones in place and still opening up what will be better multifamily development sites.

**Engstrom:** The typical poster child is a 60 by 300 lot where we want to get a street through but if we ask for a street, we'd take the whole site and just can't get it. So, the --

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

**Hales:** Other questions about this one? Ready to vote? Let's do.

**Roll.**

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

**Fritz:** Thank you for the explanation. Aye.

**Hales:** Aye. OK, we're rolling along here. I move to adopt policy amendments P73 and P99 as further refined in Commissioner Fritz's memo dated April 13th.

**Fritz:** Second.

**Hales:** Questions about these? They've been wordsmithed a bit more.

**Fish:** Is there a -- I just want to play catch-up on this. Is there a further compromise reflected in this language since the last hearing?

**Engstrom:** The language at the bottom of the page under revision. We've reordered the word -- we've reordered that sentence, essentially.

**Novick:** And I would actually -- I would oppose P73, and PBOT has some current concerns on that that Courtney Duke will relay. And I would like to add to P99 in front of the last sentence where it says "provide adequate but not excessive off-street parking where needed," I would feel more comfortable with "seek to provide" instead of provide --

**Fish:** So, Mayor, just procedurally --

**Hales:** We might need to unbundle these --

**Fish:** Let's unbundle them, if you don't mind.

**Hales:** Yes. I'll move P73.

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**Fritz:** If I might explain my rationale. And it's unfortunate that most of you don't have the code in front of you -- the Comprehensive Plan. So, this is in a policy that looks at what are the purposes of the right-of-way. And there's -- Courtney do you want to explain that?

**Hales:** Courtney, do you want to talk about that?

**Courtney Duke, Portland Bureau of Transportation:** Yes, I'm just checking. Sorry. I didn't bring all of my paperwork.

**Hales:** Yeah, I think I might need --

**Duke:** We just feel this is related to the design of the streets. It's what we said here in the note that Eric wrote with our input, that chapter nine already addresses parking and what the street looks like and the street design, and that in the right-of-way where we talk about transportation needs that parking is considered a transportation need. And to further highlight parking just seems inconsistent with the work that we're work that we're doing related to parking and the parking strategies that we're working on around the city.

**Fritz:** Thank you for explaining that. So, this is in section which is entitled public right of way, and it specifies that the policies under it -- so the first one is an interconnected network, transportation function, utility function, stormwater management function, trees in the right of way, community uses, commercial uses. Those are designed as functions of the right of way.

The reason this is important is because in policy 8.48, right of way vacations, these are the things that we the Council and future Councils have to consider those particular functions when you're thinking of, "should we give up this public right of way?" And so as we heard last week with the University of Portland and in other situations -- Commissioner Fish and Commissioner Saltzman will remember the Cactus Jack off of Beaverton-Hillsdale Highway where there was a little crescent which really wasn't much use as a through street but was used for deliveries and for parking which otherwise would have put the businesses fronting on Beaverton-Hillsdale out of business because there isn't parking on Beaverton-Hillsdale.

So, I want future Councils -- and specifically in street vacations, and that's why it has to be in here -- that future Councils should have to look at whether parking is required. And so that's why I have this considered -- I'm not saying that we're going to, but just consider the need for parking for cars. And I'm open to different language if you think it's too design-y, maybe --

**Duke:** Well, I was just wondering why the definition of transportation function doesn't include parking for you.

**Novick:** I was just about to say that.

**Duke:** Or is there something that we could look at in the transportation function definition that, comma, including parking -- or something. Because we really tried to focus on the bigger functions, including connected network, transportation utility, and stormwater in those functions what we're looking at. To me, parking is included in the transportation function.

**Novick:** I would agree, and I think that the rest of the language is broad enough that if we added specific language about parking, it would seem that we were elevating parking to god-like status, which --

**Fritz:** As long as it's considered in street vacations, that's my main concern. So if there's a way, Courtney, to figure out where in 8.38 -- it doesn't -- I don't think there's a comma parking that goes in that sentence, but if there's another sentence.

**Hales:** We don't have to do that necessarily this moment, but we should do it before we finish our amendment. So why don't you see -- let's set this one over for a little this afternoon see if you can't come back with language on that one.

**Duke:** OK. That's fine.

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**Hales:** I don't think there's much agreement about the intent, I get your argument --

**Duke:** And PBOT would agree with that in terms of looking at the street vacations to see how parking is included with that, we just -- again, we think it's within the transportation function.

**Hales:** Why don't we pass on that one for the moment, but get you to come back with maybe some recommended language. Let's see where we are on P99. So I'll withdraw my motion on P73 and make a motion that we adopt P99.

**Fritz:** Second. And this is in response to Rose City Park and other neighborhoods that are concerned as we're adding density -- this would allow us, as again, we did join the Sam Adams administration to look at Division and recognize that not having any parking required in large multifamily developments was really causing problems. So that was why I would like to have this language that says "provide adequate but not excessive on-street parking where needed."

**Hales:** Off-street. Yeah.

**Fritz:** Off-street parking.

**Novick:** And actually, what I suggested was -- and I thought that Commissioner Fritz and I had agreed to this part -- "provide adequate but not excessive off-street parking where needed, consistent with the preceding practices" --

**Fritz:** Yes, we did. You're right.

**Novick:** But to that, I would actually like to add at the beginning of that sentence "seek to" so it's "seek to provide" in order to make it clear that it's something we will seek to do but we're not opening ourselves up to lawsuits from somebody saying, "well, you didn't provide."

**Hales:** So I'll take Commissioner Novick's suggestion as an amendment.

**Fish:** Second.

**Fritz:** Could we have "strive to provide"? That's what we had discussed previously.

**Novick:** Oh. I'm fine with strive, sorry.

**Hales:** Strive instead of seek. Alright. Strive is always a good thing. Everyone -- Courtney are you comfortable with that?

**Duke:** Yes.

**Fritz:** Commissioner, you're right, this doesn't transcribe. Yes, it's down at the bottom.

**Novick:** It's under "revision."

**Fritz:** So the new amendment for this policy number 99 is "strive to provide adequate but not excessive off-street parking where needed consistent with the preceding practices."

**Hales:** Further discussion?

**Fish:** We're amending now -- this is to vote on the amendment?

**Hales:** We're actually adopting P99 as reflected in the revision language and adding the words "strive to."

**Fish:** So that's a friendly amendment.

**Fritz:** Yes, I would accept it as so.

**Hales:** Roll call.

**Roll.**

**Fish:** Aye.

**Saltzman:** I believe off-street parking -- well, I think we all know that -- is a major contributor to the increase cost of construction, therefore increasing costs of affordable housing. I'm just not sure that "not excessive" is a very definable standard, so I vote no.

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

**Hales:** Okay. We'll come back to P73 a little later, unless you're ready right now, Courtney.

**Fritz:** Oh, look at that. She dashed.

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**Duke:** One thing we're going to double check the definition of "transportation function" in TSP right now, so that's one thing we're going to look at as we're talking here --

**Fritz:** That's smart thinking.

**Duke:** -- and then I got a note from one of your staff, too, to look at it. So, I'll go back and do a little work.

**Fritz:** Thank you.

**Hales:** Let's take up right of way policy, P76. I move to adopt policy amendment P76.

**Fish:** Second, and I move the motion.

**Hales:** Any discussion or questions? OK, roll call.

**Roll.**

**Fish:** Aye.

**Saltzman:** Aye.

**Fritz:** Wait a minute, is this 76? Well, it's kind of presupposing on whether we adopt the previous amendment, so I would prefer that we don't -- this is saying that --

**Hales:** Transportation facilities isn't sufficiently inclusive, then --?

**Fritz:** Right. So we may or may not need another number here, so I would suggest --

**Hales:** Alright, I will take Commissioner Fritz's request that for the good of the order we'll do those both together later.

**Fritz:** Thank you.

**Hales:** Alright, so I'll move policy P96. Is there a second on that one? That's the transit funding.

**Fish:** Second. Have we had any testimony for or against this?

**Hales:** No. That's what my records said.

**Novick:** We have got some insight from TriMet -- I don't know if that's normal testimony.

**Fritz:** Actually, we have refined it with a further amendment -- and I'm sorry I haven't given this out until now. So, this is -- so we're adding -- so, transit funding. Consider funding strategies and partnership opportunities that improve access to and equity in transit service, such as raising metro-wide funding to improve service and/or decrease or eliminate user fees fares.

**Novick:** And I would move to delete the words "or eliminate" because those words really freak TriMet out, and I think "decrease" intuitively includes decrease to zero.

**Fritz:** And I would argue against that amendment because "or" is inclusive and it could be "decreased or."

**Hales:** So, Commissioner Novick moves to strike the words "or eliminate." Is there a second to that?

**Saltzman:** Second --

**Fish:** Second -- [speaking simultaneously]

**Hales:** So, are you ready to vote on that question? I guess I'm not quite ready to vote on that question. I think one could argue this doesn't need to be in the comp plan, but one could make that argument about a lot of things that are in the comp plan, so. And I don't generally accept that argument. So what's the effect of this policy provision?

**Zehnder:** So, it's instructions to City in considering -- especially in our major project list and the funding of those -- to consider our funding strategies and by the addition of partnership opportunities, it's I guess clarified that it's not a funding strategy that's assigned to a single source of funding, be it the City or Metro, to accomplish these transit ends. So it's a reminder that this equity in transit service and access to equity is something we need to follow through on in terms of funding strategy as well as designation of lines of a map.

A case in point might be improved transit service on 122nd. What would be the comp plan or even the City's practical function of doing that? With Metro or as Metro in the

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lead figuring out how to fund that service or that service expansion is part of being able to deliver it.

**Hales:** The effect of this wouldn't be to prohibit development absent transit funding.

**Fritz:** No.

**Fish:** What does the phrase "raising metro-wide funding" mean?

**Engstrom:** I think it's partly to acknowledge the fact that this Comprehensive Plan depends on a pretty large step forward in the level of transit service throughout the region and that we have an interest in resolving that in partnership with those agencies. That's how I would read that.

**Fish:** So would this then require us annually to have a hearing to consider funding strategies for this purpose --

**Fritz:** No.

**Fish:** Or is this something that comes up every time there is a transportation issue before us?

**Engstrom:** No, it's a policy in the comp plan, which means that as you're making land use decisions in the future as you're looking at major projects that get adopted under the rubric of the comp plan, like the southwest corridor, that you are saying it's your policy to raise that question.

**Fritz:** It's actually --

**Fish:** Let me pose that slightly differently. The Transportation Commissioner can come to us and say we need to go to Washington to lobby for more money, we need to go to state to lobby for more money, we need to go to Metro and divide up the pie differently, we need to raise fees, we need to stick TriMet with unfunded mandates. We can do all that. Why are we in this plan prioritizing any particular approach? Why are we identifying these two? Because we are privileging them by mentioning them. The goal we all have -- I mean, improving access to and equity in transit service is a core value that I assume is written in more than one place. Why are we privileging any particular strategy in furtherance thereof?

**Hales:** You mean like raising metro-wide funds?

**Fish:** Or eliminating fees? I mean, in one sense, you could -- why do we have to have that to guide that discussion? Those are two of a hundred strategies.

**Zehnder:** Commissioner, I'm not --

**Fish:** I'm asking to have it clarified, I'm not picking a fight.

**Zehnder:** Oh, no, and I'm -- I'm not sure a hundred percent of the origins of this amendment. However, in reading it, its real focus is on funding strategies to improve equitable access to transit. And for that same group of advocates, the user fees and fares and the effect on fare rates is a big issue for equitable transit access advocates as well. So maybe it came from that as well, I'm not sure.

**Fritz:** In order to be able to achieve our land use strategies, and indeed our Climate Action Plan, we are going to need to encourage more people to use transit. And so recognizing that user fees are a barrier for some people -- this actually would speak to the youth pass which discounts will have supported consistently. In that case, we have eliminated user fees by paying in a different way. I think it's a good policy and it's -- Commissioner, you had another question?

**Fish:** Does your amendment, Commissioner Fritz, have TriMet support?

**Fritz:** It's based on TriMet's input.

**Duke:** TriMet would prefer to have "or eliminate" eliminated.

**Fritz:** I can take that out if that's the key factor. Because I take your point, Commissioner Novick, that decrease could be decrease to zero.

**Fish:** If we make that change, I will support this.

**Fritz:** OK, thank you.

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**Hales:** Alright, let's take a vote on Commissioner Novick's amendment to remove the words "or eliminate."

**Fritz:** Could I just accept it as a friendly amendment?

**Hales:** You can, let's do that.

**Novick:** We'd have to get rid of the other "or" too --

**Hales:** OK, so are we ready to vote on the revised amendment based on TriMet input and with the friendly amendment of proving "or eliminate"? OK, let's vote.

**Roll.**

**Fish:** Aye.

**Saltzman:** Aye.

**Novick:** I'm pleased that now when I ask Commissioner Fish to come lobby Congress or the state for transit money, I'll be able to tell him "you have to come with me because it's in the comp plan." Aye. [laughter]

**Fritz:** [laughs] He's going to move to reconsider -- thank you, everybody, for your support of this. It's very important to me. Aye.

**Hales:** See, it was a trap. Aye. OK, let's move on and come back later to the two items we bypassed. Interim congestion standards. I move to incorporate the interim congestion standards as described in item four of my April 11th memo into chapter nine of the comp plan.

**Fish:** Second.

**Engstrom:** And we have a staff substitution that I would like to suggest.

**Fritz:** Mayor, I don't -- [speaking simultaneously]

**Hales:** Re-explanation would be in order.

**Fritz:** This doesn't help me. Mayor, I hereby nominate you for policy wonk of the year -- or maybe decade or century. I have no clue what this means. Could you explain it to me, please?

**Hales:** I'm going to let staff do it because they'll do a better job.

**Engstrom:** Yeah, so, both of the state and the region have standards by which we all are required to measure the success of our transportation system. In policy 9.49, we talk about adopting multimodal standards going forward so that we're not just measuring congestion based on traffic, but our intent was not to completely throw out measuring based on traffic. And in fact, the region and ODOT have regional and state requirements that our Comprehensive Plan has to reference.

And so our request with this amendment -- this was a staff-generated amendment to add reference to those regional standards that apply to us so that our comp plan is consistent with the regional plan in that way. They're expressed as interim standards because both the City and the region have the wider policy of broadening in the future to multimodal standards. In the meantime, though, we have to have some standards.

**Fritz:** But do we have to have them in the Comprehensive Plan?

**Engstrom:** Yes, the --

**Fritz:** Could we just reference them?

**Engstrom:** The facilities -- one of the functions of the comp plan is to contain our service standards for the various services that are provided. This came out of a concern as we were preparing findings for the Comprehensive Plan that the other service standards had been provided but we had not provided this. So, it's kind of a consistency -- there's a part two of this coming as the rest of the TSP moves forward where there may be an option to have them sit deeper within the TSP so they're not in the top level policies, but that's coming due in the fall so I can't put it there yet.

**Fish:** Eric --

**Fritz:** So every time these numbers change, we have to amend the Comprehensive Plan?



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**Engstrom:** These numbers haven't changed in the last -- haven't changed before.

**Fritz:** But they will in the future, right? These are interim thresholds.

**Engstrom:** We're intending to change this, but in the meantime we need something in the comp plan to be consistent with those regional and state standards.

**Hales:** So maybe the flipside of that is, what happens if we didn't?

**Engstrom:** It makes our discussion of adequacy of transportation facilities under the new comp plan a little bit challenging because we would have no standards to make those findings.

**Fish:** Eric, in fairness, this -- we've been told all along not to get very prescriptive, not to make policy, not to cross a certain line. We now have a page which is the award-winner for violating the admonishment you gave us. And there's a simple way to resolve that which is just to reference some other policy -- to just have a cross-reference in the document.

**Engstrom:** Those don't exist yet in the City's codes, so there is no other place to -- I guess I would describe this as a temporary problem, because we're bringing you the comp plan in stages starting with the top level and in the fall, we're going to bring you the detailed level. But as we bring forward the Comprehensive Plan map, we have to have a way to judge whether that map is consistent with our transportation system, and in the absence of having an standards in the comp plan, we've violated the rule about having some standard to judge that.

**Fritz:** Couldn't you have after number one -- I mean, number one is beautifully clear, "create a regional congestion management approach including a market-based system to price or charge for auto trips and parking that account for the cost of auto trips, and to more efficiently manage the regional system." Couldn't you just add to that "establish interim standards and update them as necessary"?

**Engstrom:** We could, but we need them to exist now so the current comp plan you're adopting has a basis of evaluating the transportation adequacy.

**Fish:** Can we do that by resolution? Why can't we bring it as a placeholder resolution?

**Hales:** I understand the reluctance about the specificity of this, but --

**Engstrom:** The current comp plan has a similar level of specificity in this particular topic because of the state law structure.

**Hales:** I think this is -- it's required that we have a touchstone for this.

**Fritz:** Can you put it in the back with the -- you know, with the project list and such?

**Engstrom:** What we were thinking of doing is when we bring forward the next phase of this where the more detailed document is, we would move --

**Fritz:** The "more detailed" one? [laughs]

**Engstrom:** Where the other more details are. We would move this into that once it's brought forward so it doesn't have to sit up with the other high-level policies. So you could be amending this this fall when we bring that phase of the project forward but we're not quite there yet.

**Fish:** We're caught between a rock and a hard place because we have to have something in there. So you're saying in this one instance, overlook some of the guidance you've given us before, put this in the comp plan with the understanding that we'll be updating it in the future.

**Fritz:** Right.

**Engstrom:** Yeah, with even the direction for us to revisit it in the fall before it goes into effect --

**Fish:** I'm persuaded. Commissioner Fritz is artfully looking for a way to bury it in the appendix in some way so it doesn't seem as conspicuous, but I get that it has to be in there somewhere.

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**Fritz:** As a general policy issue, I try not to vote on things that I have no clue whether .99 or 1.1 is the right numbers. Has the Planning Commission had a solid discussion on this, or somebody else?

**Engstrom:** No. It's sort of a yes/no question because the numbers are fixed in state and regional policy, so we actually can't really change them.

**Fritz:** OK. That's comforting.

**Engstrom:** A number one means -- what volume to capacity is is a measure of how many cars are on the road over how many cars are able to be on the road by design. And if the number is over one, it means that it's congested.

**Fritz:** Could you put on the screen so that people at home know I'm not making a big deal out of nothing, that this is why --

**Hales:** It is indeed complicated.

**Fritz:** Yes, and I'm glad -- there we go. Thank you. I'm glad that we have staff who've looked into it, and I'm especially glad that it's already law that we have to do it anyway.

**Engstrom:** In a nutshell, what it means is that the 1.1 figure for the central city and certain freeways is an acknowledgment that we're accepting a greater level of congestion in those areas because we have other priorities and we have -- we want the central city to be dense, and there's no way to do that without going above one in terms of the traffic. It's another way of saying what the Mayor said before, that there will be traffic.

**Fish:** Commissioner Novick, can you assure us that you have scrubbed these numbers -- [laughter] -- and can authenticate them in fact as the standard?

**Novick:** Well, I have to say that I personally would prefer that the numbers be 0.992 and 1.13 -- [laughter] -- but I have to defer to the existing standards, so I'm comfortable with them.

**Hales:** Alright, let's vote.

**Fish:** I move the motion.

**Hales:** Let's take a vote.

**Roll.**

**Fish:** Aye.

**Novick:** Thank you very much for the explanation. Aye.

**Fritz:** That was a very good explanation, and it is good we have City staff who are experts in things who help us get stuff done. Thank you. Aye.

**Hales:** Aye.

**Engstrom:** And just to clarify, you adopted the amended version that I handed you?

**Hales:** Also directs you to continue working towards the multimodal performance measures noted in policy 9.48.

**Engstrom:** Yes.

**Hales:** Please do. [laughter] Alright. Environmental justice. And are these bundled? They are. I move to adopt policy amendments P5 and P9.

**Fritz:** Second, and I'd like to as a friendly amendment to my amendment remove the hyphen between "African-Americans" to be consistent with the other -- my understanding is that is the correct --

**Fish:** Can I ask the sponsor a question?

**Fritz:** Yes.

**Fish:** In P9, communities of color is behind as including African Americans, and yet in P5 there's a reference to communities of color but a separate reference to African Americans. So, why are you dealing with them differently?

**Fritz:** The Planning and Sustainability Commission chose to add to -- you're correct, Commissioner. I think my preference would have been to revert to communities of color. The Planning and Sustainability chose to add Native American as called out as separate.

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So, that got staff and me and folks in the Office of Neighborhood Involvement in thinking about, who are some of the most disadvantaged communities? So that's why we wanted to add "African Americans and descendants of immigrants who have been disproportionately impacted." Yes, we recognize that all communities of color and many immigrant and refugee communities have been disadvantaged.

**Fish:** So, is the -- from a drafting point of view, is the worst thing you can say about the drafting here is that it's redundant?

**Fritz:** Yes.

**Fish:** Because communities of color is clearly defined under 2.1.B to include African Americans --

**Fritz:** Yes.

**Fish:** -- so is it your intention to state it in the general and in the specific?

**Fritz:** Yes. And to also to respect the fact that it was important to the Planning and Sustainability Commission to specifically list Native Americans.

**Fish:** I get the Native American piece, but just the question I would have is, again, if you're pulling African Americans out of communities of color but not similarly highlighting other communities that have a historic disadvantage, how do we argue the one and not the other?

**Fritz:** We've had a lot of discussions about this over the past year, including with Planning and Sustainability and within the diversity and civic leadership groups in the Office of Neighborhood Involvement. And so -- Native Americans called out especially, those are people who historically lived here and who my ancestors and yours took the land from and committed genocide. When we're looking at other communities that have had particular atrocities committed against them -- one of the next -- again historically my ancestors brought people from Africa and made them slaves and brought them here. And you know, Oregon was founded as a state that was supposedly free but no person that we now call African American was allowed to live here. Similarly with the interment of the Japanese Americans during the war.

So, those are the groups that we were looking at. If we are going to call out those who have been even more disadvantaged than others -- we hate to get into the oppression olympics of who is the most disparaged and disadvantaged, but it seems to me that given the Planning Commission's desire to call out Native Americans, that adding these other two categories is appropriate.

**Fish:** Staff, if I were to oppose this amendment, it would just revert to communities of color, which was intended to cover the whole spectrum of communities of color, correct?

**Engstrom:** The Planning Commission had a similar discussion about whether you have a long list or you use a general term, and in the end, they did a hybrid which has created this issue. So, that was our original intent was the communities of color cover those terms --

**Fish:** And the definition section under policy 2.1 makes that clear.

**Fritz:** But then, Commissioner, you would still have sovereign tribes and Native Americans called out specifically. And sovereign tribes certainly is a recognition of the sovereignty and we've passed binding City policy on that, but Native American would be listed. So, that's an alternative that we could -- given that Native Americans are listed under the communities of color, we could take that out. But it was, as I say, important.

**Fish:** Here's my only preference -- and this is an issue I care deeply about. We are having a conversation now about trying to understand something that's become more complicated by the addition. That's going to make it more complicated for a future policymaker. So, my preference is to keep it as clear and consistent as possible, and therefore, I would remove Native American and African American so the communities of color controls both in P5 and in P9.

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**Fritz:** I would be willing to support that if that's --

**Fish:** I just think your intent is to be as broad and inclusive as possible but --

**Fritz:** Yes.

**Fish:** -- but I just think that a redundancy in this nature raises questions of interpretation that go well beyond what you intend. So, I would just strike it so the communities of color controls. And I think sovereign tribes are in fact different.

**Fritz:** Your amendment, Commissioner, is to remove Native American, African Americans, and descendants of immigrants?

**Fish:** Yes, which are all defined under communities of color. So, communities of color controls, and that is in fact the term of art that we use consistently.

**Hales:** Would you delete the whole underlined phrase in nine?

**Fritz:** Yes. I mean, the issue is, do we want to in the Comprehensive Plan recognize that there have been historical atrocities that need to be acknowledged and perhaps reparations made?

**Fish:** I think that each Council can decide -- as we have done with the Office of Equity in choosing to begin by prioritizing certain communities and certain causes. I think that becomes a policy decision, but I think -- I would prefer in P5 to have communities of color control, and I think the definition in P9 "including those" is helpful. I would make the deletion in P5 and keep P9 as it is as amended.

**Hales:** OK, so Commissioner Fish moves that amendment --

**Fish:** Let's do them separately.

**Hales:** Let's do them one at a time. Let's do P5.

**Fritz:** No, I think that's -- are you comfortable with that, Commissioner Novick?

**Novick:** Actually, I'd like you to go over the two things again. Generally, I think I am.

**Hales:** Let's take them apart.

**Fish:** On P5, my amendment is to delete "and Native American, African American and descendants of immigrants who".

**Fritz:** Second.

**Hales:** OK. Now, do we understand that effect?

**Fritz:** And actually "communities" as well.

**\*\*\*\*\*:** I think you need the word "who" to continue the sentence "who have been disproportionately" -- so the word "who" would stay.

**Fish:** So, delete "and Native American, African American, and descends of immigrants" and keep "who."

**Hales:** OK. Take a vote on that amendment.

**Novick:** Second.

**Hales:** Let's vote on that.

**Roll.**

**Fish:** Aye.

**Novick:** Aye.

**Fritz:** So, Commissioner Fish, I really appreciate your leadership on this and your willingness to have these difficult conversations. Keeping sovereign tribes in I think does honor what the Planning and Sustainability Commission was intending to note, that that is different, and so I appreciate this amendment. Aye.

**Hales:** Aye. So now, let's vote to accept P5 as amended.

**Roll.**

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

**Hales:** Now, back to P9.

**Fritz:** Commissioner, you're planning that we would make the changes in this one?

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**Fish:** Because it's a definitional, and I think you have more latitude in defining it, but the term "communities of color" controls.

**Hales:** I move we're removing all the underlined language in 21B, right? That's not what you want to do?

**Fish:** I don't see a need to.

**Hales:** I'm sorry, I'm not following --

**Fish:** It's including, so communities of color is the general term.

**Hales:** OK.

**Fish:** And if in the definition it says it includes, I have no --

**Hales:** Ah, OK, so you're OK with the language as it is now.

**Engstrom:** From a staff question here, is there a question of commas and semicolons or structure of that in terms of which is the general and which is the specific?

**Fish:** I would happily defer to the staff to work that out.

**Engstrom:** In terms of grammar, I'm not sure if you're saying communities of color includes the whole subsequent list or that including phrase ends somewhere. If you can follow what I'm saying.

**Fish:** Communities of color, including those whose families have been in this area for generations such as low-income populations, limited English proficient communities, and other underserved communities.

**Fritz:** And if I might further add -- now that we're looking at that instead of Native American communities, which is already covered above there, if we could add immigrants and refugees.

**Fish:** Fine. Again, by saying "including," it is meant to be illustrative and we have more flexibility. Above, we created a redundancy which created some confusion on my reading. So I would accept that as a friendly amendment.

**Hales:** So that friendly amendment adding immigrants and refugees to the list after limited English proficient communities.

**Fritz:** That makes it clear that immigrants and refugees are included in consideration of communities of color whether in fact they are Caucasian or not. Thank you.

**Hales:** Further discussion. Let's take a vote on that policy as further amended.

**Roll.**

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

**Fritz:** I want to thank everybody in the community and various commissions and parts of the Office of Neighborhood Involvement, my staff. This may seem like a wording issue -- it's obviously hugely important. And thank you to Deborah and your team and everybody who's spent a lot of time working on getting this right. Thank you, Commissioner Fish, for your assistance. Aye.

**Hales:** Aye.

**Novick:** Colleagues, can we interrupt proceedings to recognize a visiting dignitary?

**Hales:** Of course.

**Novick:** We have here with us today Kirk Bloodworth who was wrongly convicted of murder, who I believe was the first person released from death row by DNA evidence and has been a crusader against the death penalty and for those wrongly convicted, and he's an old friend and colleague of my wife Rachel's, and it's great to have him here.

**Hales:** Welcome. Nice to have you here. [applause]

\*\*\*\*\*: Nice to be back.

**Hales:** Alright, great. OK, let's move on right to -- Courtney is back. Are you ready?

**Duke:** I can be.

**Hales:** Let's go back there before we forget what we were doing.

**Engstrom:** Did you vote on the --

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**Hales:** Yes we did.

**Fish:** We did P9. We have two left on the schedule, Mayor, I think we have the momentum. We'll actually have a break before our next hearing.

**Hales:** What a concept. I move to adopt policy P8.

**Fritz:** Second.

**Hales:** Discussion?

**Novick:** Commissioner Fish, didn't you have a suggestion to add the word "neighborhoods" back in?

**Fish:** I'm trying to read my own handwriting here, so --

**Hales:** Communities, organizations, neighborhood associations, business associations, that's pretty close.

**Novick:** I don't know, to me, it seems that if you say neighborhood associations without saying neighborhoods, the assumption is that neighborhood associations are always completely representative of their neighborhood, which is not true.

**Fritz:** Well, that's an incorrect assumption, so we don't -- [trails off]

**Fish:** Let me just pose the question. The existing language of neighborhoods and businesses is, as I understand it, meant to be very broad in application. There are neighborhood associations and business associations in parts of the City that purport to speak for businesses and neighborhoods. But by using the words neighborhoods and businesses, the original language was intended to be broader in scope. Is that correct? What's the counterargument for limiting it to either neighborhood associations or business associations?

**Fritz:** The city has had a recognized system of neighborhood associations for over 30 years, and that's part of our structure.

**Fish:** Well -- so I'm just thinking out loud. Is it also not our value that we welcome comment from a business or neighborhood member, whether or not they participate through their association? And by stating it more broadly as neighborhoods and businesses, aren't we including within that the associations as well as unaffiliated members, in which case we're giving the broadest possible berth to -- we're sanctioning the broadest possible participation?

**Fritz:** I believe we need to honor our existing structures, including Venture Portland and the business associations that are associated with them. "Individuals" covers neighbors and business owners who are testifying for themselves. We have a structure of public involvement that certainly includes everybody, and we have business associations recognized by ONI -- business associations organized under Venture Portland and working with PDC and the neighborhood associations working with the Office of Neighborhood involvement.

**Fish:** Well, Commissioner Fritz, would you -- I'm just trying to wordsmith. What if we kept neighbors and businesses in and added neighborhood associations and business associations?

**Fritz:** What's the definition of those?

\*\*\*\*\*: G11.

**Fritz:** OK, that could be added.

**Fish:** And actually, Venture Portland does not support this amendment. Plus -- and I don't want to be the contrarian, but I live in an orphaned part of Northeast Portland that is actually not mapped by any neighborhood association. It happens to make -- it's an anomaly, but if the sponsor was willing to just include neighborhood associations and business associations and retain neighborhoods and businesses, I could support that.

**Hales:** Are you OK with that, Commissioner Fritz?

**Fish:** I think that ensures the broadest possible scope.

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**Fritz:** Yes, that's fine.

**Hales:** OK, we'll accept that rather than having to vote on it, unless anyone disagrees. Adding those two words back in that are now crossed out, neighborhoods and businesses. And let's take a vote, please, on the policy amendment P8 with that further friendly amendment revision.

**Roll.**

**Fish:** Appreciate very much the discussion. Aye.

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

**Hales:** One more before we go back to PBOT, and that is I move to adopt this additional policy on historic preservation to the historic and cultural resources section of chapter four, new policy advocate for state policies, programs, and legislation that would enable stronger historic resource designation, protections -- [inaudible]

**Fritz:** Second.

**Fish:** I move the motion.

**Fritz:** Actually, Commissioner, I have a further amendment, and that is to add "and federal." So, state and federal historic resources support and advocate for state and federal policies.

**Hales:** Good catch. OK. I'll accept that as a friendly amendment. Further discussion?

**Novick:** I'm actually not sure what federal policies -- I know what the state policy is we're concerned about. I don't know enough about the federal policies to be able to support that amendment.

**Hales:** It would be landmark designation, right.

**Fritz:** National and historic landmarks.

**Brandon Spencer-Hartle:** It could pertain to the National Register of Historic Places in the removal process, or incentives for historic rehabilitation. We have a federal program for that.

**Novick:** I understand that under state law, the problem is the land owner can just decide that they don't want their property to be historic. I don't know that there's the same sort of concern at the federal level, and I don't understand enough about the federal scheme to say I can support this.

**Hales:** Well, this is a position of policy support and direction for advocacy. If advocacy change is needed at the federal level because there is no such loophole, we would be advocating change.

**Novick:** But apparently we're saying we're advocating for stronger historic resource designations at the federal level. And since I don't know what the current federal policies are, I can't say for sure that I'd support that.

**Hales:** OK. Well, I think it's a general policy it's a good idea, so we'll just --

**Novick:** You accepted that as a friendly amendment, Mayor? I move the motion.

**Hales:** OK.

**Roll.**

**Fish:** Aye. **Saltzman:** Aye. **Novick:** No. **Fritz:** No. **Hales:** Aye.

**Hales:** OK, let's go back --

**Fritz:** Is this the very last one?

\*\*\*\*\*: What page was that on again?

**Fish:** Commissioner Fritz, this is the penultimate one.

**Duke:** It is the penultimate one.

**Fish:** I have to say that because I love that word. And no one actually knows what it means --

**Duke:** It's the second-to-last, isn't it?

**Fish:** It is. You're one of the few people who knows what it means.

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**Fritz:** Let me put it this way, Commissioner -- it's really important to me.

**Hales:** What number is it?

**Engstrom:** I think we were on P73. Is that the one that you were -- it's new policy after 8.40.

**Duke:** I think what I have is still not supportive of a new policy, but looking at existing policy 8.38 transportation function. So, a couple of things to say.

Spoke with more staff over at PBOT. In our understanding of the word "access" and how we have it defined in our design classification that we're modifying right now in stage three, access includes parking, parking and loading, bike parking, access to local services. One reason in that definition of access both in those classifications or in the glossary that we don't list every single thing out is because we could always miss something. So again, from a policy planner, bureaucrat perspective, "access" includes parking. So to us, it's covered.

So again, if Council and Commissioner Fritz still feels they would like to have that highlighted, we're more comfortable with policy 8.38 to say "transportation function improve and maintain the right of way to support multimodal transportation mobility, access to goods and services and parking as is consistent with the designated street classification." Because again, we're modifying those street classifications right now to further discuss access in different parts of the city and what that looks like, including on-street parking or lack of on-street parking. Because there will be some locations where street designations do not highlight or do not prioritize on street parking. So that's --

**Hales:** So in lieu of P73, Commissioner Fritz moves revision to policy 3.38 as just iterated by Courtney.

**Novick:** And I agree with Courtney that parking is included already with reference to access to goods, and I think that calling it out highlights it in an unnecessary and unfortunate manner, basically saying parking uber alles.

**Fish:** Uber alles?

**Hales:** I think parking inter alles, in this case.

**Fritz:** This is really important to me. I think it's really important to street vacation.

**Fish:** Well, staff, I just want to understand -- because you're saying it's already covered somewhere else. So in the event something comes before Council in the future and we have it in these two places, what's the practical effect of that?

**Duke:** The practical effect if you're looking at it -- I believe it's a street vacation, which I believe Commissioner Fritz is looking at -- we would want to be looking at the consistent with the designated street classification. She would go to the street classification description -- either it's a major city traffic or bikeway -- and we have definitions and descriptions as to what those designations should have. And we are actually revising them and you'll see those in the next stage of the TSP about how we treat that space. And in a number of locations, that space does not prioritize -- prioritize is probably the wrong word - - but on-street parking is not necessarily one of the first things we put there. But there's other locations where on-street parking is discussed and is a part of that and would be included in the street function.

Another place where we could be making some additional changes that could help clarify this is we're again updating the transportation system plan, we could make additional amendments to our glossary to reiterate that transportation function and transportation facilities include parking and/or that access includes all of these things.

**Fish:** In the event that something comes before us with this change, are we tilting the playing field now or are changing the way in which the issue might be decided?

**Engstrom:** There's a continuum. I mean, if every fourth word was "parking," I think that would be tilting. If you never mentioned it at all, that's another end of the continuum.



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**Fish:** That's where we're at right now -- there's no mention of parking.

**Novick:** Right, but there's no mention of bicycles or pedestrians or anything specific in 8.38, it's very general. "Improve and maintain the right of way to support transportation mobility and access to goods and services." That's very general language. You throw "parking" in -- and oddly, this is similar to the discussion we just had about communities of color and other specific things. I see no need to highlight parking in the context of this very general statement.

**Fritz:** OK, well another alternative is -- I'm very concerned about street vacations. That's when you give up the public right of way. So, another alternative would be to change policy 8.48 and to say "maintain rights of way if there's an established or existing need for them, such as for transportation facilities, parking, or other public functions."

**Novick:** Isn't parking part of the transportation facility itself?

**Fritz:** No, it isn't! That's the point.

**Duke:** In the definition, it is, yes.

**Fritz:** Where?

**Duke:** In the glossary. And if not, we can add it.

**Fish:** I think transportation facility includes on and off-street parking, right?

**Duke:** Correct.

**Fritz:** It's not listed.

**Duke:** Again, we would be more comfortable putting it in the glossary than putting it in the policy statement.

**Fish:** That seems like a win.

**Fritz:** There isn't a definition of a transportation facility.

**Duke:** There is in the transportation system plan, which is a component of the Comprehensive Plan. So we can make sure that that's clear in there as well as under "access."

**Hales:** I think the concern you're raising, Commissioner Fritz, is valid. If it's really true that that's covered in that part of the TSP, then I think that may do it.

**Fritz:** A future policy wonk like me on the Council when reviewing street vacations is going to go and look at "what are my criteria that I'm supposed to make this on?" And I'm not necessarily going to pull out my transportation system plan. I'm going to want it to be -- because this is the land use issue.

**Hales:** We do look at the comp plan when we do vacations. So, your most recent proposal is to add the word --

**Fritz:** "Transportation facilities, parking, or other public functions."

**Hales:** In 8.48. OK.

**Fritz:** In the right of way policy.

**Hales:** Commissioner Fritz moves that and I second it.

**Duke:** Commissioner Fritz, did you still want to amend that to create 8.43 as well?

**Fritz:** Yes, that's another --

**Engstrom:** Let's handle that as a separate item.

**Duke:** OK, sorry.

**Hales:** Let's take a vote on that, which is again to amend the existing 8.48 specifically about right of way vacation. This doesn't apply to transportation or land use decision making in general. It just applies to vacations, right?

**Fritz:** Right.

**Hales:** Ready to take a vote on that?

**Fritz:** And it would say "maintain rights of way if there is an established or existing future need for them such as for transportation facilities, parking or other public functions established in policies" which we'll get to in a minute.

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**Fish:** Just so I'm clear, the worst that you could say from a drafting point of view here is that we've created a redundancy.

**Fritz:** Yes, Commissioner.

**Fish:** Commissioner Novick, do you believe the redundancy 00 you keep invoking Uber and Lyft -- you believe that changes the meaning of the changes the meaning --

**Hales:** Not using "uber" in that context --

**Novick:** I think that since "transportation facilities," Courtney tells us, is defined to include parking in the TSP, then again calling out parking makes it sound like that is the most important existing or future need that needs to be considered. And I don't think that's appropriate.

**Hales:** Let's take a vote.

**Roll.**

**Fish:** Good discussion. I have to -- I'm -- I have two colleagues who feel strongly, but I think this can be resolved through the definitions, so I vote no.

**Saltzman:** No.

**Novick:** No.

**Fritz:** It's really disappointing. We're so close to getting to what I thought would be something I could completely support and we're so invested in getting right and this is not right. Aye.

**Hales:** No. OK, so now that we have the other one still.

**Engstrom:** The number question. It may be easier to look at the --

**Fritz:** Tell me what number we're on again?

**Engstrom:** This is the same one but just considering the final edit there about what policies are referenced in street vacations.

**Fritz:** What number is the amendment?

**Engstrom:** 67.

**Zehnder:** Page 35.

**Engstrom:** So it's the same policy, we're just talking about -- at the end there's a reference to what other public functions do you consider in a street vacation. And currently, if you stop at 8.41, you leave out community uses, which is a policy that I believe the sponsors of this amendment wanted to include. The reason we changed it to P43 was with the assumption that you were adding the parking item in there, and so we would be increasing the number. So, I think right now the --

**Fritz:** No, no, it needs to go to 43. Commercial uses are certainly --

**Engstrom:** That's the question. Where do you want to draw the line? Right now, it's transportation function, utility function, stormwater, trees, community uses, commercial uses, and then flexible design, which is kind of a different topic.

**Fritz:** You were going to stop at 41, which is trees and not consider community uses or commercial uses.

**Engstrom:** Correct. The Planning Commissioner stopped. The question is where do you stop there?

**Hales:** Alright, do you understand the distinction?

**Engstrom:** You want to leave it with 43 and call the question?

**Fish:** Can I get some guidance from the sponsor? Does anyone disagree with the sponsor?

**Novick:** No.

**Hales:** I agree with the sponsor. OK, ready to vote? Let's vote.

**Roll.**

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

**Hales:** Now are we done, except for the Metro?

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**Engstrom:** With the exception of the Metro, I believe you're done. The discussion that we had -- Kathryn --

**Fish:** That's been put over.

**Engstrom:** 66.

**Zehnder:** Oh, we never closed that one.

**Engstrom:** They went a different direction.

**Beaumont:** [inaudible] -- no action --

**Engstrom:** You decided -- [speaking simultaneously]

**Hales:** With the sole exception of item number 55, the Metro properties, which we've continued to Thursday at 2:00 p.m., then we're done with our action on amendments, correct?

**Engstrom:** Right. So the next step is you're asking us to prepare findings and final documents to bring back to you. I believe aiming for a June 9th. It would be a substitute ordinance incorporating the revised as amended documents.

**Beaumont:** This item is continued until 19th next Thursday at 2:00 p.m. for the sole purpose of considering the Metro amendment. And then it will be -- staff will be bringing findings --

**Hales:** Staff will be bringing to Council with findings.

**Fish:** And Joe, can we be clear that whatever written materials Metro prepares they review with you so your office can make a recommendation to Council?

**Zehnder:** Yes, we'll be in touch with them tomorrow to firm up those logistics.

**Fish:** Mayor, may I -- since we're closing out this hearing -- may I join with you and others in complimenting staff from the Planning Bureau for the way they've managed this?

**Hales:** Yes, well done.

**Fish:** I missed the last hearing and I'm already exhausted. This is an incredibly arduous, complicated matter, and you guys make it look easy. Good work.

**Hales:** Thank you very much.

**Moore-Love:** Mayor --

**Fish:** Can we suspend the rules --

**Hales:** Let's suspend the rules. [applause] We're recessed --

**Moore-Love:** Mayor, can I --

**Hales:** Oops, not quite.

**Moore-Love:** Did you say 2:00 p.m.? You're going to move it in front of the other time certain?

**Hales:** Yes.

**Moore-Love:** It will be a four-fifths agenda item because you've missed the deadline for the agenda.

**Hales:** That's fine. We can do it as a four-fifths. Thank you. Good work.

At 4:21 p.m., Council adjourned.